

CHAPTER - II

GRANT OF PERMISSION FOR STILL/ VIDEO PHOTOGRAPHY IN RAILWAY PREMISES /TRAINS

1. PRIOR CLEARANCE FROM THE M/o EXTERNAL AFFAIRS

- 1.1 Professional foreign journalists (*not based in India and not having accreditation from the Government of India*), are required to **approach the External Publicity Division of the Ministry of External Affairs (MEA) for obtaining clearance** before seeking permission for **still/video photography** (for news/features *to be published/telecast outside India*).
- ✓ 1.2 However, **foreign journalists** who are based in India and **have accreditation** from the Government of India **do not require such clearance**.
- 1.3 Foreign nationals, visiting India as **tourists, etc, also do not require such clearance** for undertaking still/video photography for **personal and non-commercial use**.

2. SECURITY CLEARANCE OF LOCATIONS

- 2.1 The locations for still/video photography indicated by the applicants (*and cleared by the MEA wherever necessary*) are generally considered for grant of permission subject to the security clearance in accordance with the guidelines issued by the Ministry of Home Affairs (MHA) from time to time and circulated to the Railways/Units by the Security Directorate of the Ministry of Railways.
- 2.2 In respect of the requests of foreign nationals, security clearance shall be granted by the Security Directorate of the Ministry of Railways and in respect of the requests from Indian nationals such clearance shall be granted by the Security Departments of the respective Railways/Units.

3. WHOM TO SUBMIT APPLICATIONS

- 3.1 The requests of the **foreign nationals** (*along with the clearance wherever necessary*), seeking permission for still/video photography in Railway premises/ trains, are required to be submitted (*either directly by the applicants themselves or through their authorized representatives in India*) to the **Director Information & Publicity, Public Relations Directorate, Ministry of Railways**.

- 3.2 The requests of the **Indian nationals** seeking permission for still/video photography in Railway premises/ trains are required to be submitted to the Chief Public Relations Officers of the respective Railways/Units depending upon the locations for which permission is sought.
- 3.3 In both the above cases, the persons/ parties seeking such permission should clearly specify the **locations** to be covered, the **likely date(s)** of coverage and the **purpose** for undertaking still/video photography.

4. GRANT OF PERMISSION

- 4.1 Permission for still/ video photography to **Indian nationals** shall be granted by the Chief Public Relations Officers of the respective Railways/Units.
- 4.2 Permission for still/ video photography to the **foreign nationals** shall be granted by the Public Relations Directorate, Railway Board. However, if still/ video photography is to be undertaken for **commercial purposes**, approval (*in principle*) will be conveyed to the concerned Railways/Units advising them to grant permission after completing necessary formalities and charging the prescribed licence fee.
- 4.3 The **permission letter**, indicating the conditions mentioned in **para-4.5 to 4.7 and 5.7 (wherever applicable)**, shall be issued by the Public Relations Directorate Railway Board or the CPROs of the Railways/Units (*as the case may be*) directly to the individual applicants (*or their representatives*) endorsing a copy thereof to the Security Department also.
- 4.4 In respect of foreign nationals, the **Intelligence Bureau (IB)** shall also be kept informed by endorsing a copy of the permission letter to the Deputy Director/IB, Ministry of Home Affairs, North Block, New Delhi.
- 4.5 The permission letter issued under **para-4.3** is to be treated as authority enabling the applicants to take still/ video photographs in railway premises/trains till the validity period indicated therein. The rules/ procedure (if any) regulating entry into a particular railway premises, train, etc will have to be followed meticulously. It is clarified that the permission letter, allowing still/video photography, is neither a travel authority nor does it ipso-facto authorize the holder to enter any railway premises/train.
- 4.6 The holder of the permission letter is required to **give prior information** to the Station Manager/In-charge of the concerned stations/premises before undertaking still/video photography. He has to **observe safety and security regulations** in vogue on the Railways and ensure that still/video photography is confined to railway premises/trains only; it does not affect normal working of the Railways; it

does not cause inconvenience to other rail users; and it does not cover places prohibited for still/video photography by the Railways

- 4.7 The holder of the permission letter should disclose his/her identity and show the permission letter to the railway officials on demand. In addition, the foreign nationals should have **valid Passport/Visa** while visiting various locations and they shall be under an obligation to show the same on demand by the local railway authorities.

5. LICENCE FEE

- 5.1 Railways/Units may fix the licence fee for **still photography** for commercial purpose in consultation with their Associate Finance.
- 5.2 Licence fee for **video photography** shall be the same as that applicable for film shooting (*indicated in para-8 of Chapter-III*).
- 5.3 While granting permission for **still photography** for **commercial purposes**, Railways/Units may levy the licence fee fixed by them for the purpose.
- 5.4 However, if the **video photography** is to be undertaken for **professional or commercial purposes**, permission is to be granted following the guidelines pertaining to **film shooting** (*mentioned in para-11.2 (iv) of Chapter-III*).
- 5.5 However, **no licence fee** need be levied for **still photography** to be undertaken by the **tourists, rail enthusiasts**, etc for personal and non-commercial use and **professional journalists** (Indian or foreign) for news features on Railways.
- 5.6 Similarly, **no licence fee** need be levied for **video photography** (*without requiring any railway rolling stocks or special facilities*) to be undertaken by the tourists, rail enthusiasts, etc (*without using a professional video camera, tripods, lights, etc*) exclusively for **personal and non-commercial** use and **professional journalists** (Indian or foreign) for news features on Railways.
- 5.7 In the above two cases (*para-5.5 and 5.6*), a **written undertaking** should be taken from the parties to the effect that any commercial use of the shots taken shall be unlawful and that they will fully indemnify the Railways in the event of any such use and also for any other loss/ damage caused to the Railways. A **mention to this effect may be made in the permission letter also**.

(AUTHORITY: BOARD'S LETTER NO. 2006/PR/10/31 DATED 01.06.2007)

CHAPTER - III

GRANT OF PERMISSION FOR FILM SHOOTING IN RAILWAY PREMISES / TRAINS

1. PRIOR CLEARANCE FROM OTHER MINISTRIES

- 1.1 Foreign film producers, seeking permission for shooting a **feature film** to be shown/telecast outside India, are required to approach the **Ministry of Information & Broadcasting** for obtaining their **clearance** for shooting in India (at the specified locations). This is also applicable to the Indian producers undertaking the job for a foreign agency or for being shown outside India.
- 1.2 Foreign film producers, seeking permission for shooting a **documentary film** to be shown/telecast outside India, are required to approach the External Publicity Division of the **Ministry of External Affairs (MEA)** for obtaining **clearance** for shooting in India (at the specified locations). This is also applicable to the Indian producers undertaking the job for a foreign agency or for being shown outside India.
- 1.3 Foreign journalists, who are **based in India** and have **accreditation** from the Government of India, **do not require** such clearances for taking shots for news/features (*refer para-1.1 & 1.2 of Chapter-II*).

2. SECURITY CLEARANCE OF LOCATIONS

- 2.1 The locations for film shooting indicated by the applicants (*and cleared by the MEA or Ministry of Information & Broadcasting as the case may be and wherever necessary*) are generally considered for grant of permission subject to the security clearance in accordance with the guidelines issued by the Ministry of Home Affairs (MHA) from time to time and circulated to the Railways/Units by the Security Directorate of the Ministry of Railways.
- 2.2 In respect of the requests of foreign nationals, security clearance shall be granted by the Security Directorate of the Ministry of Railways and in respect of the requests from Indian nationals such clearance shall be granted by the Security Departments of the respective Railways/Units.

3. WHOM TO SUBMIT APPLICATIONS

- 3.1 The requests of the **foreign nationals** (*along with the clearance wherever necessary*), seeking permission for film shooting in Railway premises/trains, are required to be submitted (either directly by the applicants themselves or through their authorized representatives in India) to the Director Information & Publicity, Public Relations Directorate, Ministry of Railways.
- 3.2 The requests of the **Indian nationals** seeking permission for film shooting in Railway premises/ trains are required to be submitted to the Chief Public Relations Officers of the respective Railways/Units depending upon the locations for which permission is sought.
- 3.3 In both the above cases, the persons/parties seeking such permission should clearly specify the **locations** to be covered, the likely **date(s)** of coverage and the **purpose** for undertaking film shooting.

4. GRANT OF PERMISSION

- 4.1 Permission for film shooting in respect of the **Indian nationals** shall be processed and granted by the Chief Public Relations Officers of the respective Railways/Units.
- 4.2 Permission for film shooting in respect of the **foreign nationals** shall initially be processed by the Public Relations Directorate, Railway Board. After examining such requests and obtaining approval (*in principle*) of the Competent Authority, Railways/Units concerned shall be advised to process further for granting permission.
- 4.3 The foreign party concerned shall also be advised to submit an application along with a copy of the clearance of the MEA or the Ministry of Information & Broadcasting (as the case may be) and other relevant information/documents, including the script of the film and shooting schedule of sequences to the respective Zonal Railways/Units (*within whose jurisdiction shooting is to be undertaken*) for scrutiny and further processing.
- 4.4 After completion of the necessary formalities, **Zonal Railways/Units concerned shall grant actual permission** in respect of the foreign parties also.
- 4.5 In view of **para-4.1 & 4.4** above and also the fact that the Railways/Units are in a better position to assess the details of the sequences to be shot and also the actual arrangements required to made for the purpose, the requests of the parties (*both,*

the Indian as well as the foreign) for waiver of conditions applicable for film shooting, shall be considered by the respective Railways/Units while processing the case for granting permission for shooting.

5. CONDITIONS APPLICABLE TO FILM SHOOTING

The conditions, mentioned hereunder, are to be followed while granting permission for film shooting.

- 5.1 **Scrutiny of script of the feature films/documentary films/features:** Zonal Railways/Units should obtain the detailed script pertaining to the sequences involving railway premises/property and the detailed programme of shooting. The script should be examined and checked from the point of view of safe/normal working of railways and safety of railway property. It should be ensured that there is no adverse publicity and the Railways are not put in a poor light. **The party should not be allowed to make any changes in respect of the names of the locations, railway stations, trains, etc. without prior specific permission of the competent authority, i.e. Railway Board. Mere fact that script has been approved, which requires change of name, should not be taken as approval.** If on the basis of the detailed script it is seen that there are sequences wherein the railway rolling stocks are likely to get damaged, permission for shooting such sequences should be withheld.
- 5.2 **Security deposit** in the form of *Cash, Bank Draft or Bank Guarantee* for any possible damage to Railway property during the film shooting (*refer para-6*).
- 5.3 Execution of **Comprehensive Insurance** against all possible risks/damage to movable/immovable Railway assets proposed to be used during the film shooting (*refer para-7*).
- 5.4 **Payment of licence-fee** for film shooting as fixed by the Ministry of Railways from time to time (*refer para-8*).
- 5.5 Payment of hire charges for the railway rolling stocks (if required) as per the Indian Railway Coaching Tariff fixed from time to time.
- 5.6 Execution of **Indemnity Bond & Agreement** indemnifying the Railways in case of any loss/damage to men and material in the course of shooting (*refer para-9*).
- 5.7 Observance of safety and security regulations during the shooting. While allowing shooting in the normal run of a train, it may be ensured that shooting by traveling on footboards/roof tops is not allowed. It has to be ensured further

that **no inconvenience is caused to other passengers**. Similarly, shooting should not be allowed on tracks while there is any movement of a train. During the daytime, shooting at crowded railway stations should be avoided to ensure that normal functioning of the railways is not affected adversely and there is no inconvenience to the rail users.

- 5.8 A **liaison officer** from Publicity Department should invariably be attached with the shooting team to ensure that there is no large scale departure from the original and accepted script in respect of railway sequences utilising railway properties (buildings, rolling stocks, tracks, signals, etc.) and Railway personnel. The liaison officer is also responsible to ensure that the shooting team adheres to safety and security instructions and there is nothing detrimental to the image of India or Indian Railways. In case of feature films a liaison officer each from the Commercial and Security Departments should also be attached (*in addition to that from the Publicity Department*).

6. SECURITY DEPOSIT

- 6.1 A Security Deposit in the form of **cash/bank draft/bank guarantee** is to be taken **in advance** from the parties desirous of shooting films.
- 6.2 In cases of shooting directly undertaken by the crew of the Films Division, Doordarshan, Film Institutes at Pune & Kolkata and other such government owned Film/TV Training Institutes (*without requiring any rolling stock for their exclusive use*) **no security deposit** is to be taken.
- 6.3 The amount of Security Deposit shall **not be uniform** but shall be decided by the General Managers in consultation with the FA & CAOs in each case depending upon the script and sequences to be shot as well as involvement of the rolling stocks.
- 6.4 This amount would be in addition to any other amount of security deposited by the party as per rules laid down in the Coaching tariff.
- 6.5 The **refund of the Security Deposit** shall be made only after completion of the shooting after ensuring that the assets and rolling stocks have been restored in tact without any damage and no damage has occurred to any other Railway property.
- 6.6 It would be the responsibility of the Liaison Officer to report immediately to the authorities, the details of any damage caused to Railway property.

7. COMPREHENSIVE INSURANCE:

- 7.1 The shooting parties are required to take **Comprehensive Insurance** against all possible risks/damage of **railway assets** (movable and immovable including rolling stocks) proposed to be used, as **also for death or injury to any person(s)** on the Railway property including Railway staff at the time of the shooting of the film **with provision for full compensation** as decided.
- 7.2 In cases of shooting directly undertaken by the crew of the Films Division, Doordarshan, Film Institutes at Pune & Kolkata and other such government owned Film/TV training Institutes (*without requiring any rolling stock for their exclusive use*) this formality is not required.
- 7.3 The insurance amount should be calculated on the basis of **current replacement value** of assets/rolling stocks involved in the shooting.
- 7.4 The parties should deposit the premium of insurance to the Railway Administration who will get the railway assets/rolling stocks/persons insured in its name.
- 7.5 The risk covered should provide for the Insurance Company to pay the insured sums without demur.
- 7.6 In the context of insurance taken out to cover all people on Railway property during the shooting of the film which may result in death or injury to any of them including Railway staff, the compensation amounts/insured amount must be arranged to be paid to the concerned persons or their legal heirs without demur.
- 7.7 A representative of the shooting party is to be associated in case damage caused is required to be assessed. Such assessment should be completed in the shortest possible time.

8. LICENCE FEE

- 8.1 For undertaking film shooting, a licence fee (as fixed by the Ministry of Railways from time to time) is to be paid in **advance** by the parties.
- 8.2 In cases of shooting directly undertaken by the crew of the Films Division, Doordarshan, Film Institutes at Pune & Kolkata and other such government owned Film/TV training Institutes (*without requiring any rolling stock for their exclusive use*) **no licence fee** is to be realised.

- 8.3 There could be cases of cancellation of shooting after payment of the licence fee. If intimation for cancellation is received before making arrangements for shooting, **full refund** of the licence fee should be made. However, **no refund** is to be made if the intimation is received after the arrangements are made.
- 8.4 The licence fee for film shooting in railway premise/trains (*as effective from 01/06/2007*) is indicated below:

S.No.	Classes of cities within whose geographical or civic limits, the railway stations or other railway installations/premises are located. (Based on the Classification for the purpose of Compensatory City Allowance Notified by the Government from time to time)	Licence fee per shooting day (or part thereof) per station/train (or any other railway rolling stock)
1	'A-1' and 'A'	Rs. 1,00,000/- (Rs one lakh)
2	'B-1' and 'B-2'	Rs. 50,000/- (Rs fifty thousand)
3	Other cities/places	Rs. 25,000/- (Rs twenty five thousand)
4	Moving/stabled trains (or any other railway rolling stock)	Rs.30,000/- (Rs thirty thousand)

9. INDEMNITY BOND & AGREEMENT:

- 9.1 An Indemnity Bond must be executed and submitted by the Producers of the film in favour of the Railways to indemnify the Railways completely against any loss or injury that might occur during the course of shooting to any part of the railway property and personnel.
- 9.2 This Bond should also make it obligatory for the party to reimburse all claims, demands, suits, losses, damage, costs, etc. to the Railways in case any loss/damage is caused to railway property and death or injury is caused to all or any people thereon including staff on duty during the course of shooting.
- 9.3 Detailed terms and conditions for use of railway premises, rolling stocks, staff and other people must be settled in all cases in advance by the Zonal Railways/Units in consultation with the FA & CAOs. There should be no scope for any ambiguity left while drafting such terms and conditions. If necessary, the advice of the legal

department may also be taken so that the interest of the Railways is fully protected.

- 9.4 Besides the security deposit and comprehensive insurance, the detailed agreements should invariably provide for an arbitration clause (*refer para-10*).
- 9.5 In cases of shooting directly undertaken by the crew of the Films Division, Doordarshan, Film Institutes at Pune & Kolkata and other such government owned Film/TV training Institutes (*without requiring any rolling stock for their exclusive use*), there is no need to execute Indemnity Bond/Agreement. However, a written undertaking should be obtained from the concerned authority at the appropriate level to the effect that any loss/damage to the Railway property/assets will be fully reimbursed by them.

10. ARBITRATION

- 10.1 There should be an arbitration clause in the agreement providing for appointment of an arbitrator only from among the **serving Railway Officers**.
- 10.2 It should also be provided that when cases are referred to an arbitrator, it must be obligatory for the arbitrator to make a **speaking award**.
- 10.3 The arbitrator should record in detail the **specific reasons** for admission or non-admission of the Railways' claims item-wise so that the Railway could examine the reasons and if the grounds set forth by the arbitrator are untenable, the award could be challenged in a court of law.
- 10.4 The arbitrator should **list out all the damaged items** (item by item) that need replacement or rectification and **assess the charges arrived at** as well as the **reasons for the quantum of amount fixed**. Such settlement would naturally cover complete haulage and other commercial charges, which need to be debited for the use of the Railway property/rolling stocks at the location.

11. POWERS TO RELAX CERTAIN CONDITIONS IN SPECIFIED CASES

- 11.1 In respect of shooting of a **feature film**, the conditions applicable for film shooting are **not to be relaxed** (irrespective of the fact whether railway rolling stocks are required or not) as these conditions were laid down following the recommendations of the Public Accounts Committee..
- 11.2 However, if shooting is proposed to be undertaken by the parties **without requiring any rolling stocks or special facilities** from the railways for their exclusive use, the **General Managers** (*with the concurrence of the FA&CAOs*)

may relax certain conditions on specific requests to this effect from the parties in cases specified below:

- (i) For shooting of a **documentary film** (not involving participation of film stars/personalities), the request for waiver of **Security Deposit** and execution of **Comprehensive Insurance** may be considered provided that the sequences to be shot are not likely to cause any loss/damage to the railway property..
- (ii) For shooting of **documentary films or features by the crew** of the television channels (including professional foreign journalists not based in India and not having accreditation from the Government of India) exclusively on any aspect relating to Indian Railways and for shooting assigned to a party by Railway Board, Zonal Railways/Units and Railway PSUs for their own productions, waiver of **Security Deposit**, execution of **Comprehensive Insurance** and payment of licence fee may be considered provided that the sequences to be shot are not likely to cause any loss/damage to the railway property.
- (iii) Shooting by the cameramen/ photographers, correspondents (Indian or foreign but accredited by the Government of India or the State Governments) for news coverage or features on Railways to be telecast on the respective television channels, waiver of **Security Deposit**, **Comprehensive Insurance**, licence fee, submission/execution of **indemnity bond/agreement** may be considered provided that the sequences to be shot are not likely to cause any loss/damage to the railway property. A suitable **written undertaking at the appropriate level** should, however, invariably be taken to the effect that any loss/damage to railway property/assets will be fully reimbursed by them. **General Managers (with the concurrence of the FA&CAOs)** may authorize the **CPROs** to grant permission in such cases.
- (iv) In respect of **video photography for professional or commercial purposes** (mentioned in para-5.4 of Chapter-II), the procedure mentioned at (i) above may be followed.
- (v) For **video photography by tourists/rail enthusiasts (without using a professional video camera)** exclusively for **personal and non-commercial use** (mentioned in para-5.6 of Chapter-II), the procedure mentioned at (iii) above may be followed. The individuals may further undertake in writing that any commercial use of the shots taken shall be unlawful and they will fully indemnify the Railways for this (as mentioned in para-5.7 of Chapter-II).

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