

Copy of Reso. No. 05 (P-01)
of
Councils Ordinary Meeting
Dated 28/08/2015

ITEM NO. 05 (P-01)

1. **NAME OF THE WORK**
Booking of various parks, gardens, lawns in NDMC area and approval of their charges/rates.
2. **NAME OF THE DEPARTMENT**
Public Relations Department
3. **BRIEF HISTORY OF THE SUBJECT**

At present the following parks are booked for cultural programmes, film shooting and other programmes as per terms and conditions approved by the Council resolution No.6(P-1) dt:-19/9/2007 and No.12(P-01) dated 26/2/2014 as per details given below:-

SR.NO.	NAME OF PARK	PERMITTED FUNCTIONS/ACTIVITIES	EXISTING RATES (PER DAY)(IN RUPEES)	
			CHARGES FOR CULTURAL FUNCTIONS	SHOOTING CHARGES
1.	Central Park	(a) Film shooting, Govt. functions, (b) NDMC organized partnered functions (c) Idea/analysis programme by media group.	Booking 40,000/- Security 20,000/-	Booking 50,000/- Security 25,000/-
2.	Nehru Park	(a) NDMC partnered cultural shows (b) Film shooting (c) Open air yoga camps after prior approval/partnership with NDMC	-do-	Booking - 1,00,000/- Security 50,000/-
3.	Lodhi Gardens	(a) Film shooting (b) Open air yoga camps after prior approval/partnership with NDMC	-do-	-do-
4.	Sanjay Jheel	(a) Cultural shows in partnership with NDMC (b) Film shooting (c) Open Air Yoga Camps after prior approval and partnership with NDMC.	-do-	-do-
5.	Talkatora Garden	Film shooting, cultural shows (surtal), Govt. sponsored functions	-do-	-do-

4. DETAILED PROPOSAL OF THE SUBJECT

As it has become imperative to have a uniform policy for all the parks under the control of NDMC, it is proposed that activities permitted at each park need to be suitably modified. Further, the Booking charges for these parks were approved by the Council in 2007, and since then, there has been an increase in maintenance cost of these parks, and therefore, it is also proposed to enhance the rates for booking for cultural functions/film

shooting. Following chart, detailing the functions to be allowed/permitted in various parks, is prepared as follows:-

SR.NO.	NAME OF PARK	PERMITTED FUNCTIONS/ACTIVITIES	PROPOSED RATES (PER DAY)(IN RUPEES)	
			CHARGES FOR CULTURAL FUNCTIONS	SHOOTING CHARGES
1.	Central Park, Connaught Place	a) Cultural shows in partnership with NDMC, Govt. functions, relating to music, culture, art & craft, education, open air yoga etc. b) Film Shooting c) Ideas/Analysis programme by Media Groups	Booking 80, 000/- Security 40, 000/-	Booking 2,00,000/- Security 1,00,000/-
2.	Nehru Park	a) Cultural shows in partnership with NDMC, Govt. functions, relating to music, culture, art & craft, education, open air yoga, etc. b) Film shooting	-do-	-do-
3.	Lodhi Gardens	a) Film shooting b) Open air yoga after prior approval and in partnership with NDMC	-do-	-do-
4.	Sanjay Jheel	a) Cultural shows in partnership with NDMC, Govt. functions, relating to music, culture, art & craft, education, open air yoga camps, etc. b) Film shooting.	-do-	-do-
5.	Talkatora Garden	a) Cultural shows in partnership with NDMC, Govt. functions, relating to music, culture, art & craft, education, open air yoga camps, etc. b) Film shooting.	-do-	-do-

- No Food festival would be allowed in these parks. Chairman may be authorized to relax charges to programmes of the Central/State Government in the public interest.

- For events involving school student's related activities (Per day charges in Rs.)

S. No.	Name of Park	Existing rates	Proposed rates
		(Per day) (In Rupees)	
1.	Education related Competition events like painting etc., in all parks	Booking 20, 000/- Security 10, 000/-	Booking 30, 000/- Security 15, 000/-

**For NDMC schools free of charge*

For sports activities (Per day charges in Rs.)*

S. No.	Name of Park	Existing rates	Proposed rates
		(Per day) (In Rupees)	
1.	Cricket Ground at TKG (If booked by Government/Social organization/Sports clubs)	Booking 2,000/- Security Nil	Booking 4,000/- Security 2,000/-
2.	Cricket Ground at TKG (For corporate and private sector)	Booking 10,000/- Security 5,000/-	Booking 20,000/- Security 10,000/-

- For NDMC organized events free of charge.
- In addition to the above charges, Rs. 600/- is to be paid to the groundsman for maintenance of cricket ground and pitch in each case.
- For film shootings on roads/markets/ other location of NDMC area, rates are similar to that of parks. Central Park, Connaught Place, shall be booked for a maximum of ten days during a calendar month subject to the conditions that this does not violate any direction/order issued by Hon'ble Supreme Court/High Court/or any other Court.
- Terms and conditions to be followed by the hiring agencies will be the same as earlier, except that Service Tax, at applicable rates, shall be levied on the Booking charges separately.

5. FINANCIAL IMPLICATION OF THE PROPOSED SUBJECT/PROJECT

The Council has been in receipt of revenue from Booking-Charges in respect of these parks in the past years. If the rates are revised, the revenue on this account will be enhanced. Enhancement/revision of the rates is needed to account for the increased cost of maintenance of these parks. Revenue on this account depends purely on the number of bookings. Parks/gardens are booked for shooting/cultural programmes very rarely. Therefore no fixed financial implications can be worked out.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING

After administrative approval of rates of each park from the Council, the parks will be booked at the new rates.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

1. The rates for Film Shooting at Central Park should be at PAR with other proposed Parks.
2. The rates for Film Shooting on Roads/Markets/other locations in NDMC area may be indicated separately.
3. The Department may confer whether service tax is applicable for renting out these premises. If yes, then service tax as applicable should be charged extra.
4. The Department may explore the possibility of booking these premises through online system and also receiving payments/refunding Security Deposit through E-Mode.

8. COMMENTS OF THE P R DEPARTMENT ON THE COMMENTS OF FINANCE DEPTT.

1. Uniform rates for Booking/Film Shooting at all parks has been proposed.
2. Film Shooting on Roads/Markets other locations in NDMC area comes under the jurisdiction of Enforcement Department and the rates for such activities will also be similar to those proposed in the five major parks.

3. Service Tax will be charged in the bill separately from now on as recommended by the Finance Department.
4. Facility for online Booking of Parks and payment will be provided with the help of I.T. Department in future.

9. **LEGAL IMPLICATION OF THE SUBJECT.**

No

10. **DETAILS OF THE PREVIOUS COUNCIL'S RESOLUTION EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THE SUBJECT.**

The rates alongwith terms & conditions for booking of 5 major parks was accorded by the Council Reso No.06 (P-1) dated 19/9/2007 Reso.No.12 (P-2) dated 26/2/2014 (copy enclosed as Annexures A & B See pages 24 - 32).

11. **COMMENTS OF THE LAW DEPARTMENT OF THE SUBJECT.**

No legal issues at this stage.

12. **COMMENTS OF THE P R DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT**

The Law Department has given their concurrence.

13. **RECOMMENDATIONS**

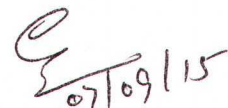
It is recommended that the proposal regarding functions to be allowed at different parks and their proposed revised rates be approved.

14. **DRAFT RESOLUTION**

1. There shall be a uniform policy of permitting functions relating to music, culture, art & craft, education, etc., at all the five major parks, except at Lodhi Gardens.
2. The booking and security rates for the functions relating to music, culture, art & craft, education, etc. are enhanced to Rs.80,000/- and Rs.40,000/-, separately, at the four parks.
3. The booking & security rates of film shootings at all the parks are enhanced to Rs.2,00,000/- & Rs.1,00,000/- respectively.
4. The above rates are exclusive of Service Tax and it will be leviable separately at applicable rates.

COUNCIL DECISION

Approved.


 07/09/15
 For Secretary
 New Delhi Municipal Council
 Patla Koudra, New Delhi

RESOLUTION NO. 06 (P-1)/19.09.2007

1. **Name of the work**
Booking of various parks, gardens, lawns in NDMC area and approval of their charges/rates.
2. **Name of the Department**
Public Relations Department
3. **Brief History of the Subject**

Till now 5 major parks are booked for cultural programmes, film shooting and other programmes as per terms and conditions approved by the Council resolution No.3(XII) dt:-23/11/2001. The parks permitted for functions/activities are:-

<i>Name of Park</i>	<i>Permitted functions/activities</i>	<i>Existing rates (Per day)</i>
Talkatora Garden:	Film shooting, cultural shows (surtal), Govt./Govt. sponsored functions	Booking 30,000/- Security 20,000/-
Talkatora Cricket: Ground	Sport activities and events only	Booking 1,500/- Security 1,000/-
Nehru Park:	(d) NDMC partnered cultural shows (e) Film shooting (f) Open air yoga camps after prior approval/ partnership with NDMC	Booking 30,000/- Security 20,000/-
Lodhi Gardens:	(c) Film shooting (d) Open air yoga camps after prior approval/ partnership with NDMC	Booking 30,000/- Security 20,000/-
Sanjay Jheel:	(d) Cultural shows in partnership with NDMC (e) Film shooting	Booking 30,000/- Security 20,000/-
Central Vista: (India Gate Lawns)	Transferred to CPWD	-----

The Central park, Connaught Place has recently been handed over by DMRC to NDMC and is being booked for i). Govt. functions ii). NDMC functions iii). Ideas/Analysis programme by Media Groups.

Now it has become imperative to increase the charges of these parks as the maintenance cost of these parks have increased in all these years as the last rates were approved in 2001. Simultaneously with the lapse of time the terms and conditions also need to be modified.

4. **Detailed proposal of the subject**

In consultation with Director (Hort.) the following chart detailing the functions to be allowed/permitted in various parks, is prepared as:-

Name of Park	Permitted functions/activities
Talkatora Garden	Film shooting, cultural shows (Sur-Tal), Govt./Govt. sponsored functions.
Talkatora Cricket Ground	Sports activities and events only.
Nehru Park	a NDMC partnered cultural shows b Film shooting c Open air yoga camps after prior approval/partnership with NDMC
Lodhi Gardens	a Film shooting b Open air yoga camps after prior approval/partnership with NDMC
Sanjay Jheel	a Cultural shows in partnership with NDMC b Film shooting c Open Air Yoga Camps after prior approval and partnership with NDMC.
Central Park, Connaught Place	a Govt. functions b NDMC organized/partnered functions c Ideas/Analysis programme by Media Groups
Central Vista (India Gate Lawns)	Transferred to CPWD

The existing and proposed rates for various functions are as follows:

For shooting of Films etc.

S. No.	Name of Park	Existing rates (Per day)(Rupees)	Proposed rates (Per day) (Rupees)
1.	Talkatora Garden, Nehru Park, Lodhi Gardens, Sanjay Jheel Park	Booking 30,000/- Security 20,000/-	1,00,000/- 50,000/-
2.	Central Park, Other area Roads, Market	Booking 30,000/- Security 20,000/-	50,000/- 25,000/-

For any other permitted programmes in all parks**

1.	All other permitted functions other than film shooting	N.A.(no existing rate)	Booking 40,000/- Security 20,000/-
2.	News/Current Affairs related programmes of Media in Central Park	N.A. (no existing rate)	Booking 40,000/- Security 20,000/-

** Central Park, Connaught Place shall be booked for a maximum of ten days during a calendar month subject to the conditions that this does not violate any direction/order issued by Ho'nble Supreme Court/High Court/or any other Court

For events involving schools (Per day charges in Rs.)

1.	Competition events like painting etc. in all parks	N.A. (no existing rate)	Booking 20,000/- Security 10,000/- *For NDMC schools free of charge
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For sports activities (Per day charges in Rs.)*			
1.	Cricket Ground at TKG (If booked by Government/Social organization/Sports clubs)	Booking 2,000/- Security 1,000/-	Booking 2,000/- Security NIL
2.	Cricket Ground at TKG (For corporate and private sector)	N.A. (no existing rate)	Booking 10,000/- Security 5,000/-

* In addition to the above charges Rs. 300/- is to be paid to the grounds man for maintenance of cricket ground and pitch in each case.

Terms and conditions to be followed by agencies are:-

- a All requests for booking of the parks will be addressed to Director (PR), Room No. 1521, 15th Floor, Palika Kendra, Sansad Marg, New Delhi-110102 Tel. No. 41501634
- b If the agency requires any extra electricity apart from that already available in the Park they will have to apply for separate electrical point which will be charged on actual consumption basis. A maximum of 60 KW additional temporary electricity connection can be provided for which a flat rate of Rs. 50/ KW for maximum 6 hours used per day will be charged. NOC from caretakers of the park, electricity department (wherever applicable) will be required before refund of security. The request for temporary connection may be addressed to Director (Commercial), Mezzanine Floor, Room No. 2, Palika Kendra, New Delhi-110102 Tel. No. 23367761.
- c The payments will be made in the form of demand drafts in the name of Secretary, NDMC separately for security and maintenance charges. This would be deposited maintenance charge in head of A/c H (vii) [60/61/140/50/21] and security deposit in head of A/c H (vii) [340/80/03] - reservation of parks/play ground.
- d Only silent generators will be permitted and they will have to be placed at pre-specified designated locations.
- e Preparations, sale and distribution of edible items will not be permitted inside the park. However, individual picnics are allowed.
- f Security/Fire safety measures have to be taken by the organizers and approved by Chief Security Officer and Chief Fire Officer, NDMC.
- g The Programme conducting agency shall ensure that all materials used are fire resistant and non inflammable. Bursting of fire crackers will be prohibited.
- h No inflammable items including gas, stoves/cylinders etc. will be permitted in the park.
- i Programmes which involve expected audience to be more than 500 will have to take permission from the DCP (Traffic), New Delhi.

- j In case of cancellation of booking more than one month in advance from the date of function 30% of the booking charges will be forfeited. If the programme is cancelled less than one month in advance of the date of function 50% of the booking charges will be forfeited. In case the booking is cancelled within 48 hours from the date of function, the entire booking amount shall be forfeited. However the security deposit will be refunded in full in all cases.

Booking party may claim security deposit within 180 days of the completion of function failing which the security will be forfeited and deposited in the municipal treasury.

For refunds of security deposit NOC have to be taken from the following officers;

S.No.	Name of Park	Name and Designation of official
1.	Talkatora Garden	Section Officer (Horticulture)
2.	Talkatora Cricket Ground	Coach (Cricket)
3.	Lodhi Garden	Asstt. Dir. (Hort.)
4.	Nehru Park	Asstt. Dir. (Hort.)
5.	Central Park, Connaught Place	Asstt. Dir. (Hort.)
6.	Sanjay Jheel	Asstt. Dir. (Hort.)

Entry to the park will be free and no charges be levied by the agencies for access to the park during any such programme.

Organizers may ensure that no/minimum inconvenience is caused to public.

Parking of vehicles will be allowed only at permissible parking lots.

No Commercial/Marriage/Private function of any kind will be permitted in any of the park.

Garbage is to be collected at designated space (s) and kept in proper bags for (recyclable and non-recyclable) and to be disposed at specified sites by the agencies organizing the programme.

The agency conducting the programme will have to follow the prevailing noise pollution and sound decibel levels norms.

No digging of any kind will be permitted inside the park. This includes tentage/structure of any kind.

A spot fine of Rs. 500 will be levied if any individual is found guilty of littering, damage to grass bed and flower plants, structural damage etc. in each case.

NDMC will not be liable for any compensation due to mishappening/accident due to any act or otherwise of the organizers.

Chairperson NDMC reserves the right to relax/alter/exempt any of the above terms and

conditions including booking/maintenance charges and security.

5. **Financial implication of the proposed subject/project**
The Council has been in receipt of revenue in the shape of Booking-Charges in respect of these parks in the past years. If the rates are enhanced/revised it is hoped that the revenue on this account will also enhance automatically. Enhancement/revision of the rates is also needed to account for the maintenance of these parks. Revenue on this account depends purely on the number of bookings. Parks/gardens are booked for shooting/cultural programmes very rarely. Therefore no fixed financial implications can be worked out.
6. **Implementation schedule with timeliness for each stage including internal processing**
Chairperson has already approved the proposal and rates. After administrative approval of rates of each park from the council the parks will be booked and the new rates shall be applicable.
7. **Comments of the Finance Deptt. on the subject.**
The Finance Department has suggested following modifications/corrections
 - a The Draft Resolution, too, has still not been given in the proposed Draft Agendum in Column No. 13.
 - b In column 5, under the heading "Financial Implications", no financial implications have been worked out on account of the proposed enhancement of booking charges of various parks and gardens. The approximate enhancement in the generated revenue on account of proposed enhancement in booking charges may be worked out and incorporated in Column No. 5 under the heading "Financial Implications".
 - c There must be stipulation that in case the booking is cancelled within 48 hours from the date of function, the entire booking amount shall be forfeited and only the Security Deposit shall be refunded.
 - d The comments of the Law Department on the subject and comments of the Department on comments of the Law Department may also be incorporated in Column No. 11 and 12 of the proposed Draft Agendum respectively.
8. **Comments of the Deptt. on comments of Finance Deptt.**
The suggestions/comments of the Finance Department have been incorporated in relevant columns.
9. **Legal implication of the subject.**
The Law Deptt. has opined that regarding booking of various parks, garden and lawn in NDMC area and approval of their charges and rates. At this stage no legal implication is noticed now this has our concurrence. This is with the prior approval of the LA.
10. **Details of the previous council resolution existing law of parliament and assembly on the subject.**
The rates alongwith terms & conditions for booking of 5 major parks was accorded by the Council vide item No.3(XI) dated 23/11/2001.(Copy placed at Annexure-'B')

11. Comments of the law deptt. of the subject.

The booking of various parks, gardens, lawns in NDMC area and approval of their charges and rates. At this stage no legal implications/comments is noticed on the booking of various parks & garden in NDMC area.

12. *Comments of the deptt. on the comments of law deptt.*

The Law Deptt. has given his concurrence at Page-14.

- 13.

Recommendations

It is recommended that the proposal regarding functions to be allowed at different parks and their proposed revised rates alongwith the terms & conditions from a to v be approved.

COUNCIL DECISION

Resolved by the Council that the proposal regarding functions to be allowed at different parks and their proposed revised rates, alongwith the terms & conditions as mentioned in the preamble, is approved subject to the condition that a certificate be issued by the Law Deptt. & Horticulture Deptt., to the effect that the directions of the Hon'ble Supreme Court regarding booking of parks and gardens are being complied with by the department.

At the time of confirmation of the minutes, in the next Council Meeting No.10/2007-08 dated 17.10.2007 it was decided that :

"Central Park/Connaught Place shall be booked for maximum of Six days during a Calendar Month" be replaced with "Central Park/Connaught Place shall be booked for maximum of Ten days during a Calendar Month" subject to the conditions that this does not violate any direction/order issued by Ho'nble Supreme Court/High Court/or any other Court.

And

"No Commercial/Religious/Marriage/Private function of any kind will be permitted in any of the park" be replaced with "No Commercial/Marriage/Private function of any kind will be permitted in any of the park"

RESOLUTION NO. 12 (P-01) / 26.02.2014

1. Name of the work

Booking of various parks, gardens, lawns in NDMC area and approval of their charges/ rates.

2. Name of the Department

Public Relations Department

3. Brief History of the Subject

At present the following parks are booked for cultural programmes, film shooting and other programmes as per terms and conditions approved by the Council resolution No. 06(P-1) dt:- 19/09/2007 as per details given below :-

Name of Park	Permitted functions/activities
Talkatora Garden	Film shooting, cultural shows (Sur-Tal), Govt./Govt. sponsored functions.
Talkatora Cricket Ground	Sports activities and events only.
Nehru Park	a) NDMC partnered cultural shows. b) Film shooting c) Open air yoga camps after prior approval/partnership with NDMC.
Lodhi Gardens	a) Film shooting b) Open air yoga camps after prior approval/partnership with NDMC.
Sanjay Jheel	a) Cultural shows in partnership with NDMC b) Film shooting c) Open air yoga camps after prior approval and partnership with NDMC.
Central Park, Connaught Place	a) Govt. functions b) NDMC organized/partnered functions c) Ideas/Analysis programme by Media Groups
Central Vista (India Gate Lawns)	Transferred to CPWD

It may be seen that there is no mention about the functions/meetings organized by political parties/outfit and NGOs in the Council decision taken in the Council meeting No. 10/2007 – 08 dated 17/10/2007, at the time of confirmation of the minutes of Council meeting dated 19/09/2007. The P.R.Department has

been receiving requests from political parties/outfit and NGOs also for holding functions in different parks and the department cannot categorically deny the permission as the decision taken by the Council in this regard is silent.

4. Any kind of function/gathering by the political party /outfits and NGOs may invite large gathering and there may be damage in the parks resulting in avoidable expenditure in making good the damage and increase cost for maintenance of the parks. There is Rajiv Chowk Metro Station below the Central Park and DCP, New Delhi has also advised that the Central Park/Amphitheatre is on the roof of the Rajiv Chowk Metro Station and therefore, a large gathering is deemed dangerous to the metro construction. Recently, approval was given for political gathering at Central Park, Connaught Place with the limit of a gathering upto 1000 persons but the damage to the park and the surroundings was unacceptable. We could not contain the gathering to prescribed limit, which could have be a dangerous to the operations of DMRC.
5. In view of the above, it is proposed that the Council Resolution passed in the Council meeting No. 10/2007 – 08 dated 17/10/2007 may be modified as under :-

“Central Park/Connaught Place shall be booked for maximum of Ten days during a Calendar Month subject to the condition that this does not violate any direction/order issued by Hon'ble Supreme Court/High Court/or any other Court”.

And

“No Commercial/ Marriage/Private/Political functions be permitted in any of the above parks. The Non Government Organization (NGO) may be allowed to hold any function only with the prior approval of Chairman, if he decides in favour of doing so in view of the Socio Cultural importance of the programme”.

All other terms and conditions will remain the same.

6. Financial Implication of the proposed subject/project

There is no financial implication in the proposed modification.

7. Implementation schedule with timeliness for each stage including internal processing.

Not applicable.

8. Details of the previous council resolution existing Law of Parliament and assembly on the subject.

The rates alongwith terms and conditions for booking of five major parks was accorded by the Council vide item No. 06(P-1) dated 19/09/2007 and final decision was taken at the time of the confirmation of the minutes of the Council meeting No. 10/2007-08 dated 17/10/2007.

9. Recommendations

It is recommended that the modification regarding functions to be allowed at different parks as suggested in para No. 4.

COUNCIL DECISION

Resolved by the Council that the Council Resolution passed in the Council meeting No. 10/2007 – 08 dated 17/10/2007 may be modified as under :-

“Central Park/Connaught Place shall be booked for maximum of Ten days during a Calendar Month subject to the condition that this does not violate any direction/order issued by Hon’ble Supreme Court/High Court/or any other Court”.

And

“No Commercial/ Marriage/Private/Political functions/ meetings/rellies be permitted in any of the above parks. The Non Government Organization (NGO) may be allowed to hold any function only with the prior approval of Chairman, if he decides in favour of doing so in view of the Socio Cultural importance of the programme” and provided that the number of people does not exceed 1500 in any case.

All other terms and conditions will remain the same.