

Rajasthan Video Films (Regulation of Exhibition) Rules, 1992

RAJASTHAN

India

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Rule

RAJASTHAN-VIDEO-FILMS-REGULATION-OF-EXHIBITION-RULES-1992 of 1992

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Rajasthan Video Films (Regulation of Exhibition) Rules, 1992Published vide Notification No. F.10 (34)FD/Gr.4/90-2 (GSR 9), 1.6.1992 Published in Rajasthan Gazette Extraordinary 4(Ga)(I), dated 1.6.1992 page 35Notification No. F.10 (34)FD/Gr.4/90-2 (GSR 9), 1.6.1992 - In exercise of the powers conferred by Section 14 of the Rajasthan Video Films (Regulation of Exhibition)Act, 1990 (Act No. 11 of 1991), the State Government hereby makes the following Rules for the purpose of carrying out all or any of the provisions of the said Act, namely :-

1. Short title and commencement

(1)These rules shall be called the Rajasthan Video films (Regulation of Exhibition) Rules, 1992.(2)They shall apply to exhibition by means of video in a place in Rajasthan.(3)They shall come into force at once.

2. Definitions

- (A) "Act" means the Rajasthan Video Films (Regulation of Exhibition) Act, 1990 :(b)"Form" means a form appended to these rules :(c)"Section" means a section of the Act;(d)"Licensing Authority" means authority as defined under the Rajasthan video films (Regulation of Exhibition) Act. 1990 :(e)"Licence" means a written authorisation by the Licensing Authority to hold exhibition by means of video granted in Form V-2 or Form V-3 as the case may be, appended to these rules;(f)"Licensee" means a person who has been granted a Licence and includes his agent appointed for the purpose under a power of attorney and whose appointment has been intimated in writing to the licensing authority;(g)"Permanent building" means .a building which is constructed for permanent use with stone, mud, brick, mortar, cement or other non-inflammable material;(h)"Public Service vehicle"

means a vehicle as defined in the motor Vehicle Act 1988.

3. Restriction on the grant of Licence

- No person shall be granted licence unless the Licensing Authority is satisfied that the provisions of the Act and these rules have been complied with.

4. Requirements of permanent building, seating, etc. for Video Cinema

(1) There shall be an independent entrance on the public thoroughfare on which the site of such building abuts. (2) The building shall be provided with open space of not less than 3 metres in width on any two sides, and open space of not less than 6 metres in width in the front for parking of vehicles. If the building is away from thoroughfare, the approach road shall not be less than 3 metres in width. (3) The building : (a) shall be well built, structurally safe and constructed of non inflammable material : (b) shall be sufficiently ventilated : (c) shall have 1.6 metres wide verandah on any one side of the door-ways of the building; (d) shall have at least one doorway per 50 seats and in any case not less than two: fitted with doors to open outwards and the size of the doors shall not be less than 1.95 metres in height and 1.34 metres in width; (e) shall have normal height of the roof or its immediate covering from the floor not less than 3.5 metres with electric installations fitted at a height of 2.75 metres; and (f) shall have the landings, doors, staircases; lobbies and corridors of not less than 1.34 metres in width and at least two W.Cs. (4) In case the auditorium is constructed on the first floor or the second floor of a building, it shall have 1.6 metres wide verandah on any two sides with at least two staircases to ground floor on two different sides. Out of which one should abut the main thorough fare. The width of the staircase shall not be less than 1.34 metres with 1.6 cms. riser and 25 cms. tread and there shall not be less than 3 and not more than 15 stairs at a stretch. The open space required under sub-rule (2) shall be provided on ground floor. The other requirements shall be the same as in the preceding sub-rules.

5. Requirements of a permanent building for Video Parlour

(a) The building shall be well built structurally safe and constructed of non-inflammable material; and (b) shall be sufficiently ventilated.

6. Fee.

- The annual fee for grant or renewal of licence shall be Rs. 200/-.

7. Display of Licence.

- The Licensee shall display his licence at a conspicuous place where exhibition by means of video is held.

8. Provision for Fire Extinguisher.

- One portable fire extinguisher of C.T.C. and one Soda Acid of 1 Kg. capacity and one bucket (9 Litres) filled with sand and two buckets with water shall be 'provided in the premises of video cinema/parlour.

9. Application for Licence.

(1)The application for licence for holding exhibition by means of video shall be submitted in Form V-1 to the licensing authority along with the documents mentioned in sub-rule (2) or (3) , as the case may be.(2)In the case of permanent building, including hotel and restaurant the application shall be accompanied with the following documents :-(a)Attested photostat copy of licence obtained for commercial use of video or television under the Indian Telegraph Act, 1885 (Act 13 of 1885) :(b)A site plan in duplicate showing location of the premises in relation to adjacent premises within a radius of 100 metres public thorough fare on which the building abuts including the place marked for parking of vehicles drawn on the scale of 1:5; and(c)A building plan in duplicate including longitudinal and latitudinal sections and seating plan containing the ring the arrangements of seats in each class including gang way and places left open, drawn on the scale of 1:1The documents referred in clause (b) and (c) shall be required only in case of video cinemas.(3)In the case of public service vehicle, the application shall be accompanied with the documents referred to in clause (a) of sub-rule (2) and an attested photo copy of document of its registration under Motor Vehicle Act denoting therein the route, if any of the operation of the said vehicle.

10. Deposit of Fee.

- The licence fee and any other fee be deposited into the Government Account under the head "0045-Other Taxes and Duties on Commodities & Service".

11. Other conditions for grant of licence.

- Licence shall not be granted for a video cinema, if it is situated:(i)Within a radius of 500 metres of a permanent cinema either existing or under construction in a town with a population exceeding 5 lakhs;(ii)Within a radius of 1000 metres of a permanent cinema either existing or under construction in a town with a population exceeding 50,000 but not exceeding 5 lakhs; and(iii)Within a radius of 1500 metres of a permanent cinema either existing or under construction in a town with a population not exceeding 50,000.Explanation:- (a) For the purposes of this rule, the population of 1991 census shall be taken into account while granting licence.(b)The already holding exhibition by means of video in a permanent building before the commencement of these rules.

12. Issue of Licence

- The licensing authority may on receipt of application under sub-section (1) of Section 4 of the Act, after having satisfied that all the requirements have been fulfilled, shall issue the licence in form V-2 or V-3, as the case may be, appended to these rules.

13. Refusal of Licence

- The licensing authority may for reasons to be recorded in writing, refuse a licence if he is satisfied that the exhibition by means of video in a video cinema or video parlour or hotel or restaurant is likely to cause obstruction, inconvenience, annoyance, risk, danger or damage to the residents or passer-by in the vicinity of the place of exhibition.

14. Relaxation in respect of permanent building

(1) Any person already holding exhibition by means of video. Cinema in a permanent building before the date of commencement of these Rules may be granted relaxation by the licensing authority from any of the provisions of rule 4 if the licensing authority is satisfied that the public safety, security and convenience is not jeopardized by such relaxation. (2) Exhibition of films in case of video parlour may be permitted by the licensing authority in identifiable open enclosures in special circumstance for such period and with such conditions as laid down in the licence.

15. Levy of entertainment Tax

- The entertainment tax on payment for admission to video cinema/parlour shall be governed by the provisions in rule 15A of the Rajasthan Entertainments & Advertisements Tax Rules, 1957. Form V-1 (See Rule 9) Form of application of Licence for exhibition by means of video

1. (i) Name of applicant.....

2. (ii) Father's name.....

3. (iii) Age and sex.....

4. (iv) Address (I) Permanent

(duly verified) (II) Present

2. Name and description of the place.....exact location with house or plot No, if any, where exhibition by means of video is proposed and in case of public service vehicle registration number with route of operation. if any.....

3. (i) Attested photostat copy of the licence obtained for commercial use of video or television under Indian Telegraph Act, 1885, under Rule 9 (2)(a).....

(ii)Site plan in duplicate under Rule 9 (2)(b).....(iii)Building plan in duplicate under Rule 9 (2)(c).....(iv)In the case of partnership firm -(v)Name and address of the partners

4. In the case of video cinema/parlour-

(i)Number of shows proposed to be held daily with show timings of each show(ii)Width of-(a)Television screen.....(b)Video screen.....(iii)Total seating capacity.....(iv)Rates of admission(v)Proposed date of start of exhibition by means of video.....(vi)Name of Manager, if any.....

5. In the case of Hotel and Restaurant :-

(i)Number of television screens/video screens/ video scope screens.....(ii)Number of Video Cassette Recorders/Players.....(iii)Proposed date of start of exhibition by means of video.....(v)Name of Manager, if any

6. Number and date of Treasury Challan with which the amount of prescribed fee/renewal fee has been deposited.....

Date :Signature of the applicant 'with address dulyverified by any gazetted Officer.Form V-2(See Rule 12)Form of Licence under Rajasthan Video Films (Regulation of Exhibition) Rules, 1992, for Video Cinemas video Parlours.No.....Dated.....(a).....(name of video cinema).....situated at (b)..... (place)..... within the District of.....is licensed under section 4 of the Rajasthan Video Films (Regulation of Exhibition) Rules, 1990 and rule 12 of Rajasthan Video Films (Regulation of Exhibition) Rules, 1992 as a place where exhibition by means of video may be held from.....to.....both days inclusive.The licence has been granted to (c).....(Name) and shall be terminated forthwith if the said (c).....ceases to own,to hold on lease or to manage the said (a).The licence is granted subject to the provisions of the Rajasthan Video Films (Regulation of Exhibition) Act, 1990 and the rules framed thereunder and to the following further conditions :-(1)That the said (c) shall not exhibit or permit to be exhibited in the said (a).... any film other than a film which has been certified as suitable for public exhibition by an authority constituted under section 3 of the Cinematograph Act, 1952 and which when exhibited, shows the prescribed mark of that authority and has not been altered or tampered with in any way since such mark was affixed thereto(2)That the said (c).....shall not exhibit or permit to be exhibited in the said (a).....to any person who is not an adult, any film which has been certified by an authority constituted under section 3 of Cinematograph Act, 1952 as suitable for public exhibition restricted to adults.(3)That the said (c).....shall not exhibit or cause to be exhibited at any performance in the said (a).....(1)any advertisement regarding sexual disease and medicine to correct sexual disorders or purporting to assist the childless in begetting children, etc. and(2)any indecent, obscene, immoral or suggestive

advertisement, pictures, or posters on the premises of the said (a).....(4)That the total number of seats in the place of exhibition shall not exceed the number declared in the schedule, hereto appended nor shall the number and description of fire appliances, exhaust fans electric fans or sanitary requirements be less those therein specified.(5)That the said (c).....shall not display or cause to be displayed any photograph, pictures or posters which depict or represent or any film under the orders of the Board of Film Certification or the Central Government.(6)That there shall be no restriction on the number of daily shows between 15.00 Hours and 24.00 Hours and that no show shall be held before 15.00 Hours, and after 24.00 Hours without the specific permission of the licensing authority.(7)that the sound and light arrangement shall be such as to ensure good visibility and audibility to all at all times during the exhibition and the seats shall always be kept in a proper state of repairs.(8)That all walls and floors of permanent video cinema shall be kept clean at all times, washed with disinfectant at least once every day and all walls upto a height of 90 cms from the floor shall be cleaned with a strong disinfectant at least once a month.(9)At least two spittoons for a seating capacity of 50 seats and one additional spittoon for every 20 seats shall be provided at suitable places. The spittoons shall contain a strong disinfectant and shall be emptied and cleaned from time to time. Notice for using such spittoons shall be displayed prominently.(10)Relaxation permitted in respect of permanent building, if any-The 200.....Licensing Authority

Schedule

1. Total sanctioned capacity.....

Class-wise break-up of seats, if any)

2. Size of Television Screen/Video Screen/Video-Scope Screen.....

3. Number of ceiling fans or bracket fans with size and description.....

4. Number of exhaust fans with size and description.....

5. Number of urinals and W.Cs. for male/females.....

6. Details of fire fighting arrangements :

(a)C.T.C Fire Extinguisher.....(b)Soda Acid Fire Extinguisher.....(c)Sand buckets.....(d)Water bucketsLicensing AuthorityForm V-3(See Rule 12)Form of licence under the Rajasthan Video Films (Regulation of Exhibition) Rules, 1992 for Hotel, Restaurant and Public Service Vehicle.Dated.....No.....(a)(Name of Hotel/Restaurant/Registration No. in case of public service vehicle).....situated/registered under Motor Vehicles Act, 1988 at (b).....(place) within the district of.....is licensed under section 4 of the Rajasthan Video Films (Regulation of Exhibition) Act, 1990 and rule 12 of the Rajasthan Video Films (Regulation of Exhibition) Rules, 1992 as a place where exhibition by means of video may be held from.....to.....The licence has been granted to (c).....(Name) and shall be terminated for with if the said (c).....ceases to own, to hold on lease

or to manage the said (a).....The licence is granted subject to the provisions of the Rajasthan Video Films (Regulation of Exhibition) Act, 1990 and the rules framed thereunder and to the further conditions :-(1)that the said (c)shall not exhibit or permit to be exhibited, in the said(a).....any film other than a film which has been certified as suitable for public exhibition by an authority constituted under section 3 of the Cinematograph Act, 1952 and which when exhibited, displays the prescribed mark of that authority and has not been altered or tempered with in any way since such mark was affixed thereto.(2)That the said (c).....shall not exhibit or permit to be exhibited in the said (a)..... to any person who is not an adult, any film which has been certified by an authority constituted under section 3 of Cinematograph Act, 1952 as suitable for public exhibition restricted to adults.(3)That the said (c).....shall not exhibit or cause to be exhibited at any performance in the said (a).....(1)any advertisement regarding sexual ,disease and medicine to correct sexual disorders or purporting to advertisements, pictures, or posters on the premises of the said (a).....(4)that the licensee shall regularly maintain a register chronologically with up-to-date entries denoting therein the name and title of the video film, the number and date of certificate issued by the authority constituted under section 3 of the Cinematograph Act, 1952 and the name of the supplier or distributor of the said film exhibited by him on each performance and the said register shall be open to inspection and produced when demanded by any prescribed inspecting authority.(5)that the said (c).....shall not display or cause to be displayed any photograph, pictures or poster which depict or represent, purport to represent a scene or shot which has been excised from any film under the orders of the Board of Film Certification of the Central Government.(6)that the sound and light arrangements shall be such as to ensure good visibility and audibility to all at all times during exhibition and the seats shall always be kept in a proper state of repairs.The.....200.....Licensing Authority

Schedule 2

1. Total Number of rooms in the Hotel.....

2. Total Number of Video Cassette Recorder video Cassette Players in the Hotel.....

3. Number of rooms in which televisions have been provided which are connected with a common Video Cassette Recorder video Cassette Player.....

4. Total Number of Video screens in the Hotel.

Licensing Authority