

# **The M.P. Cinemas (Exhibition of Films By Video Cassette Recorder/player) Licensing Rules, 1983**

MADHYA PRADESH

India

## **The M.P. Cinemas (Exhibition of Films By Video Cassette Recorder/player) Licensing Rules, 1983**

### **Rule**

### **THE-M-P-CINEMAS-EXHIBITION-OF-FILMS-BY-VIDEO-CASSETTE-REC of 1983**

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The M.P. Cinemas (Exhibition of Films By Video Cassette Recorder/player) Licensing Rules, 1983 Notification No. 25-133-82-C-30, dated 30th September, 1983, published in M.P. Rajpatra, Part 4(Ga) dated 7-10-1983 at page 74 In exercise of the powers conferred by Section 9 of the Madhya Pradesh Cinemas (Regulation) Act, 1952 (No. XVII of 1952), the State Government hereby makes the following rules, namely :-

## **Chapter I Preliminary**

### **1. Short title, extent and commencement.**

(1) These rules may be called The Madhya Pradesh Cinemas [Exhibition of Films by Video Cassette Recorder/Player]] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.] Licensing Rules, 1983. (2) They extend to the whole of Madhya Pradesh. (3) They shall [come into force with effect from the date,] [Enforced on 7-10-1983.] 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 (No. XVII of 1952); ;(b) "Form" means a form appended to these

rules;(c)"Cinema" means any place wherein a public exhibition of film by means of [Video Cassette Recorder/Player] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.] is given for a commercial purpose;(d)"Film" means a cinematograph film;(e) ["Video Cassette Recorder/Player"] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.] means a cinematograph for the purpose of giving cinematograph exhibition of recorded film.

## **Chapter II**

### **Building**

#### **3. Licensing.**

- No cinema shall be licensed under the Act unless the cinema confirms to the rules laid down in this chapter.

#### **4. Entrance and exit to be on public thoroughfare.**

- Cinema shall have a road frontage on the public thoroughfare upon which the site of such cinema abuts and in such frontage there shall be suitable means of entrance and exit for the public.

#### **5. Seating.**

(1)The seats in the auditorium shall be according to the area of the auditorium and shall be firmly arranged and secured for public convenience.(2)In all cases there shall be a distance of at least 30.48 centimeters between the back of one. seat and the front immediately behind measured between perpendiculars.(3)The distance between the screen of the apparatus and the front row of seats shall not be less than two metres.(4)A clear passage shall be formed at the sides and down the centre of the seating in the auditorium.

#### **6. [ Sanitary conveniences. [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.]**

(a)The distance between the existing permanent, semipermanent or touring cinemas and the Cinemas to be constructed here-in-after shall not be less than 100 meters.(b)The licensing authority may direct that every cinema shall be provided with the following amenities in prescribed number and/or prescribed specifications namely :-(i)Sufficient and separate water closet and proxy accommodation for the use of males and females.(ii)Ceiling fans, exhaust fans or other artificial means of ventilation.(iii)Water Coolers/receptacles for drinking water.(iv)Cables/wires of ISI grade and encased in conduit pipe only.(v)Portable fire extinguishers of 1 kg. capacity of Co or CTC or OPC type and fire buckets filled with dry sand.(vi)Bulbs of 25 or 40 watts should be kept alight throughout the duration of the screening of the film.(vii)Only 3 pin plus should be used and of which the third pin should be earthed effectively.]

## **7. Exemption.**

- Nothing in this Chapter shall apply to a cinema run in a place other than a building.

## **Chapter III**

### **Licence**

## **8. Cinema licence.**

- No places shall be opened or allowed to remain open for use as a cinema unless the person being owner, tenant or occupier thereof shall have obtained a licence.

## **9. Application for cinema licence.**

- The application for a licence shall be made in Form I to the licensing authority and the application shall be accompanied by the following documents, namely :-(i) site plan of building and certificate of Assistant Engineer or Executive Engineer of Public Works Department that the building is safe for being used as a cinema; (ii) documents showing the ownership or tenancy of the place; (iii) certificate of Civil Surgeon/District Health Officer regarding suitability of site consistent with public health; (iv) certificate of Superintendent of Police regarding public safety and convenience; (v) photocopy of licence obtained for the commercial use under the Indian Telegraph Act, 1885 (No. 13 of 1885); Provided that in respect of a public service vehicle it shall not be necessary to supply documents specified in clause (i), (iii) or (iv) above.

## **10. Grant of licence.**

- The licensing authority may, on receipt of an application under Rule 9 with the required documents and after having satisfied that all the rules have been complied with, grant a licence to the applicant on such terms and conditions and subject to such restrictions as the licensing authority may determine. The licence shall be in form II.

## **11. Power to refuse licence.**

- The licensing authority shall have absolute discretion to refuse a licence if the cinema is likely to cause obstruction, inconvenience, annoyance, risk, danger or damage to the public or passers by in the vicinity of the cinema.

## **12. Duration of licence.**

- A licence granted or renewed under these rules shall be valid for a period of one year from the date of its issue or renewal as the case may be.

### **13. Renewal of licence.**

- The licensing authority may, [on application being made to it, atleast 45 days before the date of expiry of the existence licence,] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1989.] renew the cinema licence. An application for renewal of licence shall be made on an ordinary paper by the licensee. The application shall be with the fee prescribed in Rule 14.

### **14. Fee.**

- The fee for a licence or renewal of a licence follows:-

Not exceeding 50 seats	[150] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1989.]
Exceeding 50 seats but not exceeding 200 seats	[300] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1989.]

### **14A. [ [Inserted by Notification No. F. 25-4-92-CW-XXX, dated 2-1-1993.]**

The fees for issue of duplicate Licence for all types of hall shall be Rs. 50/- (Rs. Fifty) only]

## **Chapter IV**

### **General**

### **15. Licensee or his nominees to be present.**

- Either the holder of the cinema licence or some person or some of the several persons whom the licensee has nominated as manager or managers and whose names have entered as such in the licence shall be present at the cinema to which licence applies during the whole time for which premises are open to the public for exhibition of film by means of [Video Cassette Recorder/Player] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.].

### **16. Display of licence.**

- The licensee shall have the licence displayed prominently on the wall of the office of the cinema.

### **17. Licence not transferable.**

- A licence granted under not be transferable, but shall be personal for the benefit only of the person to whom it is granted and on the death of the licensee shall be deemed to be revoked.

## **18. Suspension or cancellation of licence.**

(1)The licensing authority may suspend or cancel any licence granted under these rules for contravention of any of these rules, provided that the licensing authority shall give the licensee an opportunity to show cause before taking action under this rule.(2)Notwithstanding anything contained in sub-rule (1), the cinema licence shall be liable to immediate suspension or cancellation by the licensing authority if in the opinion of the licensing authority the place is insufficient or is causing danger to the safety or health or inconvenience to the public.

## **19. Period within which appeal under Section 5 of the Act shall be made.**

- An appeal against an order of the licensing authority refusing to grant a licence under sub-section (3) of Section 5 of the Act shall be made within thirty days from the date of receipt of such order by the applicant.

## **20. Saving.**

- Nothing in the Madhya Pradesh Cinemas (Regulation) Rules, 1972 shall apply to cinemas to which these rules apply. Form I(See Rule 9)Application for licence under Rule 9 of the Madhya Pradesh Cinemas (Exhibition of Film by [Video Cassette Recorder/Player] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.] Licensing Rules, 1983

### **1. Name of applicant.**

### **2. Father's name.**

### **3. Age.**

### **4. Address.**

**5. Name of place and description where exhibition of film for public shall be made by the [VCR/VCP] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.].**

**6. Whether certificates regarding public safety, convenience and health have been obtained from the concerned authorities?**

**7. Time schedule for exhibition of film.**

## **8. Seating arrangement in the building.**

## **9. Other details regarding building.**

## **10. Treasury Voucher No. and date indicating deposit of licence/renewal fees.**

Signature of the Applicant. Form II (See Rule 10) Licence For Exhibition Of Film By [Video Cassette Recorder/Player] [Substituted Notification No. F. 18-20-89- C-XXX, dated 1-10-1996.] Under the power vested in the District Magistrate under Section 4 of the Madhya Pradesh Cinemas (Regulation) Act, 1952 (XVII of 1952), licence is hereby granted to Shri.....son of Shri.....resident of.....district.....for giving exhibition by means of cinematograph (recorded film or series of films on the magnetic cassettes by [Video Cassette Recorder/Player] [Substituted by Notification No. F. 18-20-89-C-XXX, dated 1-10-1996.]) for the public subject nevertheless to the following further conditions and restrictions : (Here give the full description of cinema) Conditions and Restrictions

### **1. The licensee shall not exhibit or permit to be exhibited in the cinema-**

(a) any film other than a film which has been certified by the Board of Film Censors constituted under Section 3 of the Cinematograph Act, 1952 (No. XXXVII of 1952), as suitable for unrestricted public exhibition or for public exhibition restricted to adults and which, when exhibited, displays the prescribed mark of the Board, and has not been altered or tempered with since such mark was affixed thereto; (b) any film, which has been certified by the Board of Film Censors as suitable for public exhibition restricted to adults or to any person who is not an adult; (c) any film the exhibition of which is suspended under Section 6 of the Act; (d) [ any film other than the film for which rights have been acquired from the genuine copy right holder. [Clauses (d), (e) and (f) Inserted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.]] (e) The licensee shall give an undertaking to the licensing authority that he will screen only legal cassettes authorised for commercial exhibition and legally obtained from the copyright holder or has licensee/assignee. Breach of this condition shall entail cancellation of licence in addition to other liabilities under the law. (f) the licensee shall submit to the licensing authority the list of the films shown in the preceding calendar month one week of the expiry of the relevant month.]

### **2. The licensee shall - (1) Prominently exhibit at each public entrance of the premises, whenever the premises are open to the public, a notice indicating in tabular form and in clear bold letters and figures**

(i) the title of each film, to be shown on that day; (ii) the approximate times of commencement of each such film; (iii) whether each film is suitable- (a) for unrestricted public exhibition and has received certificate; or (b) for public exhibition restricted to adults and has received certificate; (iv) whether persons who are not adults will be admitted to the exhibition of the film. (2) Indicate clearly the nature of any certificate received from the Board of Film Censors by the "U" or "A" as the case may be, in any advertisement of the film displayed at the premises. (3) Not exhibit or permit to be

exhibited, in the cinema, any photograph, picture or poster which depicts, represents or purports to represent a scene or shot which has been excised from any film under the orders of the aforesaid Board of Film Censors or the Government. (4) Not exhibit or permit or cause to be exhibited any poster or picture which is a gross misrepresentation of the film itself and which is obscene. (5) Not continue any performance or exhibition of any film by means of a cinematograph after 12.30 a.m. (6) Comply with such other conditions as may be prescribed from time to time by rules or the instructions given by the licensing authority. (7) Inform the licensing authority the titles of film to be exhibited during the week. (8) Not except with the previous permission of the licensing authority admit in the cinema auditorium or in any part or division thereof a number of persons more than that indicated below or not increase or reduce the number of seats in any such part or division (Here enter name of division or part of the auditorium) / (Here mention the number of persons that may be admitted in the auditorium). (9) The licensee shall comply with any direction and instructions (including any direction for temporarily closing the cinema premises) the licensing authority may, from time to time, issue for preventing any obstruction, inconvenience, annoyance, risk, danger or damage audience in the cinema premises or the public or the residents or passers by in the vicinity of the cinema premises or for the maintenance of public safety and the prevention of the disturbance therein.

**3. This licence is granted subject to the provisions of the Madhya Pradesh Cinemas (Regulation) Act, 1952 and the Madhya Pradesh Cinemas (Exhibition of Films by [Video Cassette Recorder/Player] [Substituted by Notification No. F. 18-22-89-C-XXX, dated 1-10-1996.]) Licensing Rules, 1983 and the conditions detailed in this licence and is liable to suspension or cancellation for breach of any of the said provisions or conditions**

**4. This licence is not transferable but is personal for the benefit of the licensee mentioned above.**

**5. The persons nominated as Managers under Rule 15 are .**

(1) Shri.....son of.....resident of..... (2) Shri.....son of.....resident of.....

**6. The licence is valid till the.....day of.....20.....**

Given under my hand and seal this.....day of.....20 ..... Licensing Authority Renewals

Date of renewal Valid till Fee paid Signature of licensing authority