

The M.P. Cable Television Network (Exhibition) Rules, 1999

MADHYA PRADESH

India

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Rule

THE-M-P-CABLE-TELEVISION-NETWORK-EXHIBITION-RULES-1999 of 1999

- Published on 30 March 2000
- Commenced on 30 March 2000
- [This is the version of this document from 30 March 2000.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Cable Television Network (Exhibition) Rules, 1999 Published vide Notification No. F. No. (25) B-5-24-99-CTD-5, dated the 30th March, 2000, Madhya Pradesh Rajpatra (Extra ordinary), dated 30-3-2000 at pp. 506 (7-14) In exercise of the powers conferred by Section 8 of the Madhya Pradesh Entertainment Duty and Advertisements Tax Act, 1936 (No. 30 of 1936), the state Government hereby makes the Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999. These rules have been previously published as required by sub-section (3) of Section 8 of the above

1. Short title and commencement.

(1) These rules may be called The Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999. (2) They shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette".

2. Definitions.

- In these rules unless the context otherwise require, - (a) "Act" means the Madhya Pradesh Entertainments Duty and Advertisement Tax Act, 1936 (No. 30 of 1936). (b) "Authorised Officer" means an Officer not below the rank of District Excise Officer authorised by the Excise Commissioner for the purposes of these rules; (c) "Cable Operator", "Cable Service" and "Cable Television Network" shall, have the same meanings as assigned to them in the Cable Television Network (Regulation) Act, 1995 (No. 7 of 1995); (d) "Financial Year" means the period of twelve months commencing on the first day of April of a calendar year and ending on 31st day of March of the following year; (e) "Form" means the form appended to these Rules; (f) "Proprietor of a Cable Television Network" means a person who provide Cable Service of a Cable Television

Network;(g)"Registration Card" means the Registration Card as prescribed Rule 6;(h)"Subscriber" means a person who receives the signal of Cable Television Network on subscription at a place indicated by him to the Cable Operator, without further transmitting it to any other person;Explanation. - In case of a hotel or lodging house, each room of such hotel or lodging house where signals of Cable Television Network are received shall be treated as a subscriber;(i)"Treasury" means a Government Treasury and includes a subtreasury;(j)The terms and expressions used in these rules but not defined here shall have the same meaning as assigned to them in the Cable Television Network (Regulation) Act, 1995, and the rules made thereunder.

3. Permission to provide cable service.

(1)No person shall provide cable service without prior permission of the "Authorised Officer".(2)Any person, who desires to provide cable service under the Act, may apply to the authorised officer for permission to provide such service.(3)Application under sub-rule (2) shall be submitted in Form CT-1. In case of a hotel or a lodging house, the application shall be submitted in Form CT-1A.(4)On receipt of the application under sub-rule (2), the authorised officer shall satisfy himself that the applicant has furnished all the requisite information and on being so satisfied may grant the applicant such permission in Form CT-2 or CT-2A, as the case may be, for a period of three financial years at a time :Provided that the authorised officer may for reasons to be recorded in writing and communicated to the applicant, refuse to grant such permission.(5)The authorised Officer shall, within sixty days from the date of receipt of the application pass an order under sub-rule (4).

4. Renewal of the permission.

(1)The Authorised Officer may, on application submitted to him in Form CT-1/CT-1A sixty days before expiry of the term of the permission, renew the permission granted under Rule 3 before the expiry of its term for a period of three financial years at a time. Such renewal shall be given in Form CT-2/CT-2A.(2)The Authorised Officer may, for reasons to be recorded in writing and before the expiry of the term of the permission, refuse the renewal of permission and intimate about such refusal to the applicant in writing.

5. Renewal of the permission deemed to have been granted.

- Where the Authorised Officer fails to pass any order under Rule 4 before the expiry of the term of the permission granted under Rule 3, the renewal of such permission for a period of three financial years shall be deemed to have been granted to the applicant and the Authorised Officer shall in that event, issue such renewal in the prescribed form.

6. Issue of Registration Cards to Subscribers.

- The proprietor of a cable television network shall prepare Registration Card in Form CT-3 in triplicate and will get the same duly attested by the District Excise Officer of the district or an Assistant District Excise Officer authorised by him. The first copy thereof shall be issued to the

subscriber or shall be kept by the proprietor of the hotel or lodging house, as the case may be, the second copy shall be made over to the District Excise Officer and the third copy shall be retained by the proprietor of the Cable Television Network for his record.

7. Validity of Registration.

- The Registration Card shall be valid only for the subscriber or the hotel or lodging house in whose name or for which it has been issued.

8. Restriction on sub-connection.

- No subscriber shall have the right to give sub-connection or to provide cable service to any person.

9. Previous information regarding commencement of entertainment and the rate being charged from a subscriber.

- The proprietor of a Cable Television Network shall inform in writing to the authorised officer the rate being charged by him per month from a subscriber and the number of cable connections given to the subscribers. Whenever any new connection is given, an information to the effect shall be given immediately in writing to the authorised officer. In case of hotel/lodging house, the proprietor shall inform in writing the number of rooms in which cable service connections are provided and the room tariff per day charged by him.

10. Preparation and maintenance of register and statement.

(1)The Proprietor of Cable Television Network shall prepare and maintain a register in Form CT-4 in which all entries column wise shall be made for each calendar month separately.(2)The proprietor of a Cable Television Network shall, within the last three days of every month, submit a monthly statement in Form CT-5 on the basis of entries made in the register referred to in sub rule (1) alongwith treasury challan in triplicate bearing the word "Treasury Copy". "Departmental Copy" & "Depositor's Copy" to the District Excise Officer for verification of the statement and head of account.

11. Mode of payment of duty.

(1)The proprietor of Cable Television Network shall deposit the amount of entertainment duty into the treasury within seven days from the last day of every month, failing which surcharge at the rate of two per cent per month on the amount remaining unpaid shall become due and be payable with effect from the date immediately following the last date prescribed till the date of payment of such amount.(2)The proprietor of Cable Television Network shall immediately after the duty has been paid send a copy of challan to the District Excise Officer.

12. Amount of Security.

(1)The proprietor of Cable Television Network shall deposit security amount equal to fifty per cent of the amount of duty payable for one month.(2)The security referred to in sub-rule (1) shall be either in cash or in the form of National Savings Certificate(s) or guarantee issued by a Nationalised Bank, duly pledged in favour of the State Government through District Excise Officer and shall be utilised for recovery of all sums due from the proprietor by way of duty or penalty under the Act and the rules made thereunder.

13. Refund of security.

- Where the proprietor of a Cable Television Network ceases to be proprietor of such network under the Act or these rules, the Authorised Officer may, on application and after satisfying himself that no tax is outstanding and no case is pending for decision against the said proprietor under the Act or these rules, release the security and order the balance out of the security deposit amount to be refunded to the proprietor.

14. Inspection Book.

- The proprietor of a Cable Television Network shall maintain an inspection book and produce the same immediately on demand for recording of remarks by inspecting officers authorised under Section 9 (1) of the Madhya Pradesh Entertainments Duty and Advertisement Tax Act, 1936.

15. Penalty for breach of rules.

- Whosoever contravenes any provision or commits a breach of any of these rules shall be punishable with fine which may extend to Rs. 5,000. Form C.T. (1)[See Rule 3 (2) and 3 (3)]To, The Authorised Officer, District.....(Madhya Pradesh) Sir, I.....son/daughter/wife of.....Shri..... R/o.....District..... (Madhya Pradesh) submit the application for permission/renewal of the permission granted on..... to provide cable service at/in..... The details of my/our cable service network centre are as follows :

1. Full address of the Applicant : Local.....Permanent.....
2. Full address of Cable Television Network Centre. :
3. Details of Registration under the :

Cable
Television
Network(Regulation)
Act, 1995

4. Period for
which
permission is :
required

5. Amount of
monthly fee :
per
subscriber

6. Number of
total :
connections

7. Other details, :
if any

Date of
Application :
Signature of
theApplicant

Form C.T. (1)-A[See Rule 3 (2) and 3 (3)]To,The Authorised Officer,District..... (Madhya Pradesh)Sir,I (Name) son of Shri. R/O.....District (Madhya Pradesh) and Proprietor of hotel/lodging houseat.....(Madhya Pradesh) and submit the application for permission/renewal of the permission granted on..... to provide cable service at/in.....The details of our/my Cable Service Network centre is as follows :

1. Full address
of the :Local.....Permanent.....
Applicant

2. Full address
of
hotel/lodging
house where :
Cable
TelevisionNetwork
Centre is
established

3. Period for
which
permission is :
required

4. Room Rent :
charged per

- day of
different
category if
any
Number of
total Rooms
5. where :
connections
are extended
6. Other details, :
if any

Date of
Application
Signature of
the Applicant
:

Form C.T. 2[See Rules 3 (4), 4 (a) and (5)]Office of the Authorised OfficerDate.....OrderThe
applicant Shri/Smt./Km..... son/wife/daughter of Shri..... R/o.....
District..... has made the application dated..... for permission renewal of the permission
granted on..... to provide Cable Service through Cable Television Network at/in.....
District..... He/She is hereby granted permission/renewal of the said permission to provide
Cable Service through the said Cable Television Network for the financial years on the following
terms and conditions :-

1. No Cable connection shall be given to any subscriber without issuing Registration Card prescribed in Rule 6 of the Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999.

2. After issuing Registration Card to every subscriber, information regarding its number and date shall be sent within three days to the District Excise Officer.

3. The proprietor shall strictly comply with all relevant provisions of the above Rules.

4. No obscene/unauthorised film will be telecast through the Cable Television Network.

5. The proprietor shall comply all orders and directions of the Authorised Officer issued, from time to time.

6. The proprietor shall deposit within a week, the sum of Rs as security in the manner provided in Rule 12 of the above rules.

7. The proprietor shall not use telephone/electric poles for providing Cable Service.

8. This permission may be cancelled at any time, without prior notice on the ground of violation of all or any or conditions mentioned above or in public interest.

.....Authorised Officer. Form C.T. 2-A [See Rules 3 (4), 4 (1) and (5)] Office of the Authorised Officer No..... Date..... Order The applicant Shri/Smt./Km.....
Son/Wife/Daughter of Shri..... R/o..... District..... has moved the application dated for permission/renewal of the permission granted on..... to provide Cable Service through Cable Television Network at Hotel/Lodging House..... named..... situated at..... District.....
He/She is hereby granted permission/renewal of the said permission to provide Cable Service through the said Cable Television Network for the financial years..... on the following terms and conditions :-

1. No Cable connection shall be given to any Room without issuing Registration Card prescribed in Rule 6 of the Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999.

2. After issuing Registration Card to every Room, information regarding its number and date shall be sent within three days to the District Excise Officer.

3. The proprietor shall strictly comply all relevant provisions of the above Rules.

4. No obscene/unauthorised film will be telecast through the Cable Television Network.

5. The proprietor shall comply all orders and directions of the Authorised Officer issued, from time to time.

6. The proprietor shall deposit within a week, the sum of Rs..... Security in the manner provided in Rule 12 of the above rules.

7. The proprietor shall not use telephone/electric poles for providing Cable Service.

8. This permission may be cancelled at any time, without prior notice on the ground of violation of all or any of conditions mentioned above or in public interest.

Authorised Officer. Form C.T. 3[See Rules, (6) and (7)](In Triplicate)Registration CardName and address of Cable Television Network.....Registration No.....Date of Issue.

1. Name of Subscriber.....

2. Full address of Subscriber.....

House No

.....Ward/Mohalla.....Town.....District.....

3. Amount of monthly service/subscription fee.....

4. Signature of Subscriber

5. Network/Service Proprietor/Manager of Cable Television

Attested Authorised OfficerForm C.T. 4[See Rule 10 (1)]Register to be maintained by ProprietorName of Cable Television Network.....Details of Cable Service.....Month.....Financial Year.....

S. No.	Subscriber's Registration number	Name and Address of Subscriber	Amount of monthly Subscription for Cable Service	Date, from which Cable Service allowed	Other details
(1)	(2)	(3)	(4)	(5)	(6)

Total

Signature of Proprietor/Manager of Cable T. V. ServiceForm C.T. 5[See Rule 10 (2)]Statement for the month..... of the Financial Year.....

1. Name and address of Cable Television Network.
2. Name of the month for which tax is to be deposited.
3. Total Number of connections given during the month.
4. Amount of total subscription received during the month.
5. Total amount of Entertainment Duty payable during the month.

6. Amount of duty paid for the month with treasury Challan No.and date. :.....
Signature of the proprietor