

Bihar Cinemas (Regulation) Rules, 1974

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Rule BIHAR-CINEMAS-REGULATION-RULES-1974 of 1974

- Published on 11 October 1974
- Commenced on 11 October 1974
- [This is the version of this document from 11 October 1974.]
- [Note: The original publication document is not available and this content could not be verified.]

Bihar Cinemas (Regulation) Rules, 1974 Published vide Notification No. G.S.R. 112 dated 11th October 1974 G.S.R. 112 the 11th October 1974. - In exercise of the powers conferred by Section 9 of the Bihar Cinemas (Regulation) Act, 1954 (Act XV of 1954), and in supersession of the rules published with Notification no. 319 dated 8th November, 1937 as amended from time to time, the Governor of Bihar is pleased to make the following rules, the same having been previously published as required by subsection (3) of section 9 of the said Act.

1. Short title.

- These Rules may be called the Bihar Cinemas (Regulation) Rules, 1974.

2. Definition.

- In these rules unless there is anything repugnant in the subject or context-(i)"Act" means the Bihar Cinemas (Regulation) Act, 1954 (Bihar Act XV of 1954);(ii)"licence" means a licence granted under the provisions of the Act;(iii)"licensing authority" means the authority referred to in section 4 of the Act;(iv)"person" means any adult male or female individual and includes any company or association or body of individuals, whether incorporated or not;(v)"permanent building" means a building which is constructed for permanent use with stone, mud brick mortar, cement or other noninflammable material;(vi)"temporary building" means a building which is not a permanent building;(vii)"licensee" means a person who is granted a licence in accordance with these rules and includes a person appointed, under intimation in writing to the licensing authority, as his agent;(viii)["corrupt practice" includes purchase and sale of tickets at a price higher than that stated on the face of the tickets] [Inserted by S.O. 1975 dated 18.12.1976.]; and(viii)words and expressions used in these rules but not defined herein shall have the same meanings as assigned to them in the Act.

3. Procedure for the grant of permission for constructing permanent Cinema House.

- (i) Any person desirous of constructing a permanent building to be used for cinematograph exhibition shall submit an application in writing in quadruplicate giving all necessary particulars 2[as specified in the Appendix A] to the District Magistrate (hereinafter referred to as the Licensing Authority) together with site and plan of permanent building.[Appendix A] [Inserted by S.O. 739 dated 30.5.1978.](See Rule 3)Particulars to be furnished at the time of applying for grant of permission for the construction of a Permanent Cinema House.

1. Key plan drawn to a minimum scale of 330 to an inch showing the following information;-

(a)Exact area and dimensions of the site.(b)Right of way (width) of the adjoining roads and lanes up to a minimum distance of 500 yards.(c)The exact location of sites where the following types of buildings are existing:-(i)a place of worship;(ii)a recognised secondary school or college or any residential institution attached thereto;(iii)any other recognised educational institution attached thereto;(iv)a public hospital or a hospital with an indoor patient ward;(v)an orphanage containing one hundred or more inmates;(vi)any other places considered to be unsuitable for this purpose;(d)Commercial establishments already functioning in the vicinity of the proposed cinema site.

2. Site Plan drawn to a minimum scale of 500 feet to an inch showing the following information:-

(a)The exact dimensions of the plot.(b)The exact location in outline of the proposed Cinema and other buildings indication with dimensions the distance between the proposed buildings and the property lines.(c)Clear demarcation of ingress egress hand of pedestrian and vehicular traffic.(d)The exact location with numbers of parking of Cars, Scooter, Motor Cycles and Cycles.(e)The right-of way (Width) of roads proposed in the approved Master Plan, Zonal Development Plan or any other development scheme drawn by the competent authorities in the area functioning under various Acts.

3. Building Plans drawn to a minimum scale of 16 feet to an inch showing all the details required for submission to the competent authority functioning under one or more of the following Acts/Ordinances, as the case may be;-

(a)Bihar and Orissa Municipal Act, 1922.(b)Patna Municipal Corporation Act, 1951.(c)Bihar Restriction of Uses of Land Act, 1948.(d)Bihar Town Planning and Improvement Trust Act, 1951.(e)Bihar Regional Development Authority Ordinance, 1977.

4. Land use of the site proposed in the Master Plan and the Zonal Development Plan approved for the area under the respective Acts/Ordinances.

5. (i) Attested copies of the clear title or the land of the applicant.]

(ii) All such applications shall be considered at a meeting of the Cinema Advisory committee consisting of the Licensing Authority, Superintendent of Police, Civil Surgeon, Executive Engineer, Public Works Department (Building) and the Chairman of the Municipal Body, if there be one in the town for which licence is sought and an Officer incharge of the Town Planning Organisation or an Officer authorised by him in this behalf. (iii) On receipt of an application, the Licensing authority shall cause to be pasted in the Civil and Criminal Court of Local Jurisdiction, the office of the local Municipal Body or any other conspicuous place in locality a notice specifying therein the name and address of the applicant and the building and site plans with plot number, tauzi number, thana number and mauza or village or town inviting objections from the persons interested or the generally public within 15 days of the date of notice regarding the suitability of site for a permanent cinema house. (iv) For disposal of all such applications or the objections, if any, filed within the stipulated period, the Licensing Authority shall hold a meeting of the Cinema Advisory Committee. The Committee shall submit its findings in writing to the Licensing Authority who shall send to the State Government his recommendations regarding the suitability of the site and the desirability of granting permission for construction of a permanent cinema house thereupon. The decision of the State Government shall be final.

4. Restriction in regard to the locations of Cinema.

(a) No permanent or temporary Cinema house shall be allowed to be constructed within 200 yards of—(i) a place of worship; (ii) a recognised Secondary School or College or any residential institution attached thereto; (iii) any other recognised educational institution attached thereto; (iv) a public hospital or a hospital with an indoor patient ward; (v) an orphanage containing one hundred or more inmates; (vi) any other place declared unsuitable by the State Government for this purpose. (b) No permanent or temporary Cinema shall be allowed to be constructed on the site which may upset the Master Plan or in any thickly populated area which is either exclusively residential or a restricted area or used generally for residential purpose as distinguished from business purpose: Provided that the licensing Authority may for sufficient reasons and with the prior approval of the State Government, relax this rule or any part thereof in any case and specially in the case of Cinema houses already completed or nearing completion with the approval of the authorities empowered in this behalf by the State Government prior to the commencement of these rules. (c) Space for parking of car, etc. - No permanent Cinema house shall be allowed to be constructed unless it has provision for adequate space in its compound or in its vicinity for parking cars, cycles and other vehicles, queues of spectators which may be formed and the public to pass without obstructing any public road of traffic. The State Government may from time to time notify the standard for lay out of parking space and other open space.

5. Approval of building plans of Cinema house.

- For places for which Master plan has not been prepared or approved, the building plans of the proposed Cinema house shall be approved technically by Executive Engineer, P.W.D. (Building) within two months from the date of its submission by the intending Cinema licencees. In case of place for which Master Plan has been prepared or approved, the approval of the Chief Town Planner through the Executive Engineer, P.W.D. (Building) will have to be obtained, Building plans approved by the Executive Engineer. The Chief Town Planner may, if and when required, be altered or modified by the State Government.

6. Time limit for construction of permanent Cinema Building.

- (i) After objections if any, filed under sub-rule (iv) of Rule 3 has been heard and disposed of, the licensing authority shall permit the construction of the permanent Cinema building applied for with the permission of the State Government. If the building is not completed to the satisfaction of the licensing authority or the State Government within two years of the date of permission the permission shall lapse. (ii) Persons aggrieved by the order of a licensing authority under sub-rule (i) shall have a right of [appeal] [See notification under Rule 9.] against such order to the State Government or any person or authority specially appointed by the State Government for the purpose.

7. Extension of time-limit in certain cases.

- The licensing authority may, however, on the application of the person to whom the permission to construct the permanent Cinema house was given, grant reasonable extensions of the period referred to in rule 6 with permission of State Government in cases where he is satisfied that construction cannot or could not be completed within the specified time for circumstances beyond the control of the person to whom the permission was granted.

8. Grant of licence.

- (i) On completion of permanent Cinema house to his satisfaction, the licensing authority may [subject to the approval of the State Government] [Inserted by S.O. 174 dated 11.9.1985.] grant a licence for permanent cinema after he has ensured that the applicant [in whose name the permission for construction of permanent cinema building was granted under rule 6] [Inserted by S.O. 174 dated 11.9.1985.] has complied with the provision of these rules and instructions issued from time to time by the State Government and has taken all precaution to provide for the safety of persons attending exhibition in the Cinema house: Provided that nothing contained in these rules shall apply in the case of a permanent cinema house which has already been constructed wholly or partly before the commencement of these rules, and in such cases, the licensing authority, may, on an application made to him in this behalf grant a licence for a permanent cinema even if these rules have not been complied with : Provided further that the licensing authority may require the licensee of such cinema houses to make certain alterations or improvements in the building if in his opinion,

the same is necessary for the safety to the cine-goers :[Provided further that all such permanent licences shall be renewed by the licensing authority without obtaining approval of the State Government within one month from the date of receipt of such application and if the licensing authority fails to grant renewal of the licence within such period, the renewal shall be treated as having been refused.] [Inserted by S.O. 174 dated 11.9.1985.](ii)[x x x x] [Omitted by S.O. 174 dated 11.9.1985.]

9. Power of licensing authority to refuse licence.

- (i) Nothing in these rules shall affect the discretion of the licensing authority to refuse a licence to any applicant if, for reason, to be recorded in writing, the licensing authority considers it necessary so to do in the public interest.(ii)Any order of a licensing authority refusing licence shall be appealable. The appeal shall lie before the State Government or any other authority appointed by the State Government for purpose:[Provided that the appeal against the orders of licensing authority refusing grant or renewal of permanent licence shall lie before the Divisional Commissioner having local jurisdiction.] [Inserted by S.O. 174 dated 11.9.1985.]

10. Period of validity of permanent licence.

- The licence granted under rule 8 and those permanent licences which are in existence shall be valid for a period of three years from the date from which the licence is granted subject to annual inspection and payment of prescribed fees [and other Government dues] [Substituted by no. Cine 1.1026/75-193, dated 17.1.1976.] unless revoked earlier by the licensing authority. For each licence or renewal thereof a fee shall be charged according to the following rate namely:-[For a permanent/temporary/touring Cinema:- [Substituted by no. Cine 1.1026/75-193, dated 17.1.1976.]

Number of a seats.	Licence fee for a period of three months.	Licence fee for a period exceeding three months but not exceeding six months.	Licence fee for a period exceeding six months but not exceeding one year.
Up to 200	150	300	600
210 to 500	250	500	1000
501 to 1000	350	770	1,430
Exceeding 1000	500	1,000	2,000]

11.

If any licensee fails to apply for renewal of his licence with the requisite fee within 15 days of the date of expiry of his licence, he shall, at the time of its renewal be required to pay fine of a sum equivalent to requisite fee for such renewal.

12. [Inspection. [Inserted by S.O. 874 dated 11.9.1985.]

- (i) (a) Before granting a licence or on expiry of a period of one year, the licensing authority may himself, or on the directions of the State Government, ask the Electric Inspector, Bihar and Executive Engineer, Building Construction Department, Bihar, to inspect and examine the structural soundness of the Cinema building and to certify that the same can be used without danger to the public and shall obtain certificate of payment of all Government dues, Film Division Certificate and certificate from the Fire Extinguishing officer.](b)The premises shall be inspected from time to time by Cinema Inspector specially appointed by the State Government for the purpose who will see that terms and conditions of the licence are not being violated and shall submit their report to the licensing authority.(ii)The State Government may, for reasons to be recorded in writing, revoke or suspend the licence granted by the licensing authority at any time or take such other action as it may think fit:Provided that the licensee shall be given an opportunity of being heard in the matter before such order is issued.

13. Temporary licence.

- [(a) The licensing authority may, with the approval of the State Government, grant a temporary licence for the regular exhibition of film in a permanent temporary structure or in the open air, which shall be valid for a period into exceeding [one year at a time] [Substituted by S.O. 874 dated 11.2.1985.]].(b)The validity of temporary Cinema licence beyond the initial period of one year may be extended by the licensing authority with the approval of the State Government if the holder of the licence has obtained the permission to construct a permanent Cinema house subject to the following conditions namely:-(1)The site offered for a permanent Cinema house has been finally selected.(2)Necessary steps have been taken by the holders of the licence for construction of a permanent Cinema house.(3)The holder of the licence has been unable to complete his permanent Cinema houses during the validity of his temporary Cinema licence for [one year] [Substituted by S.O. 874 dated 11.2.1985.] due to circumstances over which he has no control.(c)[Any licensee aggrieved by the orders of the licensing authority,may appeal, within one month from the date of order before the Divisional Commissioner having local jurisdiction: [Inserted by S.O. 874 dated 11.2.1985.]Provided that, if the order has been passed by the licensing authority after obtaining the approval of the State Government, the licensee may appeal within two months from the date of order before the State Government],

14. [Licence for occasional cinematograph exhibition. [Substituted by S.O. 183 dated 28-1-1977.]

- The licensing authority may grant a temporary licence, for a total period not exceeding (one year) in all, to an applicant for occasional exhibition of films in a temporary structure or in the open air or in a building not regularly made for exhibition of films, imposing such condition as he deems necessary to secure the safety of the public:Provided that no such licence shall be granted. -(a)for a period exceeding [three months] at a time;(b)for any exhibition for the purpose for which electrical energy is generated or used for lighting the auditorium or operating the projector unless the

electrical inspector or an officer, deputed by him for the purpose has inspected the electrical apparatus and the fees are paid in accordance with the relevant provisions:(c)unless application is made thereof at least two weeks before the date on which it is proposed to give the first exhibition.]

15. Power to impose additional conditions.

- The licensing authority may with the approval of the State Government, impose such additional terms and conditions and rescind, alter or amend the existing terms and conditions in respect of licences generally or for particular classes of licence. The State Government shall also have power to direct the licensing authority to suspend or revoke the licence granted for exhibition of film, if it is satisfied that the provisions of the Act and Rules made thereunder or instructions are not being complied with or are being violated by the licensee.

15A. [Special Appeal. [Inserted by S.O. 874 dated 11-9-1985.]

- Any licensee aggrieved against the decision of the Divisional Commissioner under the provisions of this Rule, may within two months from the date of the order of the Divisional Commissioner file special appeal petition before the State Government which shall hear and dispose of such petition after giving reasonable opportunity to the aggrieved licensee of being heard and the decision of the State Government shall be final.]

16. Power of State Government to issue direction.

- The State Government shall have power to intervene at any stage and to issue necessary directions as it deems fit from time to time for proper implementation of the provisions of the Act and the rules framed thereunder and also to amend or to modify the terms of licence granted by the licensing authority and also any other order passed in connection with the exhibition of films in the interest of public.

17. General suitability of the building.

(1)No building shall be licensed unless the licensing authority is satisfied that it is structurally sound, and that in particular all galleries and stair-cases leading to galleries are strong enough to bear the weight of the maximum number of persons who can be seated in the galleries.(2)No portion of the building which contains the auditorium shall without the consent of the licensing authority, be occupied or used-(a)as a hotel, boarding or lodging house or for residential purposes by day or night;(b)as a factory or workshop or for storage purpose.(3)No building shall be licensed unless the licensing authority is satisfied that the arrangement of the building is such that it can be emptied of the audience immediately on the occurrence of fire or of any other sudden emergency.(4)There shall be annexed to the licence-(i)a plan of the auditorium showing the dimensions of the gangways, the number and situation of the exits, the number of persons, which may be accommodated in each portion of the auditorium, and(ii)a single line writing diagram showing details of the entire electrical installation the point of supply to the last light and fan.(5)The licensee shall not, during

the currency of the licence, make any alteration or addition in the auditorium except with the consent in writing of the licensing authority.(6)No person in excess of the number specified in the licence shall be admitted into any portion of the auditorium nor shall any number of the audience be allowed to sit or stand in any of the gangways during the performance. All seats in the auditorium shall be serially numbered and where seating accommodation is provided on benches there shall be set apart for such number of the audience a seating space of not less than twenty inches measured on straight lines along and at right angles to the front of such seat. Line demarcating each seat on a bench shall be pointed twenty inches apart.(7)The auditorium shall be provided with exits sufficient in size, number and situation to enable the audience to leave the building at once on the occurrence of any emergency. All gangways, stair-cases and passages leading to the exits shall be kept clear of all obstructions(8)All exits shall be fitted with doors with open outwards. The exit doors shall be kept unfastened during the performance. In all building licensed for the first time after these rules come into force, the exits shall be at least 4 feet 6 inches wide measured between the leaves of the doors when opened. In other buildings, the exit doors may be of smaller dimensions, provided that the licensing authority is satisfied that the requirement of sub-rule (7) are satisfied.(9)Any exit sign shall be provided on the wall of the auditorium above every exit consisting of the word "exit" in plain letters at least three inches high framed in translucent lighted from the back of the glass, and if lighted with an electric lamp, that shall be connected with an emergency lighting circuit. Every exit sign lamp shall be kept continuously lighted during the period for which the public is admitted to the auditorium. The word "no exit" shall be pointed in white letters on a black ground over all doors in the auditorium which do not lead to exits.(10)All stair-cases and means of approach to galleries shall be constructed of masonry or other non-inflammable material and shall direct to the open air and not to any portion of the building which is used as an exit for the main auditorium. All stair-cases shall be fitted with handrails on both sides, and shall be reasonable inclination.

18. Fire precaution.

- In every place licensee shall keep such number of chemical extinguishers, fire buckets, hand pumps or other small fire appliances as the licensing authority shall direct. Such apparatus shall at all times be maintained in a condition fit for immediate use.

19. Projection and fire precaution enclosure.

(1)The cinematograph apparatus shall be placed in an enclosure of sufficient dimensions to allow the operator or operators to work freely. It shall be substantially constructed of fire resisting materials or lined internally with the same.(2)The entrance to the projection enclosure shall be fitted with a door opening outwards and all openings, bushes and joints shall be so constructed and maintained as to prevent, so far as possible the escape of any smoke into the auditorium. If means of ventilation are provided, they shall not be allowed to communicate direct with the auditorium.(3)Openings not exceeding three in number of each projector shall be permitted in the front face in the projection enclosure, the centre, one of which must not exceed 8 inches square and those on each side 6 inches square. Each opening shall be fitted with an efficient screen of fire-resisting material capable of being operated both from the inside and from outside of the projection enclosure.(4)The projection enclosure shall be placed outside the auditorium and where the auditorium consists of a

semi-permanent character, the projection enclosure shall be at a distance of at least 3 feet from such structures provided that where the licensing authority is of opinion that it is impracticable or in the circumstances, unnecessary for securing safety, that the projector enclosure shall be outside the building; he may, by express words in the licence, dispense with that requirement, provided that a space of 2 feet in width at the sides and in front of the projection enclosure and a space of 6 feet at the sides and the door is situated shall be kept clear all round the enclosure.(5)No unnecessary combustible material shall be allowed within the projection enclosure, and all films and other necessary combustible materials, when not in use shall be kept in fire proof receptacles suitable for the purpose. Only those films which are being used at each exhibition shall be kept in the projection enclosure during such exhibition.(6)No smoking shall at any time be permitted within the projection enclosure and no match or candle or any other naked light shall be allowed in proximity to the lantern.(7)Two liquid chemical extinguishers, two buckets of sand, two buckets of water and blanket shall be kept inside the projection enclosure, a large sponge shall be kept in each of the buckets of water. One liquid chemical extinguisher shall be kept immediately outside the projection enclosure.

20. Cinematograph machine.

(1)The Cinematograph machine shall be placed on firm supports of fire-resisting construction.(2)The body of the cinematograph machine shall be constructed of metal or lined with metal and asbestos in which case there must be an air space between the metal and the asbestos lining.(3)The cinematograph machine shall be provided with metal shutter which can be readily inserted between the source of light and the film gate. This shutter shall be immediately dropped in the event of any accident to the cinematograph machine or stoppage of the film and shall only be raised when the film is in motion for the purpose of projection.(4)The film gate shall be of massive construction and provided with ample heat radiating surface, and the passage for the film shall be sufficiently narrow to prevent flame travelling upwards or downwards from the light opening.(5)All cinematograph projectors shall be fitted with two metal film boxes of substantial construction, and not more than 24 inches in a diameter, inside measurement to and from which the films shall travel.(6)Spool shall be chain or gear driven and films shall be wound upon spools so that the wound-film shall not at any time reach or project beyond the edges of the flanges of the spool.

21. Films.

- All films when not in machine, and while still in the enclosure, shall be contained in closed metal boxes. Such boxes shall be made to close in a manner which prevent the ingress of fire and shall be fitted with a film slot so constructed as to prevent the passage of flames to the interior of the film box.

22. Operators.

- Not less than two, nor more than three operators shall be engaged in manipulating each lantern, and no other persons shall be permitted to approach within 10 feet of the lantern during the exhibition. The whole duty of one of the operators shall consist in taking charge of the films after they have passed through the lantern. The person in charge of the machine shall be a qualified

operator approved of by the licensing authority, who should satisfy himself that the operator can handle machine properly by obliging him to go through one or more complete films. The licensing authority should also satisfy, himself, by an oral examination; that the operator is conversant with the rules relating to cinematograph exhibitions and is acquainted with the most speedy and effective methods of dealing with fire. Note. - The licensing authority may, at his discretion depute another magistrate to test the qualification of an operator.

23. Electrical installation.

(1)The whole of the electrical installation in the licensed premises shall comply in all respects with the Indian Electricity Rules, where these apply and with the rules of the Calcutta Fire Assurance Association.(2)All switches and fuses and all electrical apparatus liable to become hot, installed in the projection room shall be placed as far as practicable from any place, where cinematograph film is stored or handled, and shall be so projected that the cinematograph film cannot come in contact with any heated area.(3)Where switch-boards are installed in the projection room, the space between any switch board and the wall shall be enclosed with fire proof material in such a manner that a fire cannot spread to the wiring at the back of the switch-board.(4)All resistances for the cinematograph machines shall be placed inside the projection room. They shall be mounted on incombustible bases and shall be so projected and placed at such a distance from any combustible material that no part of the resistance, if broken can fall on such material, or vice versa.(5)Conductors from any switch-board in the projection room to the cinematograph machine shall be enclosed in screwed conduits and shall terminate in a suitable terminal box. Conductors from such box to the lamp shall be covered with flexible metallic tubing or braiding mechanically connected to the terminal box. Such conductors shall be controlled by an efficient double pole switch mounted on a switch-board within the projection room. There shall be one double pole switch for each projector and it shall be conveniently placed near the projector.(6)In the enclosure the maximum potential difference shall not exceed 240 volts, provided that this restriction shall not apply to any amplified pressures in the amplified and sound system.(7)Where an electrical metal filament project lamp of the vacuum or gas filled type is used in the cinematograph machine, it shall be adequately ventilated and the potential difference within the enclosure shall not in any circumstance exceed 240 volts.(8)All switch-board shall be constructed wholly durable non-inflammable, non-absorbent material. The various live parts shall be so arranged by suitable spacing or shielding non-ignitable insulating materials that cannot be maintained between any such parts or between such parts and earth.(9)All fuses shall be provided with a suitable incombustible and insulating carrier of such a form as to protect a person handling in from shock and burns and contracts shall be provided on the carrier to which the ends of the fuse can be readily attached.

24. Emergency lighting.

(1)In every licensed building the following emergency lighting shall be provided namely :-(a)Lights serving to illuminate every doorway, lobby, staircase, corridor, and other portions of the theatre to which the public may have access either generally or in case of emergency hereinafter referred to as "exit emergency light."(b)Not less than two lights serving to illuminate the auditorium (hereinafter referred to as "auditorium emergency light.")(2)The auditorium emergency light shall each be not

less than 200 candle power, lights is an auditorium normally used at intervals during a performance and controlled from the projection room shall not be deemed emergency lights for the purpose of complying with these rules.(3)The whole of the emergency lighting shall be controlled in one place which shall be a lobby or other convenient place, and shall be in the front of the building and so situated as to readily accessible to the cinema staff in case of emergency and no emergency lighting shall be controlled from the projection room.(4)Where the illuminant used in electricity the emergency lighting system either-(a)have a source of supply entirely separate from the source of supply to the auditorium projection room and stage lighting; or(b)if the supply is generated at a source not situated upon the licensed premises, it shall be fed through independent service fuses : or(c)if the supply is generated at a source situated upon the licensed premises, it shall be fed through independent main fuses.(5)Where the illuminant used is electricity emergency lighting circuits shall not be fed through more than one switchboard, and these circuits shall on no account enter or be carried through the projection room.

25. Fee for inspection etc.

- No place shall be licensed for cinematograph exhibitions nor shall a licence be renewed until the Electrical Inspector, or an officer deputed by him has inspected it and satisfied himself that the electric installation conforms with the relevant rules. A fee of [Rs. 200 shall be levied credited to Government for the inspection of an installation when the first erected. A fee of Rs. 50 shall be levied and credited to Government for every subsequent inspection whether on the occasion of the renewal of the licence or made necessary by existence of defects which in the opinion of the Electrical Inspector render the electrical installation unsafe:] [Substituted by. No Cine. 1-1026/75-101 dated 7.1.1976 (Published in Bihar Gazette (extra-ordinary-dated 9.1.1979)]Provided that if the inspection by the Electrical Inspector or officer deputed by him cannot be carried out within a reasonable time the licensing authority may renew a licence pending such inspection, or may depute any other person having technical knowledge of electricity to inspect.

26. [Display of posters. [Substituted by S.O. 48 dated 13.1.1982.]

- No obscene, immodest or objectionable poster, placard, hoarding or pictorial publicity material shall be displayed at the show windows or lobbies of Cinema house or any other place within the licensed premises.]

27. [Procedure for sale of any ticket or pass for admission. [Inserted by S.O. 1975 dated 18.2.1976.]

(1)Admission to the film exhibition in the cinema house shall be on a valid ticket or pass issued by the license or his duly authorised agent within the licensed premises:[Provided that the rate of admission fee to various classes in the cinema house alongwith the taxes thereon, be printed on the face of the ticket.](2)The number of tickets issued and the number of complimentary passes taken together, shall not exceed the number of seats available in each class in the cinema house in terms of the licence.][Provided that the maintenance fee shall be the following which will be collected by the

Cinema Owners:- (a) Air Conditioned - 3 per ticket (b) Air cooled - 2.50 per ticket (c) Others - 2 per ticket]

28. [Restriction on sale of tickets. [Inserted by S.O 2976 dated 18.12.1976.]

- No person, other than those mentioned in rule 27(1) shall sell or keep or offer or expose for sale or cause to be sold, kept or exposed or sale any ticket for admission (including any pass or other evidence of right of admission) to any cinema. (2) No person shall, be resorting to corrupt practice or influencing those mentioned in sub-rule (1) above or otherwise purchase or obtain possession of or keep in his possession any such ticket, for admission to a cinema house in excess of the number normally required for members of his house-hold and not more than four for his guests, if any.] [Added by Bihar Gazette (extraordinary) No. 606, dated 19 August, 2010.] Notifications S.O. 1484 the 5th December, 1983. - In exercise of the powers conferred under Section 9 of the Bihar Cinemas (Regulation) Act, 1954 (Bihar Act no. 15 of 1954), the Governor of Bihar is pleased to make the following amendments in Cinemas (Regulation) Rules, 1974:- (a) Plannings standard for the construction of permanent Cinema houses in rural areas.

	Amenities.	Cinema houses with seating capacity of 250.	Cinema houses with seating capacity of 251 to 500.	Cinema houses with the seating capacity of 501 and more.
	1	2	3	4
1.	Minimum breath of the plot.	No minimum standard prescribed.	No minimum prescribed.	No. minimum standard prescribed.
2.	Minimum breadth of the front road Set backs-	9 metres	9 metres	9 metres
3.	(a) Front	4.5 metres	9 metres	9 metres.
	(b) Both sides	Nil	3 metres	4 metres.
	(c) Back	3.0 metres	3 metres	4 metres.
For Parking-				
	(a) Car/tractor	Nil	1% of the total seating capacity (215.0 sq. ft./100 seats)	1.5% of the total capacity (323 sq. ft./100 seats).
	(b) Motor cycle/Scooter.	Nil	4% of the total seating capacity (129 sq. ft./100 seats.)	6% of the total seating capacity (194 sq. ft./100

			seats.)
			20% of the
(c) Cycle	Nil	15% of the total seating capacity (226 sq. ft./100 seats).	total seating capacity (301 sq. ft./100 seats).
(d) Minimum area per seat	0.55 square metre (6 sq. ft.)	0.55 sq. metres (6 sq. ft.)	0.55 sq. metres (6 sq. ft.)

Note. - Parking space for motor vehicles, scooter and cycle would not be less than 20. 4 sq. metres and 3.3 sq. metres respectively.(b)Planning standard for the construction of permanent cinema houses in towns with the maximum population of 50 thousand.

Amenities		Cinema houses with the seating capacity of 500.	Cinema houses with the seating capacity of 501 and more.
1.	Minimum breadth of the area.	No Standard minimum prescribed.	25 metres.
2.	Minimum breadth of the road facing the cinema house.	9 metres.	13 metres.
Set backs-			
	Front	9 metres	9 metres
	Both sides	4 metres	4 metres.
	Back	4 metres	4 metres.
Parking-			
	Motorcycle/scooter	1.5% of the total seating capacity (323 sq. ft./100 seats).	2.0% of the total seating capacity (430 sq. ft./100 seats).
	Motor Car	6% of the total seating capacity (194 sq. ft./100)	8% of total capacity (258 sq. ft./100 seats).
	Cycle	20% of the total seating capacity (301 sq. ft./100 seats).	20% of the total seating capacity (301 sq. ft./100 seats).
	Minimum space per seat	0.55 sq. metres (6 sq 0.55 ft).	sq. metres (6 sq. ft).
	Minimum breadth of the area (space)	No minimum standard prescribed.	30 metres.

Note. - Parking space for motor vehicle, scooter and cycle would not be less than 20.3.3.0 and 1, 4 square metres respectively.(c)Planning standard for the construction of permanent cinema houses in towns having a population from 50 thousand to 2 lakhs.

Amenities

	Cinema houses with the seating capacity of 500.	Cinema houses with the seating capacity of 501 and more.
Minimum breadth of the road facing the cinema house.	13 metres	18 metres.
Set back-		
Front	9 metres	9 metres.
Both sides	4 metres	6 metres.
Back	4 metres	5 metres.
Parking-		
Car	2% of the total seating capacity (430.0 sq. ft./ 100 seats)	3.2% of the total seating capacity (710.0 sq. ft./100 seats).
Motor cycle/scooter	8% of the total seating capacity (258.0 sq. ft./ 100 seats)	10% of the total seating capacity (323.0 sq. ft./100 seats.)
Cycle	20% of the total seating capacity (301.0 sq ft./100 seats)	25% of the total seating capacity (377 sq. ft./100 seats).
Minimum space per seat	0.55 sq. metres (6 sq. ft.)	0.65 sq. metres (7 sq. ft.)
Note. - Parking space for motor car, scooter and cycle would not be less than 20.0, 3.0 and 4.4 sq. metres, respectively. (d) Planning standard for the construction of permanent cinema houses in towns having a population of more than 2 lakhs.		
Amenities	Cinema houses with the seating capacity of 500.	Cinema houses with the seating capacity of 501 and more.
Minimum breadth of the area.	No minimum standard prescribed.	35 metres.
Minimum breadth of the road facing the cinema house.	13 metres	20 metres.
Set back-		
Front	9 metres	9 metres.
Both sides	4 metres	6 metres.
Back	4 metres	6 metres.
For parking-		
Car	3.3% of the total seating capacity (710 sq. ft./100 chairs).	3.3% of the total seating capacity (710 sq. ft./100 chairs).
Motorcycle	10% of total seating capacity (323 sq. ft./100 chairs.)	10% of total seating capacity (323 sq. ft./ 100 chairs.)
Cycle	25% of total seating capacity (377 sq. ft./ 100 chairs).	25% of total seating capacity (377 sq. ft./ 100 chairs).
Minimum area per chair	0.55 sq. metres (6 sq. ft.)	0.65 sq. metres (7 sq. ft.)
Note. - Parking place for car should not be less than 20.0 sq metres and parking place for a scooter and a cycle should not be less than 3 sq metres and 4 sq metres respectively, Following general		

conditions will also be applicable-(1)Construction of cinema houses in towns would be permitted only in those areas which are located in commercial and industrial areas under the present plans or have been shown as proposed commercial and industrial areas in the master plan.(2)On the basis of the master plan for towns the construction of cinema houses would be permitted in the neighbourhood centres also shown in the residential area.(3)No permission would be given for construction of cinema houses within 75 metres of the following places:-(a)Approved or old place of worship.(b)School etc. recognised by the Government.(c)Hospital with 50 or more beds.Cinema houses up to a total capacity of 250 seats can however be built within 75 metres.(4)On a single piece of plot, permission for constructing more than one cinema house would be given provided all kinds of security requirements have been taken care of. But each cinema should have at least two sides open to the sky.(5)Where permission for constructing cinema house adjacent to within or in the compound of another building proposed to be used can be accorded on the basis of the master plan or its-byelaws, such permission may be given for constructing the cinema house only on the ground floor and not in the basement or on the upper floors.(6)No portion of a cinema house is to be used as factory, workshop, store or hotel etc, but for the sake of running the cinema house permission to start a few shops, office room and restaurant would be given. Before such permission is given all kinds of security requirement should however, be observed, such as separate arrangement etc., should be made for entry to the cinema house.(7)If permission is accorded for construction of a cinema house in a commercial complex neighbourhood or city centre complex then permission for constructing a common parking place would be given keeping in view the parking requirements of all those buildings which are to be constructed in the entire complex.(8)In any cinema plot the room available within the set-backs can be kept for parking. At both the sides and back a space of at least 4 metres and at front at least a space of 9 metres respectively should, however be left vacant for plying of vehicles and pedestrians.(9)Land would be secured from the plot of the applicant for the purpose of the minimum breadth to roads on the basis of the master plan in a town having the same even if such minimum breadth is equal or more than the recommended planning standard. But at those places where the breadth of the existing road is less than the one recommended in the master plan then in that case permission for constructing cinema house on that road would only be given if the breadth of the existing road is not less than 9 metres.(10)Permission for constructing portion of any cinema house within both the sides or at the back side of the proposed set back will not be given. But at the front side set back permission would be given for constructing balcony up to 3 metres breadth a height of at least 2 metres.(11)Provisions regarding safety, location and entry etc, made in the Cinema Code and Fire Safety Code of the Indian Standard Institution should be taken care of while designing a cinema house.(12)The term of 2 years under rule 6 of the Bihar Cinema (Regulation) Rules be read as 5 (five) years term.S.O.1368 dated the 12th October, 1982. - The Governor of Bihar is pleased to repeal the amendments made in Rule 26 of the Bihar Cinemas (Regulation) Rules, 1974 under the power conferred on him under Section 9 of the Bihar Cinemas (Regulation) Act, 1954 (Bihar Act XV of 1954) and published in Bihar Gazette under notification no. 48 dated the 13th January, 1982.Notwithstanding such repeal if any action has been taken or any act done under its provisions, it shall be deemed to have been validly taken or done and shall not be questionable in any court of law.S.O.48 dated the 13th January, 1982. - In exercise of the powers conferred by section 9 of the Bihar Cinemas (Regulation) Act, 1954 (Bihar Act XV of 1954), the Governor of Bihar is pleased to make the following amendments in the Bihar Cinemas (Regulation), Rules, 1974 :AmendmentsIn the said Rules-For rule 26, the following rule shall be substituted, namely;"26. (A)

No obscene, immodest or objectionable poster, placard, hoarding or pictorial material shall be displayed at the show-windows or lobbies of cinema house or at any other place within the licensed premises.(B)All types of film posters to be posted at different bazars and lanes shall have to be sent to the licensing authority for approval by cinema owners in writing with two copies of the relevant paper/posters relating to the concerned film/films.(C)The licensing authority shall issue the certificate immediately indicating terms suitable for unrestricted or restricted public exhibition on roads or lanes etc.(D)Where cinema owner is informed that a particular obscene film poster which is different from the scene of approved film is required to be restricted for being given publicity, such poster shall have to be kept out from being posted on roads and lanes.(E)A certificate to be granted by the Licensing Authority under this rule shall be liable to cancellation in respect of which the certificate has been granted being exhibited in a form other than that was proposed before the Licensing Authority for certification.(F)The owner of the cinema who acts against the provisions of these rules shall be fined by the Licensing Authority which shall range from Rs. 500 to Rs. 1,000.(G)An appeal by the cinema owners against the certificate of the Licensing Authority shall have to be filed to the State Government whose decision shall be final.(H)In case of display of uncensored film posters the Appellate Authority on receipt of representation from the cinema owner concerned may condone such offences, if the Licensing Authority recommends that such violation has occurred through inadvertence.]