

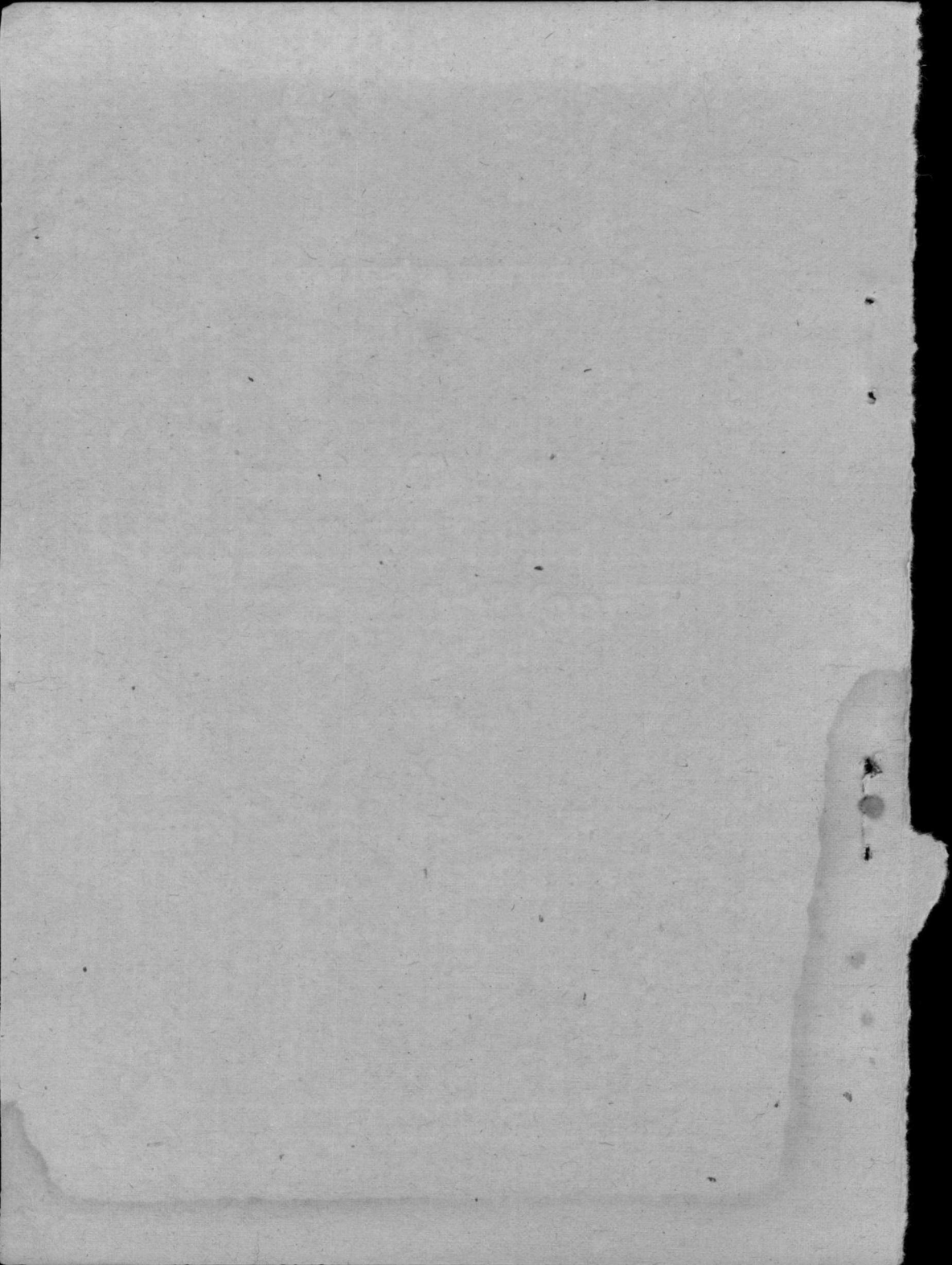


GOVERNMENT OF GUJARAT

**Gujarat Cinemas
(Regulation of Exhibition by
Video) Rules, 1984**

**Published under Bombay Cinemas
(Regulation) Act, 1953**

INFORMATION, BROADCASTING AND TOURISM DEPARTMENT
2, SARDAR BHAVAN, 8TH FLOOR, SACHIVALAYA,
GANDHINAGAR - 382 010.



INFORMATION, BROADCASTING AND TOURISM DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 11th June, 1984.

No. GHT/84/26/BCR-1084-229(1)-A-WHEREAS Draft Gujarat Cinemas (Regulation of Exhibition by Video) Rules, 1984 were published as required by sub-section (4) of the section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bom. XI of 1953) at pages 89-1 to 89-11 of the Gujarat Government Gazette, Extra ordinary, Part-IV-B, dated 26th April, 1984, under Government Notification Information, Broadcasting 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 received have been considered by Government.

NOW, THEREFORE, in exercise of the powers conferred by section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bom. XI of 1953) the Government of Gujarat hereby makes the following rules, namely:—

CHAPTER I.

Preliminary

(1) **Short title, extent and Commencement.**—(1) These rules 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** :—In these rules, unless the context otherwise, requires, —

(a) “the Act” means the Bombay Cinemas (Regulation) Act, 1953 (Bom. XI of 1953).

(b) “exhibition by video” means an exhibition of a cinematograph film or moving picture series of pictures in public organised

by playing or re-playing 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) "video cinema" means any place wherein a public exhibition by video is provided for a commercial purpose.

CHAPTER II.

Building

3. Licensing:—No video cinema shall be licensed under these rules unless the cinema conforms to the rules laid down in this chapter.

4. Independent entrance on public thoroughfare:—(1) There shall be an independent entrance on the public thoroughfare upon which the site of such cinema abuts.

(2) There shall be at least two door ways fitted with doors to open outwards.

5. Seating:—(1) Subject to sub-rule (4), 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) The distance between the video screen and the first row of seats shall not be less than two meters and no person shall be admitted within such space.

(3) In all cases there shall be a distance of at least 35 centimetres between the back of one seat and the front of immediately behind seat measured between perpendiculars.

(4) The number of seats shall not exceed the seating capacity specified below, namely:—

Television or Video

Width of the screen		Maximum Seats.
(i) Not exceeding	50 c.m.	30 Seats
(ii) „	67.5 c.m.	50 „
(iii) „	77.5 c.m.	75 „
(iv) „	100.00 c.m.	100 „
(v) Exceeding	100.0 c.m.	125 „

6. **Ventilation**:—(1) There shall be adequate opening for ventilation purposes to ensure a balanced air supply.

7. **Sanitary Convenience**:—(1) Every video cinema shall be provided with sufficient and separate water closet or privy accommodation as also urinal accommodation for the use of males and females.

8. **Exemption**:—(1) Subject to sub rule (2) nothing in 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 registration of the vehicle made by the authority competent to register the vehicle under the Motor Vehicles Act, 1939.

CHAPTER III

Electric Installation

9. **Regulation to electric installation**:—(1) There shall be a separate circuit controlled by a suitable linked switch for the supply of electricity taken to the video cinema.

(2) Three pin plugs with the third pin effectively connected to earth shall be used.

(3) Separate circuits shall be Provided for lights, fans and other equipment.

(4) An automatic voltage regulator or stabiliser which can provide an output of 230 volts shall be installed before the video equipment.

(5) A dim light by means of a bulb having power not below 25 watts and not more than 40 watts shall be kept burning throughout the period of exhibition of films. The bulb shall be placed at right angles to the line of vision of the public.

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

CHAPTER IV

Licence

10. **Video cinema licence:**—No place shall be opened or allowed to remain open for use as a video cinema unless the person being owner, tenant or occupier thereof shall have obtained a licence therefore.

11. **Application for video cinema licence:**—The application for a video cinema licence shall be made in 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 Corporation, 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 an omnibus used as a contract carriage, a photo-state copy of the document of its registration under the Motor-Vehicles Act, 1939.

12. **Grant of licence:**—(1) The licensing authority may, on receipt of an application under rule 11 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.

(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 damage 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 rules shall be valid for a period of one year from the date of its issue or renewal as the case may be.

15. **Renewal of licence** :—The licensing authority may, on application being made to it, renew the cinema licence. An application for renewal of licence shall be made three months before the expiry of licence, on an ordinary paper by the licence. The application shall be accompanied by the fee prescribed in rule 16.

16. **Fee** :—The fee for a licence or renewal of a licence for a video cinema shall be as follows, namely:—

Number of seats	Fee
Not exceeding 50 seats	Rs. 100
Exceeding 50 seats but not exceeding 100 seats.	Rs. 150
Exceeding 100 seats.	Rs. 200

CHAPTER V

General

17. **Licensee or his nominee to be present** :—Either the holder of the video cinema licence or some person or some one of several persons whom the licence has nominated as manager or managers and whose name or names have been entered in the licence shall be present at the video cinema to which the licence applies during the whole time for which such premises are open to public.

18. **Display of licence:**—The licensee shall have the licence displayed prominently:—

(a) in the case of a video cinema other than an omnibus used as a contact carriage, on the wall of the office, of the cinema.

(b) in the case of an omnibus used as a contract carriage, inside the omnibus.

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 licensing authority under the Act and the rules and for checking that the provisions of the Act and the rules are being complied 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 Commissioner 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 be 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:**—(1) The licensing authority may suspend or cancel any licence granted under these rules for contravention of any of these rules or of the conditions of the licence granted under these rules:

Provided that the licensing authority shall give the licensee an opportunity to show cause before taking any action under this rule .

(2) Notwithstanding anything contained in Sub-Rule (1), 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 11 of the Gujarat Cinemas (Regulation of Exhibition by Video) Rules, 1984.

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 Video Cassette Recorder/Video Cassette player.
6. Documents referred to in rule 11 of the Gujarat Cinema (Regulation 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 Corporation, 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 licensee,
 - (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 the ownership or tenancy of the place;
7. Time schedule for exhibition of film.
 8. Width of television Screen/Video Scope Screen and seating arrangement in the building.
 9. Other details regarding building.
 10. Treasury Voucher No. and date indicating deposit of licence/renewal fees.

.....
Signature of Applicant.

*Strike out whichever is not applicable.

FORM-II

(See rule 12)

Licence for Exhibition of Film by Video Cassette Recorder.

Under the power vested in the Commissioner of Police/District Magistrate under section 3 of the Bombay Cinema (Regulation) Act, 1953 (Bom. XI of 1953), licence, is hereby granted to Shri.....
.....Son of Shri
resident ofDistrict
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)

Conditions and Restrictions

1. The licence shall not exhibit or permit to be Exhibited in the video 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 tampered with any since such mark was fixed 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 said Act.

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 certificates;

(iv) whether persons 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 any performance or exhibition of any film by means of a cinematograph after 1.30 a.m.

Given under my hand and seal this ... day of ... 19...

Secretary of the Board of Revenue

Revenue

Signature of
Secretary
Board of Revenue

Revenue

Revenue

Revenue

In order and in the name of the Government of Gujarat

B. A. PATEL
Finance Secretary to Government