GUJARAT CINEMAS (REGULATION OF EXHIBITION BY VIDEO) RULES, 1984

or GUJARAT Gujarat Cinemas (Regulation of Exhibition by Video) Rules, 1984 Published unger Bombay Cinemas (Regulation) Fact, 1953 INFORMATION, BROADCASTING AND TOURISM DEPARTMBNP 2, SARDAR BHAVAN, 8TH FLOOR, SACHIVALAYA, GANDHINAGAR - 382 010. INFORMATION, BROADCASTING AND TOURISM DEPARTMENT Notification Sachivalaya, Gandhinagar, 11th June, 1984. No. Draft Cinemas (Regulation of Exhibition by Video) Rules, 1984 were published as rquired by sub-secticn (4) of the scctien 9 of the Bc mbay Cinemas (Regulaticn) Act, 1953 (Bcm. XI of 1953) at peges 89-1 to 89-11 cf the Gujarat Government Gazette, Extra ordinaiy, Part-IV-B, dated 26th 1984, under Government Notificatien Infcrmatien, Bret dcasting April, and Tourism Department No. GT/84/21/BCR, 1084-229-A, dated 25th April, 1984, inviting objections and suggestions from all persons likely to be affected thereby. AND WHEREAS objections and suggestions have been considered by Government. NOW, THEREFORE, inexercise of the powers conferred by 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bom. XI of 1953) the Goverpment of Gtqarat, hereby makes the following rules, namely:— CHAPTER 1. Preliminary Commencement.—(l) These rules and (1) Short title, extent may be called the Gujarat Cinemas (Regulation of Exhibition by Video) Rules, 1984. (2) They extend to the whole of the State of Gujarat. (3) They shall come into force on and with effect from the 15th June, 1984

2. Definitions these rules, unless the context otherwise, requires, —(a) "the Act" means the Bombay Cinemas(Regulation) Act, 1953 (Bom. X1 of 1953). (b) "exhibition by video" means an exhibition of a cinema- tograph film or moving picture series of pictures in public organised 1-1—457--1 2 by playing or re-pla,ying a pre-recorded cassette by means of. a video cassette player or recorder either on the screen of a television set or video-scope or otherwise ; (c) "film" means a cinematograph film. (d) "form" means a form appended to these rules ; (e) C'video cinema" means any place wherein a public exhibition by video is provided for a commercial purpose

CHAPTER 11. Building 3. Licensing:—No video cinema shall be licensed under these rules unless tha cenema conforms to the rules laid down in this chapter, 4. Independent enterance on public throughfare There shall be an independent entrance on the public throughfare upon which the site of such cinema abouts.) (2) There shall be at least two door ways fitted with doors to open outwards

5. Subject to sub-rule (4), the seats in the auditorium shall be according to the area of the auditorium and shall be firmly arran- ged and secured for public convenience.(2) The distance between the video screen and the first row of seats shall not be less than two meters and no person shall admi- tted within such space. (3) In all cases there shall a distance of at least 35 centimetres bet- ween the back of one seat and the front of immediately behind seat measured between perpendiculars. U) The number of seats shall not exceed the seating capacity speci- fied below, namely:— Television or Video Width of the screen (i) Not exceeding (ii) (iii) (iv) (v) Exceeding 3 50 67.5 Maximum Seats, 30 Seats c.m. can. 77.5 c.m. 100,00 c.m. 100.0 c.m. 50 75 100 125 6. Ventilation There shall be adequate opening for ventila- tion purposes to ensure a balanced air supply

7. Sanitary Convenience-:—(1) Every video cinema shall be provided with suffcient and separate water closet or privy accommodation as also urinal accommodation for the use of males and felules, 8. Exemption :—(1) Subject to sub rule (2) nothing jn this Chapter shall apply to any exhibition by video in an omnibus, which is used as a contract carriage. (2) The owner of such omnibus when so required shall have to produce a photo state copy of the legistration of the vehicle made by the authority competent to register the vehicle under the Motor Vehicles Act, 1939

CHAPTER 111 Electric Installation 9. Regulation to electric installation :—(1) There shall be a separate circuit controlled by a suitable linked switch for the supply of electriciuy taken to the video cinema. (2) Three pin plugs with the third pin effectively connected to earth shall be used. (3) Separate circuius shall be Provided for lights, fans and other equipment. (4) An automatic voltage regulator or stabiliser winch can provide an output of 230 volts shall be installed before the video equipment. 4 (5) A dim light by means of a bulb boving power not below 25 vvütts and not more than 40 watts shall be kept burning throughou the period of exhibition of films. The bulb shall be placed at right angles to the Jine of vision of

the public. (6) Nothing in the foregoing provisions of this rule shall apply to an exhibition by video in anomnibus which is used as a contract carriage

CHAPTER IV Licence IO. Video cinema licence:—No place shall be cpended or allowed to remain open for us e as a video cinema unless te person being owner, tenant or occupier Chere of shall have ontained a licence therefore

Form I to the licensing authority. Such application shall be accompanied by the following documents, namely:— (a) in the case of a building— (i) site plan of the building as approved by the Municipal Corpora- tion, municipality, nagar panchayat, gram panchayat, or as the case may be, any other local authority concerned, (ii) certificate of Superintendent of Police or the officer under him regarding character of the licence. (iii) Photo-state copy of licence obtained for the commercial use of video or television under the Indian Telegraph Act, 1885. (No. 13 of 1885) • (iv) documents showing the ownership or tenancy of the place (b) in the case of anomnibus used as a contract carriage, a photo-state copy of the document of its registration under tho Motor-Vehicles Act, 1939

12. Grant of licence: The licensing authority may, on receipt of an application under rule 11 with the requiled 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

Formll. (2) The licensing authority while granting or renewing the licence shall fix the maximum number of persons to be admitted as a time

13. Power to refuse licence :—(1) The licensing authority shall have absolute discretion to refuse a licence if the video cinema is likely to cause obstruction, inconvenience, annoyance, risk, danger or demage to the residents or passers by in the vicinity of the cinema. (2) The licensing authority shall refuse a licence if the distance between the existing permanent, semi-permanent or touring cinema and the video cinema is less than 150 metres

14. Duration of licence:—A licence granted or renewed under these rulesshall be. valid fora period ofone year frcm the date of its lissue or renewal as the case may be

15. Renewal of licence:—The licensing authority may, cru application being made to it, renew the cinema licence. Au application for rene- wal of licence shall De made three months before the expiry of licence, on an ordinary paper by the licence. The application shall be accomp- pained by the fee prescribed in rvle 16

16. Fee :—The fee fora licence or renewal ofa licence fora video cinema shall be as follows, namely: Number of seats Not exceeding 50 seats Exceeding 50 seats but not exceeding 100 seats. Exceeding 100 seats

CHAPTER V General Rs. Rs. Rs. Fee 100 150 200 17. Licensee or his nominee to be the holder of the video cinema license or some person or some cne of several persczswhcm the license has nominated as manager or managers and whose name or names have been entered in the license shall be present at the video cinema to which the licence applies during the whole time for which such premises are opeu to public. 6 18. Display of licence licensee shall have the licence dioplayed prominently:— (a) in the case of a video cinema other than an omnibus used as a contact carriage, on the wall of the offce, of the cinema. (b) in the case of an ominbus used as a contract carriage, inside the om.nibus

19. Access to inspecting officers:—The licensee shall give free access to the video cinema at all hours to— (i) the licensing authority or any officer nominated by the licens- ing authority under the Act and the rules and for checking that the provisions of the Act and the rules are being complies with; (ii) any police-officer who is required by a general or special order of the licensing authority of the District Superintendent of Police or the Commissio ner of Police, as the case may be

20. Licences not transferable:—A licence granted under these rules shall 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 revoked

21. Licensee liable for acts of his employees:——The licensee shall be responsible for all acts and omissions of his managers, servants or agents arising out of, or in connection with, the video cinema to which his licence relates

22. Penalty for failing to comply:—Any person failing to comply with or contravening the provisions of any of these rules shall on conviction be punished with fine which may extend to one thousand rupees

CHAPTER VI Suspension and Cancellation of licence Appeal and Saving

23. Suspension or cancellation of licence The licencing autho- rity may suspend or cancel any licence granted under these rules for co ntravention of any of these rules or of the conditions of the licence granted unda•: these rules: Provided that4he licensing authority shall give the licencee an OPPOr-tunity to show cause before taking any action under this rule .(2) Notwithstanding anything contained in Sub-Rule (I), the licence granted under these rules shall be liable to immediate suspension or cancellation by the licensing authority if in the opinion of the licensing authority the video cinema is likely to cause danger to the safety or health of or in convenience to, the public

24. Appeal against refusal to grant licence:—An appeal against an order of the licensing authority refusing to grant a licence under section 8 of the Act shall be made within thirty days from the date of receipt of such order by the applicant

25. Saving:—Nothing in the Bombay Cinema Rules, 1954 shall apply to video cinemas to which these rules apply.

FORM—I (See rule 11) Application for licence under rule 1i of the Gujarat Cinemas (Regulation of Exhibition by Video) Rules, 1984. 1. 2. 3. 4. 5. G. Name of applicant : Father's name : Age : Address : Name of place and description where exhibition of film for public shall be made by the Video Cassettee Recorder/Video Cassettee player. Documents referred to in rule 11 of the Gujarat Cinema (Regula- tion of Exhibition by Video) Rules, 1984, namely:— (a) in the case of a building— (i) site plan of the building as approved by the Municipal Cc.mvo- ration, municipality, nagar panchayat, gram panchayat, or »s the case may be, any Othel local authority concerned, 7. 8. 9. IO. 8 (mi) Certificate of Superintendent of Police or the offcer under him regarding character of the licencee, (iii) Photo-stat copy of licence obtained for the commercial use of Video/Television or under the Indian Telegraph Act, 1885 (No. 13 of 1885); (iv) documents showing Che ownership or tenancy of the place; Time schedule for exhibition of film. Width of television Screen/Video Scope Screen and seating arrange- ment in the building. Other details regarding building. Treasury Voucher No. and date indicating deposit of licence/rene- wal fees. Signature of Applicant. *Strike out whichever is not applicable. FORM-11 (See rule 12) Licence for Exhibition of Film by Video Cassette Recorder. Under the power vested in the Commissioner of Police/District Magi- strate under section 3 of the Bombay Cinema (Regulation) Act, 1953 (Bom. XI of 1953), licence, is hereby granted to Shri... .. .. .Son of Shri ... District resident of for giving exhibition by means of cinematograph (recorded film or series of films on the magnetic cassettes by Video Cassette Recorder or player) for the public subject nevertheless to the following further conditions and restriction (Here give the full description of Video cinema) 9 Conditions and Restrictions 1. The licence shall not exhibit or permit to be Exhibited in the video einema . (a) any film other than a film which has been celtified by the Board of Film Censors constituted under section 3 of the cinematograph Act 1952 (No. XXXVII of 1952), as suitable for unrestricted public exhi- bition or for public exhibition restlicted to adults and which, when exhibited, displays the prescribed mark of the Board, and has not been altered or tampered with any since such mark was fixed thereto: (b) any film which has been cetified by the Board of Film Cenrors as suitable for public exhibition restricted to adults or to any person who is not an adult • (c) any film Che exhibition of which is suspended under section 6 of the said Act. '2, The licencee shall— (1) Prominently exhibit at each public entrance of the premises, when- ever 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 eaeb film is suitable; (a) for unrestricted public exhibition and has received certificate; or (b) for public exhibition restricted to adults and has received certificates; (iv) whether perj ons who are not adults will be' admitted to the exhibition of the film. (2) 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; (3) not continue a.DY performance or exhibition of any film by means of a cinemat09a2b after 1.30 a.m.