

The Madhya Pradesh Cinemas Regulation (Advertising Vans) Rules, 1960

MADHYA PRADESH

India

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In exercise of the powers conferred by Section 9 of the Madhya Pradesh Cinemas (Regulation) Act, 1952 (XVII of 1952), the State Government hereby makes the following rules, namely

1. Short title, extent and commencement.-

(1) These rules may be called The Madhya Pradesh Cinemas Regulation (Advertising Vans) Rules, 1960. (2) They extend to the whole of Madhya Pradesh. (3) They shall come into force from the date of their publication in the Madhya Pradesh Gazette.

2. Definitions.-

In these rules, unless the context otherwise requires -(a) "Act" means the Madhya Pradesh Cinemas (Regulation) Act, 1952 (XVII of 1952); (b) "Licensing Authority" means the authority constituted for the whole State and specified under proviso to Section 4 of the Act; (c) "Licence" means a licence granted under and in accordance with these rules; (d) "Licensee" means a person who is granted a licence in accordance with these rules and includes his agent appointed for the purpose under intimation in writing to the Licensing Authority; (e) "Touring Cinematograph" means a cinematograph apparatus which is so adopted or constructed that it can be taken from place to place for the purpose of giving cinematograph exhibitions.

3. Application for licence.-

Every application for the grant or renewal of a licence to a touring cinematograph for exhibiting 10 mm., 9½ mm. and 8 mm. films of advertisement in the whole of State of Madhya Pradesh shall be made in writing to the Licensing Authority.

4. Period of licence and fees chargeable.-

(1) Every licence shall be in the Form appended to these rules and it shall be valid for the period commencing on the date of its issue and ending on the 31st day of March next following and may be renewed for a period of one year at a time. (2) If a licence is defaced, lost or destroyed the Licensing Authority may, after making such enquiry as he deems necessary, issue a duplicate licence. (3) The fees specified below shall be chargeable in respect of each licence, namely :-

For issue of a licence Rs. 100

Fee for renewal of a licence Rs. 100

For issue of a duplicate licence Rs. 5

(4) The licence fee shall be paid directly into the Government treasury under the head "XIH-Other Taxes and Duties-A-Taxes on Luxuries including taxes on Entertainments, Amusements, Bettings and Gambling-Entertainment Tax" and the application for the grant or renewal of a licence shall be accompanied by a treasury receipted challan.

5. Inspection.-

Before granting or renewing a licence the Licensing Authority may direct the Electric Inspector to inspect and examine the touring cinematograph and to certify that such cinematograph is usable without danger to the public.

6. Power to refuse licence.-

The Licensing Authority may, after giving the applicant concerned an opportunity of stating his case in writing and for reasons to be recorded in writing refuse to grant or renew a licence.

7. Application for renewal.-

An application for the renewal of a licence shall be made at least one month before the date of the expiry of the existing licence.

8. Period of appeal.-

An appeal under sub-section (3) of Section 5 of the Act shall be preferred by the aggrieved person within thirty days of the communication to him of the order of the Licensing Authority.

9. Licensee to abide by the Act, rules, etc.-

A licensee shall abide by the conditions of the licence and the provisions of the Act and rules made thereunder.

10. Contravention of conditions of licence.-

If any licensee contravenes any of the terms or conditions of the licence then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of the Licensing Authority : Provided that no order shall be given under this rule unless the licensee has been given a reasonable opportunity of stating his case in writing against the proposed cancellation or suspension. Form Licence (See Rule 2)

No..... dated.....

Fee realised : Rs. 100.00 Licence is hereby granted to.....of.....(hereinafter called "the licensee") authorising him to give exhibition by means of a touring cinematograph throughout the State of Madhya Pradesh for a period of one year commencing on.....ending on.....on payment of a licence fee of Rs.....subject to the provisions of the Madhya Pradesh Cinemas (Regulation) Act, 1952, the rules made thereunder and the following conditions, namely :-Conditions

1. The licensee shall inform the District Magistrate at least forty-eight hours before about the time and place of exhibition.

2. The licensee shall not exhibit or permitted to be exhibited by means of a touring cinematograph any film other than an advertisement film of 16 mm, 9-½ mm, or 8 mm which has been duly certified as suitable for unrestricted exhibition.

3. The licensee shall exhibit or cause to be exhibited the advertisement films free of charge.

4. The licensee shall take all reasonable, practicable and most modern precautions against fire and danger arising from fire.

5. The licensee shall-

(i) abide by the orders and instructions; issued by the Licensing Authority or District Magistrate from time to time; (ii) abide by all orders, instructions and directions made from time to time by the State Government.

6. The licensee shall not exhibit or cause to be exhibited-

(i) any advertisement regarding sexual diseases and medicines to correct sexual disorders or purporting to assist childless, begetting children or the like; and (ii) any indecent, obscene, immoral or suggestive advertisement picture or posters.

7. Any accident, fire or explosion which is attended with loss of human life or serious injury to persons or property shall be reported immediately to the nearest Magistrate or to the Officer-in-charge of the nearest police station.

8. The licensee shall not, without the permission of the licensing authority, assign, sub-let or otherwise transfer the licence or the licensed touring cinematograph nor shall the licensee without such permission allow any other person, during the period of currency of the licence, to exhibit films by means of such touring cinematograph.

Granted this.....day of.....20....Seal Licensing Authority