

Delhi Cinematograph (Exhibition of Films by Video Cassette Recorder/player) Rules, 1986

DELHI

India

Delhi Cinematograph (Exhibition of Films by Video Cassette Recorder/player) Rules, 1986

Rule

DELHI-CINEMATOGRAPH-EXHIBITION-OF-FILMS-BY-VIDEO-CASSET of 1986

- Published on 21 April 1986
- Commenced on 21 April 1986
- [This is the version of this document from 21 April 1986.]
- [Note: The original publication document is not available and this content could not be verified.]

Delhi Cinematograph (Exhibition of Films by Video Cassette Recorder/player) Rules, 1986Published vide Notification No. F. 18/5/83-H.P. 2, dated Delhi the 21st April, 1986Notification No. F. 18/5/83-H.P. II, dated Delhi the 21st April, 1986. - In exercise of the powers conferred by Section 16 of the Cinematograph Act, 1952 (Act No. 37 of 1952), read with the Government of India, Ministry of Home Affairs, Notification No. 20/8/52-Judl., dated 23.7.1952, the Lt. Governor of the Union Territory of Delhi is pleased to make the following rules, namely:-

Part I – Introductory

1. Short title, extent and commencement.

- (i) These rules may be called the Delhi Cinematograph (Exhibition of Films by Video Cassette Recorder/Player) Rules, 1986.(ii)They extend to the whole of the Union Territory of Delhi.(iii)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires:-(i)'Act' means of the Cinematograph Act, 1952 (Act No. 37 of 1952);(ii)'Administrator' means the Lt. Governor of Delhi;(iii)'Auditorium' means an enclosure covered or open, where people can assemble for watching a film on VCR/VCP;(iv)'Chief Fire Officer' means the Chief Fire Officer holding the charge of the Delhi Fire Service ;(v)'Electric Inspector' means the Electrical Inspector of the Union Territory of Delhi or

other officer appointed by the Administrator to perform the functions of the Electric Inspector under these rules;(vi)'Place' includes a house, building, tent and description of transport, whether by sea/land or air ;(vii)'Enclosure' means that portion or place licensed under Section 10 of the Act in which the Cinematograph apparatus is erected ;(viii)'Executive engineer' in relation to the licensing of any place for Cinematograph exhibitions means the officer holding charge of the Delhi State Division of the Public Works Deptt. or such other officer as may be appointed by the Administrator to perform the duties of the Executive Engineer under these rules ;(ix)'Exit' means a passage, channel or means of egress from any building, storey or floor area to street or other open space of safety;(x)'Film' means a Cinematograph film recorded on video cassette tape;(xi)'Fire resisting material' means any material which has certain degree of fire resistance ;(xii)'Form' means a form appended to these rules. ;(xiii)'Licensing Authority' means the authority having powers to grant cinematograph licenses under Section 11 of the Cinematograph Act, 1952 (Act 37 of 1952), read with Section 146 of the Delhi Police Act, 1978 (Act 34 of 1978).(xiv)'Parking space' means an area enclosed or un-enclosed sufficient in size to park vehicles together with a drive-way connecting the parking spaces with a street or allow and permitting easy ingress and egress of the vehicles ;(xv)'Public Service vehicles" means a motor vehicle which is used to carry passengers from one place to another;(xvi)'Public Exhibition' means exhibition of films for consideration and includes exhibitions organised by a club/society/association for its members.(xvii)'Exhibition by Video' means an exhibition of a cinematograph film or moving pictures or series of pictures in public organised by playing or replaying of pre-recorded cassette by means of a video cassette player or recorder either on the screen of a TV set or video-scope or otherwise.(xviii)'Video cinema' means any place wherein a public exhibition by video is provided for commercial purposes.

Part II – Video Cinema Licence

3.

No place shall be opened or allowed to remain open for use as a video cinema unless the owner, tenant or occupier thereof shall have obtained a cinematograph licence therefor under Section 10 of the Cinematograph Act, 1952 provided that no such licence shall be necessary for exhibition of film on television screen through video cassette recorder for domestic purposes to the family members of the household.

4. Application for grant of licence.

- An application for a licence shall be made in Form I to the Licensing Authority and it shall be accompanied by the following documents; namely (A Court fee of Rs. 1.25 shall also be payable thereon):-(i)A building/site plan duly certified by the Executive Engineer (PWD) that the building is safe for being used as a cinema.(ii)A certificate from the MCD/NDMC/Cantonment Board regarding suitability of site from land use, building and health point of view and to the effect that the premises in respect of which licence is asked for is not unauthorised or illegal.(iii)Documents showing the ownership/tenancy of the place.(iv)'No Objection Certificate' of the District Deputy Commissioner of Police regarding public safety and convenience. In the case of a public service vehicle a 'No

Objection Certificate' from the State Transport Authority will be required.(iy)Photo copy of the licence obtained for the commercial use of video or TV under the Indian Telegraph Act, 1885 (No. 13 of 1885).(vi)No objection certificate from the Chief Fire Officer regarding suitability of the premises from the point of view of fire safety and means of ingress and egress.(vii)A certificate from the Electrical Inspector that reasonable precautions have been taken by the applicant in regard to his premises and the apparatus to protect spectators and employees from electric shocks and to prevent out break of fire into the building as a result of electric wiring/installation/apparatus :Provided that in respect of a public service vehicle it shall not be necessary to supply documents specified in sub-rules (i), (ii), (vi) and (vii) above.

5. Grant of a licence under the Rules.

- The Licensing Authority may, on receipt of an application for issue of licence under Rule 4 and after having satisfied himself 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.While granting a licence, the Licensing Authority shall fix the maximum number of seats in the Auditorium/Video Cinema as under :-

| S. No. | Width of screen | Maximum seats |
|--------|------------------------|---------------|
| (i) | Not exceeding 50.0 cm | 30 seats |
| (ii) | Not exceeding 67.5 cm | 50 seats |
| (iii) | Not exceeding 77.5 cm | 75 seats |
| (iv) | Not exceeding 100.0 cm | 100 seats |
| (v) | Exceeding 100.0 cm | 125 seats |

6. Power to refuse a licence.

- The Licensing Authority shall have absolute discretion to refuse a licence, if in his opinion, the video cinema is likely to cause obstruction, in convenience, annoyance, risk, other reason to be recorded in writing.

7. Duration of the validity of a licence.

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

8. Renewal of licence.

- The Licensing Authority may, on an application being made to it, renew the video cinema licence for the requisite period not exceeding one year. An application for renewal of a licence shall be made 30 days before the expiry of the licence on an ordinary paper by the licensee. The application shall be accompanied by no objections from the authorities mentioned in Rule 4 of these rules. The application shall also be accompanied with the fee prescribed in Rule 9 :Provided that if an

application for the renewal of a licence is made after the prescribed date, the Licensing Authority may on being satisfied about the reasons for delay nevertheless renew the licence as a special case.

9. Fee.

- The fee for a licence or renewal of a licence shall be as follows. -(i)Not exceeding 50 seats-Rs. 100/- for one year.(ii)Exceeding 50 seats but not exceeding 100 seats. - Rs. 150/- for one year.(iii)Exceeding 100 seats-Rs. 200/- for one year.In addition, there shall be an inspection fee of Rs. 20/- for each inspection carried out by Electrical Inspector or by Chief Fire Officer or any other officer authorised by each of them in this behalf.

10. Casual Licence.

- A casual licence for video cinema for a period not exceeding 7 days may be granted by the Licensing Authority in respect of any place for public exhibition of films after satisfying himself about the fitness of apparatus, Censor Certificate of film and suitability of place A fee amounting to Rs. 20/- per day shall be payable on each Casual Licence.

11. Revocation/Suspensions/Cancellation of Licence.

- The Licensing Authority may at any time revoke or suspend or cancel a licence granted by him for any of the reasons mentioned in Rule 6 or any breach of these rules or of the conditions of the licence or for any other reasons to be recorded by him in writing :Provided that the licensee shall be given an opportunity to present his case before such a decision is taken by the Licensing Authority.

12. Appeals.

- Any person aggrieved by the decision of the Licensing Authority refusing to grant or renew or revoking or suspending or cancelling a licence, may appeal to the Administrator within 30 days from the date of such decision. The Administrator may, after such enquiry into the matter as he considers necessary and hearing the appellant if he so desires, pass such orders thereon, as he thinks fit.

Part III – Specifications for Building

13.

No cinematograph licence to exhibit films on video cassette recorder /player shall be granted under the Act unless the premises in respect of which a licence is asked for conforms the rule and specifications given hereunder :-(1)The premises shall have free means of exit and entrance for patrons.(2)No wooden posts shall be allowed in the auditorium.(3)The net and gross occupant load may be as under :Net occupant load-0.45 sq/m/person.Gross occupant load-0.60 sq/m/person.(4)The seating in the building shall be so arranged that there is free access to exits. The distance between back of one row of seats to the back of another row of seats, immediately

behind it, shall not be less than 90 cm. where push back seats are used and 98 cm. where fixed seats are used. The width of the seats shall not be less than 50 cm. where arms are provided and 45 cm. where arms are not provided.(5)The rows of seats shall be so arranged that there is a clear space of not less than 38 cm between the back of one seat and the fore-most portion of the seat arm of the frame behind it measured between perpendiculars. All seats shall be securely fixed to the floor.(6)The distance between the front row of the seats and the screen of the apparatus shall not be less than 2.4 metres and no person shall be admitted within such space.(7)The rows of seats shall be numbered continuously from one end to the other in the Auditorium.(8)A clear passage shall be left at the sides and in the centre of the seats in the Auditorium.(9)All gangways, exits, steps and stairways shall be covered with non-slippery surface.(10)Druggets, matting the floor covering if provided in gangways shall be securely fastened to the floor.(11)In an Auditorium there shall be at least two doors providing a clear opening space of not less than 2.10 metres and 1.50 metres. All exit doors shall open outwards.(12)The Auditorium shall be provided with sufficient means of ventilation, direct to the open air at the rate of not less than 26 cu.m/person/hour.(13)If more than one exhibition is given on any day, the whole of the auditorium shall be flushed with air for atleast 15 minutes before each exhibition no spectators will be permitted to remain inside or be in the auditorium during any part of this period.(14)One W.C. and one Urinal for every 50 persons and less for exclusive use of each sex shall be provided. Similarly a provision of drinking water taps and wash basins @ 1 for every 100 persons or part thereof shall be made.(15)All lighting shall be provided by electricity. No gas, acetylene, oil or other lamps shall be used for lighting the video cinema or any part thereof.(16)Every portion of the video cinema devoted to the use or accommodation of the public and also all outlets leading outside the video cinema including corridors shall be well and properly lighted during every performance and the same shall be lighted until the entire public have left the video cinema after the performance is over.(17)Sufficient emergency lighting shall be provided for use in case of failure of the electric lighting in the auditorium, gangways, passages, stairways and exitways.(18)All the cables, wires used shall be of 1ST grade and wiring shall pass through conduit pipes only.(19)There shall be a separate circuit controlled by a suitable linked switch for the supply of electricity taken to the video cinema.(20)Three pin plugs with the third pin effectively connected to earth shall be used.(21)Separate circuits shall be provided for lights, fans and other equipment.(22)Video films shall not be exhibited in a totally dark room or Auditorium. A dim light (about 25 watts to 60 watts bulb) shall be kept on throughout the exhibition of films. The bulb shall be placed at right angles to the line of vision of, the public.(23)The building where such exhibitions is given shall be provided with one open space of not less than 3 metres in the width each on any two sides of the building, and an open space of not less than 6 metres in width on the third side for parking of vehicles.(24)The clear height of the exhibition hall shall not be less than four metres and more than six metres.

Part IV – Miscellaneous

14.

The licensee shall be responsible for observance of the provisions of these rules and of the conditions of his licence for maintenance of the video cinema at all times and in all respects in conformity with the standards, prescribed by these rules and for taking all necessary safety

measures before any cinematograph exhibition is commenced.

15.

Either the holder of the video cinema licence or some person or some of the several persons, whom the licensee has nominated as manager or managers and whose names have been entered as such in the licence shall be in general, incharge of the video cinema, during the whole time when an exhibition is in progress. The licensee shall be responsible for all acts and commissions of his managers, servants, or agents which are committed and arising out of or in connection with the video cinema to which his licence relates.

16.

The Licensing Authority may before the grant of Licence inspect the premises intended to be used for the purpose of Cinematograph himself or cause it to be inspected by an officer authorised by it in order to satisfy himself about the suitability of the premises for grant of a licence applied for. Such authority or an officer authorised by it may also inspect the video cinema or the film which is proposed to be exhibited and the licensee or his representative should make such arrangements for the inspection as the inspecting officer may require.

17.

The licensee shall have a photostat copy of the licence displayed prominently on the wall of the office or prominently outside the premises of the video cinema.

18.

A licence granted under these rules shall not be transferable.

19.

No addition to or alteration of any portion of any premises licensed under Section 10 of the Act shall be made without the previous sanction of the Licensing Authority.

20.

The licensee shall not without the permission of the Licensing Authority, assign, sub-let or otherwise transfer the licence or the video cinema nor shall the licensee, without permission as aforesaid, allow any other persons during the period of currency of the licence, to exhibit films in the video cinema.

21.

The number of tickets issued for any performance shall not exceed the seating accommodation prescribed in the licence and on every ticket issued the following particulars shall be shown :-(a)The date and time of performance.(b)Serial number of tickets.(c)Cost of admission and entertainment tax paid thereon.

22.

No person below the age of 18 years shall be admitted to any show commencing before 3 p.m. except on Saturday, a holiday notified by the Administrator or any day during the period of 1st May to 14th July and periods of autumn break and winter break in educational institution notified by the Director of Education, Delhi:Provided that this prohibition shall not apply to the admission of children below 5 years of age or to the children accompanying their parents or guardians.

23.

The licensee shall obtain a clearance certificate in respect of Entertainment Tax dues from the concerned authority and enclose the same alongwith the application for the renewal of a cinema licence.Form I(See Rule 4)ToLicensing Authority,Delhi.Sir,I hereby apply to you, pursuant to rules framed under the Cinematograph Act, for a licence/renewal of a licence for cinematograph exhibitions on V.C.R. to be given in the premises situated on/in plot No.....in Colony/Bazar.....Street/Road.....City.....and I forward herewith the following documents/certificates :-

1. Site plan.

2. Building plans showing specifications.

3. Ownership title.

4. Court Fee of Rs. 1.25.

5. No Objection Certificates from the concerned authorities as required in Rule 4.

6. Photocopy of licence obtained for commercial use under Indian Telegraph Act.

7. Clearance certificate in respect of Entertainment tax dues as required in Rule 23 (to be enclosed if application is for renewal of licence).

I request that the proposal may please be approved and a Cinematograph licence be issued to exhibit films on V.C.Rs. Signature of Owners.....Name of Owner.....(in block letters)Address of owner.....Form II(See Rule 5)Licence No.....

1. The building/place known.....situated at..... within the town of.....in the Union territory of Delhi is hereby licensed under Section 10 of the Cinematograph Act, 1952 and Rule 4 framed thereunder as a place where exhibitions by means of a V.C.R. may be given.

2. This licence has been granted to.....and shall remain in force until the . provided that the said Shri.....continues to own or manage the Cinematograph use in the said

3. This licence is granted subject to the provisions of the Cinematograph Act, 1952 and of the rules made thereunder, and to the conditions set forth in the Statement annexed.

4. The persons nominated as managers under the Rule 15 are :-

1. Shri.....

2. Shri.....

Issued on this the day of month year.....Licensing Authority.DelhiSealThe
Statement of conditions of License

1. All buildings or other regulations for observance at places of public amusement imposed by municipal bye-laws or by any other rules under any other law for the time being in force, shall be strictly complied with.

2. Except to such extent as is permitted by the exemption certificate appended here to the video cinema, shall be maintained in all respects in strict conformity with the VCR rules.

3. (a) One CO2 of 4.5 kg. capacity having ISI No. 2878-1976 and one Asbestos Blanket be kept near the VCR/TV.

(b) One fire extinguisher water type (Gas pressure) of 9 litres capacity having ISI No. 940-1976 per 50 seats and part thereof with minimum of two be provided in the auditorium. These fire extinguishers shall be flushed to the wall. (c) In case the auditorium is provided with D.G. set as alternate source of power supply, one dry Chemical Powder Fire Extinguisher of 5 kg. capacity with ISI No. 2171-1976 shall be provided. (d) The operator and at least one more person shall be trained in handling and maintaining fire fighting equipment and they shall be physically present when the show is going on.

4. The number of tickets issued for any performance shall not exceed the seating accommodation and on every ticket issued the following particulars shall be shown :-

(a) The date and time of the performance. (b) The serial number of the ticket. (c) Cost of admission and Entt. Tax paid thereon, on every ticket sold. Sale of Tickets without number would tantamount to contravention of the condition.

5. No fire work shall be used as an adjunct to a Cinematograph exhibition.

6. Save as the licensing authority may by written order permit, no loud-speaker, musical instrument, gramophones, band, drum, bell, horn, whistle, siron or other device for creating a loud noise shall be employed or allowed to be used outside the video cinema as an advertisement or to attract attention nor shall any device be employed which is designed or serves to deliver the entertainment to persons outside the video cinema.

7. The licensee shall not exhibit or permit to be exhibited any film other than film which has been certified as fit for public exhibition by an authority constituted under Section 3 of the Act 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.

8. No poster, advertisement, sketch, synopsis or programme of a film shall be displayed, sold or supplied either in the video cinema which is likely to be injurious to morality or to encourage or incite to crime or to read to disorder or to offend the feelings of any section of the public or which contains offensive representations of living persons.

9. The licensee shall comply with all instructions which may from time to time be given by the licensing authority regulating the display of posters or advertisements at the video cinema or on any premises annexed thereto.

10. At least forty eight hours before any film is exhibited the licensee shall supply to the Licensing Authority a synopsis of the contents of the film and a copy of Censor certificate.

11. The Licensing Authority or any officer authorised by him in this behalf at any time may inspect the film which it is proposed to exhibit, and the licensee shall make such arrangements for the inspecting officer may require.

12. It shall be open to the Licensing Authority to amend or revoke or cancel the licence.

13. The licensee will not exhibit, or permit to be exhibited, in such place in respect of which this licence is given to any person who is not an adult any film which has been certified by an authority constituted under Section 3 as suitable for public restricted to adults.

14.

(1) There shall be prominently exhibited at each public entrance whenever the premises are open to the public, a notice indicating in tabular form and in clear bold letters and figures :- (a) The title of each film to be shown on that day other than trailers and advertisement film; (b) The approximate times of commencement of each such film; (c) Whether each such film has received 'A', 'U', 'UA' or 'S' certificate or other certifications, if any, approved by the Central Board of Film Censor. (2) The licensee shall exhibit prominently the certificates issued by the Censor Board showing the serial number, category and other details of the Censor Certificate pasted on the Video Cassette. Censor certificate issued by the CBFC for a film on celluloid will not be valid for a film on video.

15. The licensee shall not display or cause to be displayed any photograph, picture or poster which depicts or represents or purports to represent a scene or short which has been excised from any film under the orders of the Central Board of Film Censors or the Central Government.

16. The licensee shall provide adequate facilities of free cold drinking water in the video cinema for the holders of valid tickets for video cinema shows.

17. The licensee shall ensure that the building furniture fittings and appurtenances are at all times kept in a state of proper repair. The auditorium foyer, lobbies, toilets etc. shall be cleaned and adequately disinfected before and after each show.

18. A report of any fire or alarm of fire however slight it may be, shall be sent at once to the nearest fire brigade.

19. The licensee shall not exhibit advertisement slides relating to sexual diseases and medicines to correct sexual disorders or purporting to assist the childless in begetting children without the permission of Administration.

20. The licensee shall always keep the extractors, exhaust fans, ceiling fans, or the air-conditioning apparatus and the like, in perfect working order and shall put them on throughout the period when film is being exhibited and the public is seated in the auditorium.

21. Smoking in the building auditorium or enclosure during any cinematograph exhibition, shall not be permitted and any infringement of this condition by any person shall be brought to the notice of the police by the management immediately.

22. The licensee shall comply with such directions as the Government may, by general or special order give as to the manner in which approved films shall be exhibited in the course of any performance.

23. The licensee shall not allow any performance or exhibit any film by means of a cinematograph before 8.30 a.m. or after 12.00 midnight.

24. The licensee shall not commit any offence punishable under the U.P., Entertainment and Betting Tax Act, 1937 as amended from time to time and as extended to the Union territory of Delhi.

25. The Licensee shall not exhibit or permit to be exhibited more than one full length feature film at a show on any one ticket.