

In Pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 139/11-6-2018-M(33)/2017, date February 23, 2018.

No. 139/11-6-2018-M(33)/2017

Allahabad, Dated: February 23, 2018

NOTIFICATION

In exercise of the powers under section 13 of the Uttar Pradesh Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956) read with section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904), the Governor is pleased to make the following rules with a view to amending the Uttar Pradesh Cinemas (Regulation of Exhibition by means of video) Rules, 1988 :

THE UTTAR PRADESH CINEMAS (REGULATION OF EXHIBITION BY MEANS OF VIDEO) (FIFTH AMENDMENT) RULES, 2018

1. Short Title and Commencement—(1) Uttar Pradesh Cinemas (Regulation of Exhibition by means of video) (Fifth Amendment) Rules, 2018.

(2) They shall come into force with effect from the date of their publication in the Gazette.

2. Amendment of Rule-2—In the Uttar Pradesh Cinemas (Regulation of Exhibition by means of video) Rules, 1988, herein after referred to as the said rules, in rule 2,

(a) for the existing clause (a) set out in Column I below, the clause as set out in column II shall be substituted, namely ;

Column-I (Existing Clause)	Column-II (Clause as hereby substituted)
(a) "Act" means the Uttar Pradesh Cinemas (Regulation) Act, 1955 ;	(a) "Act" means the Uttar Pradesh Cinemas (Regulation) Act, 1955 (as amended from time to time);

(b) after clause (a-3), the following clause shall be inserted, namely,

(a-4) "form" means form appended to these rules,"

(c) for the existing clause (b) set out in Column I below, the clause, as set out in Column II shall be substituted, namely :

(b) "licence" means written authorisation by Licensing Authority to give exhibition by means of video or through cable television networks or to operate or keep video library or television signal receiver agency granted in Form II or Form III or Form III-A or Form IV, as the case may be, appended to these rules,"	(b) "licence" means written authorisation by Licensing Authority to give exhibition by means of video or through cable television networks or to operate or keep video library or(omitted) granted in Form II or Form III or Form III-A or Form IV, as the case may be, appended to these rules,"
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(d) for the existing clause (1) set out in Column I below, the clause as set out in

(1) Local area shall have meaning assigned to it in the Uttar Pradesh Entertainment and Betting Tax Act, 1979.

(1) 'Local area' shall have the same meaning as a city within the meaning of the Uttar Pradesh Nagar Mahapalika Adhiniyam 1959; or in municipality or a notified area within the meaning of the Uttar Pradesh Municipalities Act, 1916, or a town area within the meaning of the Uttar Pradesh Town Areas Act, 1914 or a Cantonment within the meaning of the Cantonments Act, 1924, or a Village within the meaning of the U.P. Revenue Code-2006 (as amended from time to time);

3. Amendment of Rule-4—In the said rules for rule 4 set out in Column I below, the rule as set out in Column II shall be substituted, namely ;

Column-I

(Existing Sub-rule)

4. Requirement of a permanent building.

(1) There shall be an independent entrance on the public thoroughfare on which the site of such building abuts.

(2) The building shall be provided with open space of not less than 3 meters in width on any two sides, and open space of less than 6 meters in width in the front for parking of vehicles. If the building is away from throughfare, the approach road shall not be less than 3 meters in width.

(3) The building--

Shall be well built, structurally safe and constructed of non-inflammable material ;

(ii) shall be sufficiently ventilated ;

(iii) shall have 1.6 meters wide verandah on any one side of the doorways of the building ;

(iv) shall have at least on doorway per 50 seats and in any case not less than two, fitted with door to open outwards and the size of the doors shall not be less than 1.95 meters in height and 1.34 meters in width ;

(v) the normal height of the roof or its immediate covering from the floor shall not be less than 3.5 meters with electric installations fitted at a height of 2.75 meters ;

(vi) shall have the landings, doors, stair cases, lobbies and corridors of not less than 1.3 meters in width.

[(4) In case the auditorium is constructed on the first floor of building, It shall have 1.6 meters side verandah on any two side with at least two stair cases to ground floor on two different sides, out of which one should about the main thoroughfare, The width of the stair case shall not be less than three and not more than 15 stairs at a stretch The open space required under sub-rule (2) shall be provided on ground floor. The other requirements shall be the same as in the preceding sub-rules ;

Provided that the consent of the occupier of the ground floor for the construction, if any, shall obtained in case the auditorium is constructed on the first floor.

Column-II

(Sub-rule as hereby substituted)

4. Requirement of a permanent building.

A permanent building of Video Cinema shall inter alia fulfill all relevant provisions of the Building Construction and development byelawa (as amended) of the State as well as the provisions of Cinema (Regulation of Exhibition by Means of Video) Rules, 1988.

4. Amendment of Rule-9—In the said rules for rule 9 for the existing sub-rule (7) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I (Existing Sub-rule)	Column-II (Sub-rule as hereby substituted)
9(7) All electrical installations and other allied work shall be carried out by licensed/registered contractor approved by the Electrical Inspector of U.P. Government.	9(7) All electrical installations and other allied work shall be carried out by licensed/registered contractor approved by the Electrical Security Department of U.P. Government.

5. Amendment of Rule-10—In the said rules for rule 10 for the existing sub-rule (1) and (2) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I (Existing Sub-rule)	Column-II (Sub-rule as hereby substituted)
(1) The application for license for giving exhibition by means of video hall be submitted in form no. 1 to the Licensing Authority along with the documents mentioned in sub-rule (2) (3) or (4) as the case may be.	(1) The application for license for giving exhibition by means of video hall be submitted in form no. 1 to the Licensing Authority along with the documents mentioned in sub-rule (2) (3) or (4) as the case may be. (1-a) The applicant may submit his application on departmental web portal in prescribed format form 1 along with the necessary documents mentioned in sub rule (2) (3) or (4) as the case may be and payment of fee.
(2) In the case of permanent building other than a hotel the application shall be accompanied with the following documents— (i) A site plan in duplicate showing location of the premises in relation to adjacent premises within a radius of 100 metres and public thorough fare on which the building abuts including the place marked for parking of vehicles drawn on the scale on inch is equal to 10 metre ; (ii) A building plan in duplicate including longitudinal and latitudinal sections and seating plan containing therein the arrangements of seats in each class including gangway and places left open drawn on the scale one inch is equal to five metres ; (iii) Documents showing the ownership or tenancy of the place, building and apparatus or the vehicle.	(2) In the case of permanent building other than a hotel the application shall be accompanied with the following documents— (i) A site plan in duplicate, approved by the Competent Authority or the person authorized by him under the relevant provisions of the Building Construction and Development Byelaws of the State and these rules, showing location of the premises in relation to adjacent premises within a radius of 100 metres and public thorough fare on which the building abuts including the place marked for parking of vehicles drawn on the scale one inch is equal to 10 metre; (ii) The building plan in duplicate, approved by the competent Authority or the person authorized by him, with the sanctioned letter, under the relevant provisions of the building construction and Development Byelaws of the State and these rules, including longitudinal and latitudinal sections and seating plan containing therein the arrangements of seats in each class including gangway and places left open drawn on the scale one inch is equal to five metres ; (iii) Documents showing the ownership or tenancy of the place, building and apparatus or the vehicle.

Column-I
(Existing Sub-rule)

Column-II
(Sub-rule as hereby substituted)

(iv) Certificate from Deputy Director or Assistant Director of Electrical Security Department of concerned area or the person authorized by him that the electrical installations conform to the required standards and the existing rules and byelaws;

(v) The details of arrangement for sanitation conforming to the requirements of the rule 7 and the Building and Development Byelaws of the State ;

(vi) Certificate from Chief Fire Officer or Officer Incharge (Fire) of concerned area, or the person authorized by him, having jurisdiction that the arrangements for fire-fighting appliances are provided and the precautions have been taken against fire conform to the requirements of the existing rules and bylaws.

6. Amendment of Rule-12—In the said rules for rule 12 for the existing sub-rule (1) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely :

Column-I
(Existing Sub-rule)

(1) The Licensing Authority may, on receipt of an application under Rule 10 and after having satisfied that all the requirements have been fulfilled grant licence to the applicant in Form II or Form III of Form III-A as the case may be, appended to these rules."

Column-II
(Sub-rule as hereby substituted)

(1) The Licensing Authority may, on receipt of an application under Rule 10 and after having satisfied that all the requirements have been fulfilled grant licence to the applicant, within 30 days, from the date of the receipt of the application in Form II or Form III of Form III-A as the case may be."

(1-A) (a) On submission of application in all respect the licensing authority shall grant or refuse to grant license within 30 days after the date of submission of application in such manner as may be prescribed by the State Government, on expiry of the said period the license shall be deemed to be granted.

(b) The applicant may submit his application on departmental web portal along with necessary documents and payment of fees. If the application is complete in all respect and the applicant is eligible, license shall be granted through the web portal within 30 days and the same shall be sent through e-mail to the applicant. The applicant may also download the said license from the departmental web portal.

Provided that if the license is obtained by misrepresentation of fact or concealment of fact or on the basis of forged document then such license shall be deemed null and void and may be cancelled by the licensing authority and legal action shall be taken against the applicant.

7. Amendment of Rule-15—In the said rules for rule 15 for the existing sub-rule (1) and (2) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I (Existing Sub-rule)	Column-II (Sub-rule as hereby substituted)
(1) Except in the case of travelling video cinema a licence for exhibition by means of video may be granted or renewed by the licensing authority for a period not exceeding three years at a time.	(1) Except in the case of travelling video cinema a licence for exhibition by means of video may be granted or renewed by the licensing authority for a period not exceeding three years at a time.

8. Amendment of Rule-17—In the said rules for rule 15 for the existing sub-rule (1) and (2) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I (Existing Sub-rule)	Column-II (Sub-rule as hereby substituted)
17. Fees : (1) The fee for grant of renewal of licence shall be as follows :	17. Fees : (1) The fee for grant of renewal of licence shall be as follows :

Number of seats	Fee	Number of seats	Fee
(i) Video cinema including exhibition by means of video in case of a cable television network.	Rs. 2400 for every financial year of part there of per video cassette player.	(i) Video cinema including exhibition by means of video in case of a cable television network.	Rs. 2400 for every financial year of part there of per video cassette player.
(ii) Hotel	Rs. 1200 per financial year of part there of per video cassette player.	(ii) Hotel	Rs. 2500 per financial year of part there of per video cassette player.
(iii) Public Service Vehicle	Rs. 1200 per financial year or part thereof.	(iii) Public Service Vehicle	Rs. 2500 per financial year or part thereof.
(iv) Traveling Video Cinema in a local area.		(iv) Traveling Video Cinema in a local area.	
(a) for the grant of new licence and its renewal upto initial period or one year from the start of the video cinema in that local area.	Rs. 100 per month or part thereof.	(a) for the grant of new licence and its renewal upto initial period or one year from the start of the video cinema in that local area.	Rs. 200 per month or part thereof.
(b) for the grant or new renewal of licence in continuation after expiry of one year from the start of the video cinema in that local area.	Rs. 100 per month or part thereof.	(b) for the grant or new renewal of licence in continuation after expiry of one year from the start of the video cinema in that local area.	Rs. 200 per month or part thereof.

(25)

Column-I
(Existing Sub-rule)

- (2) In case there is any such arrangement where exhibition is given by means of video on a number of different television screens, video screens or video scopes, an additional licence fees of Rupees 100 per year or part thereof, shall be levied for each such screen, fed by the said apparatus, by whatsoever name it may be called.

9. Amendment of Rule-18—In the said rules for rule 18 for the existing sub-rule (1) and (2) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I
(Existing Sub-rule)

Video Library/Television Signal Receiver Agency

Grant of licence :

(1) Every application for grant of licence or for renewal thereof for keeping a video library or television signal receiver agency shall be made to the Licensing Authority with full details of name of applicant, full address (permanent and local) and the place to be licenced along with documents mentioned in Clause (a) or (b) below as the case may be.

(a) in the case of television signal receiver agency the application shall be accompanied with the following documents-

(i) a site plan in duplicate showing the location of premises in relation to adjacent premises and public thoroughfare on which the premises abuts.

(ii) documents showing the ownership or tenancy of the place or building or shop of the said agency.

(iii) documents regarding photo identity and address proof e.g. Election Photo identity Card, driving licence, Ration Card or any Photo identity card issued by recognised institution.

Column-II
(Sub-rule as hereby substituted)

- (2) In case there is any such arrangement where exhibition is given by means of video on a number of different television screens, video screens or video scopes, an additional licence fees of Rupees 100 per year or part thereof, shall be levied for each such screen, fed by the said apparatus, by whatsoever name it may be called.

Column-II

(Sub-rule as hereby substituted)

Video Library/.....(omitted.)

Grant of licence :

(1) Every application for grant of licence or for renewal thereof for keeping a video library shall be made to the Licensing Authority with full details of name of applicant, full address (permanent and local) and the place to be licenced along with documents mentioned of address and identity proof and shall be accompanied with the following documents:-

(i) Documents showing the ownership or tenancy of the place or building or shop of the said agency.

(ii) Documents regarding photo identity and address proff e.g. Election photo identity Card, driving licence, Ration Card, Adhar card or any photo identity card issued by recognised institution.

Provided that any change in address shall be communicated immediately to licensing Authority.

Column-I
(Existing Sub-rule)

(iv) Documents regarding Bank guarantee or Rs. 25,000.00

(v) the authority letter/consent from the channel owner or his as signee.

(b) in the case of video library the application shall be accompanied shall be accompanied with documents referred with documents referred to in sub-clause (i), and (ii) of Clauses (a) and proof of residential address e.g. Election Card, Ration Card etc.

Provided that any change in address shall be communicated immediately to licensing Authority.

(2) The Licensing Authority may grant or renew the license for a period not exceeding three financial years at a time for keeping a video library/television signal receiver agency in a local area having population mentioned in Column I below, on payment of fee for one financial year or part at the rates specified in Column II or III, as the case may be, below-

Column I (Local area)	Column II (licence fee for video library)	Column III (licence fee for television signal receiver agency)
(a) Municipal corporation, Noida and Greater Noida	Five thousand rupees	Ten thousand rupees
(b) Municipal board	Three thousand rupees.	Six thousand five hundred rupees
(c) Town Area/others places	One thousand five hundred rupees.	Three thousand rupees.

(b) for the existing sub-rule (6) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I
(Existing Sub-rule)

(6) A register, as prescribed by the commissioner, with full up-to-date record or all the video cassettes of moving pictures or television signal receiver, as the case may be shall be maintained by the licensee.

Column-II
(Sub-rule as hereby substituted)

(2) The Licensing Authority may grant or renew the license for a period not exceeding five financial years at a time for keeping a video library/(.....omitted.....) in a local area having population mentioned in Column I below, on payment of fee for one financial year or part at the rates specified in Column II or III, as the case may be, below-

Column I (Local area)	Column II (licence fee for video library)omitted
(a) Municipal corporation, Noida and Greater Noida	Five thousand rupeesomitted
(b) Municipal board	Three thousand rupees.omitted
(c) Town Area/others places	One thousand five hundred rupees.omitted

Column-II
(Sub-rule as hereby substituted)

(6) A register, as prescribed by the commissioner, with full up-to-date record or all the video cassettes of moving pictures or television signal receiver, as the case may be shall be maintained by the licensee.

(c) for the existing sub-rule (8) and (9) set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I
(Existing Sub-rule)

(8) (a) The licensee of television signal receiver agency shall not sell, store, let on hire, distribute, exchange or put into circulation in any manner whatsoever any television signal receiver to any person other than those having license for exhibition under these rules or for home viewing.

(b) A receipt shall be issued in the form as prescribed by the commissioner for every such transaction or any charge for continuous transmission of the channel and a suitable endorsement shall be made on such receipt as well as on the register maintained under sub-rule (6).

(9) The licensee under this chapter shall furnish such information and monthly returns as may be required by the Commissioner.

Column-II

(Sub-rule as hereby substituted)

(8) The licensee under this chapter shall furnish such information and monthly returns as may be required by the Licensing Authority.

10. Amendment of Rule-21—In the said rules for rule 21 set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I
(Existing Sub-rule)

21. Provision for fire extinguisher etc.—The portable fire extinguisher of BCF 2 kg. capacity and one of soda Acid of 9 liters capacity one buckets (9 liters) filled with sand four buckets (9 liters) filled with water shall be provided in the premises of Video Cinema and a traveling video cinema.

Column-II

(Sub-rule as hereby substituted)

21. Provision for fire extinguisher etc.—For Video Cinema, the certificate from the Chief Fire Officer or Officer Incharge (Fire) of concerned area or the person authorized by him, having jurisdiction, that the arrangements for fire-fighting appliances provided and the precautions taken against fire, conform to the requirements of the existing rules of Building Construction and Development Bylaws under the National building code (NBC) guidelines.

For temporary building, the certificate from the Chief Fire Officer or Officer Incharge (Fire) of concerned area or the person authorized by him, having jurisdiction, that the arrangements for fire-fighting appliances provided and the precautions taken against fire, conform to the fire-fighting requirements of the existing rules and guidelines.

11. Amendment of Rule-23—In the said rules for rule 23 set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I
(Existing Sub-rule)

(3) The State Government may grant a temporary stay subject to such conditions as it may deem fit, and send to a copy of its order to the Entertainment Tax Commissioner as well as to the District Magistrate concerned.

Column-II

(Sub-rule as hereby substituted)

(3) The State Government may grant a temporary stay subject to such conditions as it may deem fit, and send to a copy of its order to the Entertainment Tax Commissioner as well as to the District Magistrate concerned.

12. Amendment of Rule-24—In the said rules for rule 24 set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely :

Column-I

(Existing Sub-rule)

24. Inspection--The following Officers may at any time enter into and inspect the premises of a video cinema, Video Library, hotel or the Vehicle licensed under these rules for ensuring compliance of the rules :

(i) Commissioner, Deputy Commissioner, Assistant Commissioner, District Entertainment Tax Officer and Inspector of the entertainment and Betting Tax department.

(ii) Deputy Director (Entertainment Tax), Revenue and Intelligence Directorate, Uttar Pradesh.

(iii) Not exceeding two police officers not below the rank of Sub Inspector deputed by the licensing authority in consultation with the Superintendent of police.

(iv) Not exceeding two Magistrate nominated by the licensing authority.

(v) Electrical Inspector to the Government, and

(vi) Senior most Professional Officer of the U.P. fire service of the district.

Column-II

(Sub-rule as hereby substituted)

24. Inspection--The following Officers may at any time enter into and inspect the premises of a video cinema, Video Library, hotel or the Vehicle licensed under these rules for ensuring compliance of the rules :

(i) The Licensing Authority or the person authorized by him.

(ii) Not exceeding two police officers not below the rank of Sub Inspector deputed by the licensing authority in consultation with the Superintendent of police.

(iii) Not exceeding two Magistrate nominated by the licensing authority.

(iv) Deputy Director or Assistant Director of Electrical Security Department of concerned area or the person authorized by him, and

(v) Senior most Professional Officer of the U.P. fire service of the district.

13. Amendment of Form I—In the said rules for Form-I, set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely :

Column-I

(Existing Sub-rule)

FORM I

[See Rule 10]

Form ofApplication
for.....

Licence for exhibition by means of video

i. Name of the
Applicant.....

ii. Age and
Sex.....

iv. Address-----

i. Permanent (duly
verified).....

ii. Present

Address.....

Column-II

(Sub-rule as hereby substituted)

FORM I

[See Rule 10]

Form ofApplication
for.....

Licence for exhibition by means of video

i. Name of the
Applicant.....

ii. Age and
Sex.....

iv. Address-----

i. Permanent (duly
verified).....

ii. Present

Address.....

iii. Contact No.

iv. Email ID

Column-I
(Existing Sub-rule)

2. Name and description of place.....

Exact location with house or plot number, if any, where exhibition by means of video is proposed and the population of that local area where it is situated and in case of public service vehicle registration number with route of operation, if any.

3. (i) Site Plan in duplicate under Rule 10 (2) (i).
 (ii) Building plan in duplicate under Rule 10 (2) (ii).
 (iii) Photostat copy of the license obtained for commercial use of video or television under Indian Telegraph Act, 1985.
 (iv) Documents showing the ownership or tenancy of the place, building, apparatus and vehicles under Rule 10 (2) (iv).
 (v) In the case of partnership firms, name and addresses of the partners.

4. In the case of Video Cinema and travelling video cinema-

- i. Number of shows proposed to be held daily with show timings of each show.
 ii. Width of---
 (a) Television screen
 (b) Video screen
 iii. Total seating capacity with class-wise seating arrangement of each class.
 iv. Rates of admission inclusive of tax for each ticket.
 v. Name and address of manager, if any,
 vi. Proposed date of start of exhibition by means of video.

5. In the case of hotel-

- (i) Number of television screens/video screen/video scope.
 (ii) Number of video cassette players.
 (iii) Proposed number of rooms with facility of exhibition by means of video.
 (iv) Proposed date of start of exhibition by means of video.
 (v) Name and address of Manager.

6. Number and date of treasury Challan by which the amount of prescribed license fee renewal fee has been deposited.

Date :

Signature of the applicant with
address duly verified by a Gazetted Officer

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Column-II
(Sub-rule as hereby substituted)

2. Name and description of place.....

Exact location with house or plot number, if any, where exhibition by means of video is proposed and the population of that local area where it is situated and in case of public service vehicle registration number with route of operation, if any.

3. (i) Site Plan in duplicate under Rule 10 (2) (i).
 (ii) Building plan in duplicate under Rule 10 (2) (ii).
 (iii) Photostat copy of the license obtained for commercial use of video or television under Indian Telegraph Act, 1985.
 (iv) Documents showing the ownership or tenancy of the place, building, apparatus and vehicles under Rule 10 (2) (iv).
 (v) In the case of partnership firms, name and addresses of the partners.

4. In the case of Video Cinema and travelling video cinema-

- i. Number of shows proposed to be held daily with show timings of each show.
 ii. Width of---
 (a) Television screen
 (b) Video screen
 iii. Total seating capacity with class-wise seating arrangement of each class.
 iv. Rates of admission inclusive of tax for each ticket.
 v. Name and address of manager, if any,
 vi. Proposed date of start of exhibition by means of video.

5. In the case of hotel-

- (i) Number of television screens/video screen/video scope.
 (ii) Number of video cassette players.
 (iii) Proposed number of rooms with facility of exhibition by means of video.
 (iv) Proposed date of start of exhibition by means of video.
 (v) Name and address of Manager.

6. Number and date of treasury Challan by which the amount of prescribed license fee renewal fee has been deposited.

Date :

Signature of the applicant with
address duly verified by a Gazetted Officer

14. Amendment of Form II—In the said rules for Form-II, set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I

(Existing Sub-rule)

FORM II

[See Rule 12]

Form of License under the U.P. Cinemas (Regulation of Exhibition by means of Video) Rules, 1988 for Video Cinemas and Travelling Video Cinemas No.....of
(a).....(Name of Video) Cinema/travelling Cinema)
 Situated at (b).....(place)
within the District ofis licensed under Section 3 of the U.P. Cinemas (Regulation) Act, 1955 (U.P. Act No. 3 of 1956), as amended, and Rule 11 of U.P. Cinemas (Regulation of Exhibition by means of Video) Rules, 1988, as a place where exhibition by means of Video may be given fromto.....both day inclusive.

The license has been granted to (c)

.....(Name)
 and shall be terminated forthwith if the said (c)ceases to own to hold on lease or to manage the said.

(a)

The license is granted subject to the provisions of U.P. Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956), and the rules framed thereunder and to the following further conditions---

- (1) The the said (c)shall not exhibit of permit to be exhibited in the said (a)any film other that a film which has been certified as suitable for public exhibition by an authority constituted under Section 3 of the Cinematograph Act, 1952, (Act no. 37 of 1952) and which when, exhibited shows the prescribed mark or that authority, and has not been altered or tempered within any way since such mark was affixed thereto.
- (2) That the said (c) shall not exhibit or permit to be exhibited in the said (a)any person who is not an adult, any film which has been certified by an authority constituted under section 3 of Cinematograph Act, 1952 (Act no. 37 of 1952) as suitable for public exhibition restricted to adults.

Column-II

(Sub-rule as hereby substituted)

FORM II

[See Rule 12]

Form of License under the U.P. Cinemas (Regulation of Exhibition by means of Video) Rules, 1988 for Video Cinemas and Travelling Video Cinemas No.....of
(a).....(Name of Video) Cinema/travelling Cinema)
 Situated at (b).....(place)
within the District ofis licensed under Section 3 of the U.P. Cinemas (Regulation) Act, 1955 (U.P. Act No. 3 of 1956), as amended, and Rule 11 of U.P. Cinemas (Regulation of Exhibition by means of Video) Rules, 1988, as a place where exhibition by means of Video may be given fromto.....both day inclusive.

The license has been granted to (c)

.....(Name)
 and shall be terminated forthwith if the said (c)ceases to own to hold on lease or to manage the said.

(a)

The license is granted subject to the provisions of U.P. Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956), and the rules framed thereunder and to the following further conditions---

- (1) The the said (c)shall not exhibit of permit to be exhibited in the said (a)any film other that a film which has been certified as suitable for public exhibition by an authority constituted under Section 3 of the Cinematograph Act, 1952, (Act no. 37 of 1952) and which when, exhibited shows the prescribed mark or that authority, and has not been altered or tempered within any way since such mark was affixed thereto.
- (2) That the said (c) shall not exhibit or permit to be exhibited in the said (a)any person who is not an adult, any film which has been certified by an authority constituted under section 3 of Cinematograph Act, 1952 (Act no. 37 of 1952) as suitable for public exhibition restricted to adults.

Column-I
(Existing Sub-rule)

- (3) That the said (c) shall not exhibit or cause to be exhibited at any performance in the said (a) (i) any advertisement regarding sexual diseases and medicine to correct sexual disorders of purporting to assist the childless in begetting children, etc and (ii) any indecent, obscene, immoral or suggestive advertisement pictures, or posters on the premises of the said (a)
- (4) That the said (c) shall send previous information of every video film proposed for exhibition to the District Magistrate together with the synopsis and details of Number and date of certificate issued by the authority constituted under Section 3 of the Cinematograph Act, 1952 (Act no. 37 of 1952) and name of the supplier and distributor of the video film at least one week or, for good and sufficient reasons accepted by the District Magistrate upon application by the licensee, two days before exhibition is proposed :
- Provided that if the said (c) has submitted to the District Magistrate in accordance with the provisions of this condition a programme in respect of a number of films within a specified period of one month or less it shall not be necessary for the licensee to inform the District Magistrate of any change he intends to make within that specified period in the proposed dates for exhibition of films included in the programme originally submitted.]
- (5) That the total number of seats in the auditorium and the seats for each class shall not exceed the number specified in the Schedule hereto appended nor shall the number and description of the appliances exhaust fans, electric fans or sanitary requirements be less than those therein specified.
- (6) That the said (c) shall not display or cause to be displayed any photograph, pictures or posters which depict or represent or purport to represent a scene or shot which has been excised from any film under the orders of the Board of film Certification or the Central Government.

Column-II
(Sub-rule as hereby substituted)

- (3) That the said (c) shall not exhibit or cause to be exhibited at any performance in the said (a) (i) any advertisement regarding sexual diseases and medicine to correct sexual disorders of purporting to assist the childless in begetting children, etc and (ii) any indecent, obscene, immoral or suggestive advertisement pictures, or posters on the premises of the said (a)
- (4) That the said (c) shall send previous information of every video film proposed for exhibition to the District Magistrate together with the synopsis and details of Number and date of certificate issued by the authority constituted under Section 3 of the Cinematograph Act, 1952 (Act no. 37 of 1952) and name of the supplier and distributor of the video film at least one week or, for good and sufficient reasons accepted by the District Magistrate upon application by the licensee, two days before exhibition is proposed :
- Provided that if the said (c) has submitted to the District Magistrate in accordance with the provisions of this condition a programme in respect of a number of films within a specified period of one month or less it shall not be necessary for the licensee to inform the District Magistrate of any change he intends to make within that specified period in the proposed dates for exhibition of films included in the programme originally submitted.]
- (5) That the total number of seats in the auditorium and the seats for each class shall not exceed the number specified in the Schedule hereto appended nor shall the number and description of fire appliances exhaust fans, electric fans or sanitary requirements be less than those therein specified.
- (6) That the said (c) shall not display or cause to be displayed any photograph, pictures or posters which depict or represent or purport to represent a scene or shot which has been excised from any film under the orders of the Board of film Certification or the Central Government.

Column-I

(Existing Sub-rule)

- (7) That there will be no restriction on the number of daily shows between 9.00 A.M. and 12.30 A.M. and that no show shall be held before 9.00 A.M. and after 12.30 A.M. without the specific permission of the licensing authority which will be given only in very exceptional circumstances..
- (8) That no person below 18 years of age shall be allowed admission in shows held before 3 P.M. on working days.
Note--Children up to age of 5 (five) years accompanied by their parents or guardians shall be exempted from this restriction. This restriction shall also not apply on holidays. Holidays for this purpose shall include Sundays, Gazetted holidays and holidays and vacation prescribed for educational institutions.
- (9) That juveniles below 14 (fourteen) years or age shall not be allowed admission in the late night show starting from 9.00 P.M. and onwards unless they are accompanied by their parents or guardians.
- (10) That the said (c)or any other person responsible for the management of the show shall not contravene any of the provisions relating to U.P. Entertainments and Betting Tax Act, 1979** and rules made thereunder.
- (11) Omitted
- (12) That the sound and light arrangement shall be such as to ensure good visibility and audibility to at all times during the exhibitions and the seats shall always be kept in a proper state of repairs.
- (13) That all walls or floors of permanent video cinema shall be kept clean at all times : washed with disinfectant at least once every day and all walls up to a height of 90 cms from the floor shall be cleaned with a strong disinfectant at least once a month.

Column-II

(Sub-rule as hereby substituted)

- (7) That there will be no restriction on the number of daily shows between 9.00 A.M. and 12.30 A.M. and that no show shall be held before 9.00 A.M. and after 12.30 A.M. without the specific permission of the licensing authority which will be given only in very exceptional circumstances.
- (8) That no person below 18 years of age shall be allowed admission in shows held before 3 P.M. on working days.
Note--Children up to age of 5 (five) years accompanied by their parents or guardians shall be exempted from this restriction. This restriction shall also not apply on holidays. Holidays for this purpose shall include Sundays, Gazetted holidays and holidays and vacation prescribed for educational institutions.
- (9) That juveniles below 14 (fourteen) years or age shall not be allowed admission in the late night show starting from 9.00 P.M. and onwards unless they are accompanied by their parents or guardians.
- (10) That the sound and light arrangement shall be such as to ensure good visibility and audibility to at all times during the exhibitions and the seats shall always be kept in a proper state of repairs.
- (11) That all walls or floors of permanent video cinema shall be kept clean at all times ; washed with disinfectant at least once every day and all walls up to a height of 90 cms from the floor shall be cleaned with a strong disinfectant at least once a month.
- (12) At least two spittoons for a seating capacity of 50 seats and one additional spittoon for every 20 seats shall be provided at suitable places. The spittoons shall contain a strong disinfectant and shall be emptied and cleaned from time to time Notice for using such spittoons shall be displayed prominently.

Column-I
(Existing Sub-rule)

- (14) At least two spittoons for a seating capacity of 50 seats and one additional spittoon for every 20 seats shall be provided at suitable places. The spittoons shall contain a strong disinfectant and shall be emptied and cleaned from time to time. Notice for using such spittoons shall be displayed prominently.
- (15) Omitted.

SCHEDULE

1. Total sanctioned capacity (Class wise break-up of seats, if any)
2. Size of T.V. Screen/Video Screen-Video scope Screen.
3. Number of ceiling fans or bracket fans with size and description.
4. Number of exhaust fans with size and description.
5. Number of urinals and latrines for males and females.
6. Details for fire-fighting arrangements.
 - (a) C. T. C. Fire extinguisher
 - (b) Soda Acid Fire extinguisher
 - (c) Sand buckets
 - (d) Water buckets

Licensing Authority

15. Amendment of Form III-A—In the said rules for Form-III-A, set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely :

Column-I
(Existing Sub-rule)

FORM III-A

[See Rule 12]

Form of License under the U.P. (Regulation of Exhibition by means of Video) Rules, 1988, as amended, in the case of a cable Television.

Network No.....of.....(year)

(a)(Name of the cable Operator)situated at (b) (place) within the District ofis licensed under Section 3 of U.P. Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956), as amended, and Rule 12 of U.P. Cinemas Regulation of Exhibition by means of Video) Rules, 1988 (as amended) as a place where exhibition by means of video may be given from.....to.....both day inclusive. The license has been granted to (c)(Name) and shall be terminated forthwith if the (c)ceases to own, to hold on lease or to manage the said (a)The License is granted subject to the provision of U.P. Cinema (Regulation) Act, 1955 (as amended) (U.P. Act no. 3 of 1956 and the rules framed thereunder and to following further conditions)

Column-II
(Sub-rule as hereby substituted)

SCHEDULE

1. Total sanctioned capacity (Class wise break-up of seats, if any)
2. Size of T.V. Screen/Video Screen-Video scope Screen.
3. Number of ceiling fans or bracket fans with size and description.
4. Number of exhaust fans with size and description.
5. Number of urinals and latrines for males and females.
6. Details for fire-fighting arrangements.
 - (a) C. T. C. Fire extinguisher
 - (b) Soda Acid Fire extinguisher
 - (c) Sand buckets
 - (d) Water buckets

Licensing Authority

Column-II

(Sub-rule as hereby substituted)

FORM III-A

[See Rule 12]

Form of License under the U.P. (Regulation of Exhibition by means of Video) Rules, 1988, as amended, in the case of a cable Television.

Network No.....of.....(year)

(a)(Name of the cable Operator)situated at (b) (place) within the District ofis licensed under Section 3 of U.P. Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956), as amended, and Rule 12 of U.P. Cinemas Regulation of Exhibition by means of Video) Rules, 1988 (as amended) as a place where exhibition by means of video may be given fromto.....both day inclusive. The license has been granted to (c)(Name) and shall be terminated forthwith if the (c)ceases to own, to hold on lease or to manage the said (a)The License is granted subject to the provision of U.P. Cinema (Regulation) Act, 1955 (as amended) (U.P. Act no. 3 of 1956 and the rules framed thereunder and to following further conditions)

Column-I
(Existing Sub-rule)

- (1) That the said (c) shall not exhibit or permit to be exhibited in the said (a) any film other than film which has been certified as suitable for public exhibition by an authority constituted under Section 3 of the Cinematograph Act, 1952, (Act no. 37 of 1952) and which when exhibited shows the prescribed mark of the authority and has not been altered or tempered with in any way since such mark was affixed thereto.
- (2) That the said (c) shall not exhibit or permit to be exhibited in the said (a) any film knowingly in infringing the copyright of a film or abetting the the same.
- (3) That the said (c) shall not exhibit or cause to be exhibited at any performance in the said (a) (i) any advertisement regarding sexual diseases and medicine to correct sexual disorders of purporting to assist the childless in begetting children, etc and (ii) any indecent obscene, immoral or suggestive advertisement, picture, or posters on the premises of the said (a)
- (4) That the said (c) shall send previous information of every video film proposed for exhibition to the District Magistrate together with the synopsis and details of Number and date of certificate issued by the authority constituted under Section 3 of the Cinematograph Act, 1952 (Act no. 37 of 1952) and name of the supplier or distributor of the video film at least one week or, for good and sufficient reasons accepted by the District Magistrate upon application by the licensee two days before exhibition is proposed.
Provided that if the said (c) has submitted in the District Magistrate in accordance with the provisions or this condition a program in respect of a number of films within a specified period of the month or less it shall not be necessary for the licensee to inform the District Magistrate or any change he intends to make within that specified period in the proposed dates for exhibition of films included in the program originally submitted.
- (5) That the said (c) shall not exhibit or permit to be exhibited any indecent film or part of the film either on full screen or in the shape of strip or still picture or in any other way.

Column-II
(Sub-rule as hereby substituted)

- (1) That the said (c) shall not exhibit or permit to be exhibited in the said (a) any film other than film which has been certified as suitable for public exhibition by an authority constituted under Section 3 of the Cinematograph Act, 1952, (Act no. 37 of 1952) and which when exhibited shows the prescribed mark of the authority and has not been altered or tempered with in any way since such mark was affixed thereto.
- (2) That the said (c) shall not exhibit or permit to be exhibited in the said (a) any film knowingly in infringing the copyright of a film or abetting the the same.
- (3) That the said (c) shall not exhibit or cause to be exhibited at any performance in the said (a) (i) any advertisement regarding sexual diseases and medicine to correct sexual disorders of purporting to assist the childless in begetting children, etc and (ii) any indecent obscene, immoral or suggestive advertisement, picture, or posters on the premises of the said (a)
- (4) That the said (c) shall send previous information of every video film proposed for exhibition to the District Magistrate together with the synopsis and details of Number and date of certificate issued by the authority constituted under Section 3 of the Cinematograph Act, 1952 (Act no. 37 of 1952) and name of the supplier or distributor of the video film at least one week or, for good and sufficient reasons accepted by the District Magistrate upon application by the licensee two days before exhibition is proposed.
Provided that if the said (c) has submitted in the District Magistrate in accordance with the provisions or this condition a program in respect of a number of films within a specified period of the month or less it shall not be necessary for the licensee to inform the District Magistrate or any change he intends to make within that specified period in the proposed dates for exhibition of films included in the program originally submitted.
- (5) That the said (c) shall not exhibit or permit to be exhibited any indecent film or part of the film either on full screen or in the shape of strip or still picture or in any other way.

Column-I
(Existing Sub-rule)

- (6) That the said (c) shall not display cause to be displayed any photograph, pictures or posters which depict or represent or purport to represent a scene or shot which has been excised from any film under the orders of the Board of Film Certification or the Central Government.
- (7) That the said (c) shall not exhibit the local channel on the band of any other Aerial channel or on prime band.
- (8) That the said (c)or any other person responsible for the management of the show shall not contravene any of the provisions relating to [U.P. Entertainment and Betting Tax Act, 1979 (U.P. Act no. 28 of 1979)]** and rules made thereunder. The indecent Representation of Women (Prohibition) Act, 1986 (Act no. 60 of 1986) and Rules made thereunder and U.P. Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956), as amended, and rules made thereunder.
- (9) That the sound and light arrangement shall be such as to ensure good visibility and audibility to all T.V. screens at all times during the exhibitions.

Dated20

Licensing Authority,

Column-II
(Sub-rule as hereby substituted)

- (6) That the said (c) shall not display cause to be displayed any photograph, pictures or posters which depict or represent or purport to represent a scene or shot which has been excised from any film under the orders of the Board of Film Certification or the Central Government.
- (7) That the said (c) shall not exhibit the local channel on the band of any other Aerial channel or on prime band.
- (8) That the said (c)or any other person responsible for the management of the show shall not contravene any of the provisions relating to [.....omitted..... andomitted.....]. The indecent Representation of Women (Prohibition) Act, 1986 (Act no. 60 of 1986) and Rules made thereunder and U.P. Cinemas (Regulation) Act, 1955 (U.P. Act no. 3 of 1956), as amended, and rules made thereunder.
- (9) That the sound and light arrangement shall be such as to ensure good visibility and audibility to all T.V. screens at all times during the exhibitions.

Dated20

Licensing Authority,

16. Amendment of Form IV-A—In the said rules for Form-IV, set out in Column I below, the sub-rule as set out in Column II shall be substituted, namely ;

Column-I
(Existing Sub-rule)

FORM IV [See Rule 18]

License for keeping a video Library/Television Signal Receiver Agency

1. Name and address of licensee.
2. If the Licensee is not the owner of the place or building, the name and address of the owner thereof.
3. Location or the place or building and adjacent building or place surrounding it.
4. Working business hours of the Library.
5. Period for which the license is granted condition of License.

This licensee is granted subject to the provisions of the U.P. Cinema (Regulation) Act, 1955, and the rules frames there under and is also subject to the following conditions-

- (1) Any prescribed inspecting authority shall have free access to the said premises during business hours in order to see whether the conditions of the license are being complied with.

Column-II
(Sub-rule as hereby substituted)

FORM IV [See Rule 18]

License for keeping a video Library [.....omitted]

1. Name and address of licensee.
2. If the Licensee is not the owner of the place or building, the name and address of the owner thereof.
3. Location or the place or building and adjacent building or place surrounding it.
4. Working business hours of the Library.
5. Period for which the license is granted condition of License.

This licensee is granted subject to the provisions of the U.P. Cinema (Regulation) Act, 1955, and the rules frames there under and is also subject to the following conditions-

- (1) Any prescribed inspecting authority shall have free access to the said premises during business hours in order to see whether the conditions of the license are being complied with.

Column-I
(Existing Sub-rule)

- (2) The licensee shall in respect of each film in his possession, produce when demanded by any officer prescribed under rules, a letter of consent from the person who is the first owner of the copyright under Section 17 of the Copyright Act, 1957 (Act XIV of 1957) and in case such copyright has been assigned under Section 18 of the said Act from the assignee of such copyright.
- (3) The licensee shall not, hire let on hire, distribute, exchange and put into circulation any film other than a film which has been certified as suitable for public exhibition by the authority constituted under Section 3 of the Cinematograph Act, 1952, as amended, and which when exhibited displays the prescribed mark of that authority and the same has not been altered or tampered within any way such mark was affixed thereto.
- (4) That the licensee shall regularly maintain the prescribed register.
- (5) The licensee shall furnish the information and submit monthly returns as required by the Licensing Authority within the time prescribed by him.
- (6) That the licensee in respect of television signal receiver agency of all channels, shall also keep the original consent letter or authority obtained from the owner of the said channel or his assignee in his agency and shall produce such consent or authority letter immediately on demand by any immediately on demand by any inspecting authority. The licensee shall not keep, sell or hire or let on hire or distribute or exchange or put into circulation any television signal receiver without such consent or authority.
- (7) The licensee of television signal receiver agency shall not contravene any provision relating to the Cable Television Network (Regulation) Act, 1995 and Rules made there under and the Entertainment and Betting Tax Act, 1979 and Rules made there under.
- (8) The licensee of television signal receiver agency shall not transmit or permit to be transmitted in any manner whatsoever, locally generate programs on local channel without obtaining necessary license for this purpose in FORM III-A

Dated20

Licensing Authority.

Column-II
(Sub-rule as hereby substituted)

- (2) The licensee shall in respect of each film in his possession, produce when demanded by any officer prescribed under rules, a letter of consent from the person who is the first owner of the copyright under Section 17 of the Copyright Act, 1957 (Act XIV of 1957) and in case such copyright has been assigned under Section 18 of the said Act from the assignee of such copyright.
- (3) The licensee shall not, hire let on hire, distribute, exchange and put into circulation any film other than a film which has been certified as suitable for public exhibition by the authority constituted under Section 3 of the Cinematograph Act, 1952, as amended, and which when exhibited displays the prescribed mark of that authority and the same has not been altered or tampered within any way such mark was affixed thereto.
- (4) The the licensee shall regularly maintain the prescribed register.
- (5) The licensee shall furnish the information and submit monthly returns as required by the Licensing Authority within the time prescribed by him.

Dated20

Licensing Authority.

By order

ALOK SINHA,

Add. Chief Secretary.

टिप्पणी-राजपत्र दिनांक 28-04-2018 के भाग 1-क में प्रकाशित विज्ञापित।

[प्रतिलिपि सूचनार्थ प्रेषित-]

पी0एस0यू0पी0-2 सा0 वित्त कर एवं निबन्धन-01-05-2018-250 प्रतियां (मोनो/डी0टी0पी0/आफसेट)।