

THE RAJASTHAN CINEMAS (Regulation) ACT, 1952

(Act No. XXX of 1952)

(Published in the Rajasthan Gazette (Raj-Patra), Part IV-A, dated December 27, 1952)

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THE RAJASTHAN CINEMAS (Regulation) ACT, 1952

(Act No. XXX of 1952)

[Received the assent of His Highness the Rajpramukh on the 12th day of December, 1952]

An Act to make provision for regulating exhibitions by means of Cinematographs.

Whereas it is expedient to make provision for regulating exhibitions by means of Cinematographs;

Be it enacted by the Rajasthan State Legislature as follows :-

- 1. Short title, extent and commencement.**
 - (1) This Act may be called the Rajasthan Cinemas (Regulation) Act, 1952
 - (2) It extends to the whole of the State of Rajasthan.
 - (3) It shall come into force on the date of its first publication in the (Official Gazette).
- 2. Interpretation –**
 - (1) In this Act, unless the subject or context otherwise requires –

- (A) "Cinematograph" includes any apparatus for the representation of moving pictures of series of pictures ;
- (AA) "Local Law" means a law relating to the establishment and powers of a local authority in force in any part of the State ;
- (B) "Place" includes a house, building tent and any description of transport, whether by land, water or air ;
- (C) "prescribed" means prescribed by this Act or by rules made thereunder ; and
- (D) (XXX)

(2) (XXX)

- 3. Cinematograph exhibitions to be licensed.** Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act or otherwise than in compliance with any conditions and restrictions imposed by such licence.

COMMENTARY

If any person gives cinematograph exhibition, he has to obtain licence in accordance with the provisions of this Act. (Kishankumar v. State of Rajasthan, 1992 (2) WLC 334)

- 4. Licensing authority.** The authority having power to grant licenses under this Act (hereinafter referred to as the licensing authority) shall be the District. Magistrate :

Provided that the State Government may by notification in the (official Gazette) constitute for the whole or any part of (The State of Rajasthan) such other authority, as it may specify in the notification to be the licensing authority for the purposes of this Act.

COMMENTARY

If any person gives cinematograph exhibition, he has to obtain licence in accordance with the provisions of this Act. (Kishankumar v. State of Rajasthan, 1992 (2) WLC 334)

Grant of licence by State Government. Sub section (2) of section 5 of the Act provides that in grantings a licence, the licensing authority shall be subject to "the Control of the State Government". There is no requirement of law that the State Government's control cannot extend to the issue of a direction for the grant of licence in a specific case and once that control has been exercised, it is obligatory on the part of the licensing authority to carry it out. AIR 1952 SC 16 Disting, AIR 1956 ALL 99 & 1957 A.P.513 Rel.on.

There is no obligation cast on the State Government to act in a judicial or quasi-judicial manner while considering an application for the grant of a temporary licence to exhibit cinematograph and a grievance that a party affected was not heard before granting such licence is unjustified. (Vishnu Talkies V. The State, 1962 RLW 222)

5. Restrictions on powers of licensing authorities.-

- (1) The licensing authority shall not grant a license under this Act, unless it is satisfied that –
 - (a) the rules made under this Act have been substantially complied with, and
 - (b) adequate precautions have been taken in the place, in respect of which the licence is to be given, to provide for the safety of persons attending exhibition therein.
- (2) Subject to the foregoing provisions of this section and to the control of the State Government the licensing authority may grant licence under this Act to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions, as it may determine.
- (3) Any person aggrieved by the decision of a licensing authority refusing to grant a licence under this Act may, within such time as may be prescribed, appeal to the State Government or to such officer as the State Government may specify in this behalf and the state Government or the officer, as the case may be, may make such order in the case as it or he thinks fit.

COMMENTARY

Powers of State Government to Grant Licenses –

Sub-sec. (2) of sec. 5 provides that in granting a licence, the licensing authority shall be subject to the "control of the State Government". Since the State Government has also been the power to control the grant of licences under the Act, there is nothing wrong if the Government chose to exercise its control in any case by directing the licensing authority to grant the temporary licence. There is no requirement of law that the State Government's control cannot extend to the issue of a direction for the grant of licence in a specific case and once that control has been exercised, it is obligatory on the part of the licensing authority to carry it out. It is therefore a matter of no consequence what the District Magistrate thought of the merits of the application for the grant of the licence, for the legislation has placed him

under the State Government's control in the matter. The order of the licensing authority is not final since an appeal is provided by sub-sec. (3) to the State Government against his order. AIR 1956 All. 99 and AIR 1957 andh. P. 563 Rel.

Since the power of the State Government under Sec. 5(3) is of an administrative character, it was not obligatory on the State Government to act in judicial or quasi-judicial manner while considering an application for the grant of a temporary licence to exhibit cinematograph by providing the petitioner a hearing in the matter. For similar reason it is not necessary for the State Government to give reasons while granting the temporary licence. (M/S Vishnu Talkies V. the State, 1962 RLW 222 (224) = ILR 1962 Raj. 44.)

5.A. Special Provision for cinema buildings.-

- (1) Nothing contained in any Local Law in regard to –
 - (a) The grant of permission for the construction and reconstruction of a building or -
 - (b) The grant of licence for the use of any place or building for any purpose for which such licence is required, or
 - (c) The grant of permission to install any machinery in any place or building.

shall apply to the construction or reconstruction of or the use of, or the installation of any machinery in any place or building to be used exclusively for the purpose of cinematograph exhibitions; and in every such case an application for such licence or permission shall be made to the licensing authority under this Act in accordance with the rules made under this Act.

- (2) Subject to the control of the State Government and to any rules made in this behalf, the licensing authority after such enquiry as it deems fit and consulting the local authority concerned may for reasons to be recorded either grant or refuse to grant the licence or permission applied for.

COMMENTARY

No objection not granted- Reasons for – Validity or The fact that area not shown as an area reserved for Cinema in the plan prepared by Town Planning Department cannot oust the jurisdiction of the licensing authority under the Act for granting no objection certificate.

Another reason which has been given by the Collector is that this area has not been shown as an area reserved for Cinema in the plan propered by the Town

Planning Department of the State of Rajasthan, Section 5A of the Rajasthan Cinemas (Regulation) Act, 1952 is Complete answer to it. According to it, nothing contained in any local law in regard to various clauses contained in it, shall apply to the construction or reconstruction of or use of or installation of any machinery in any place or building to be used exclusively for the purpose of cinematograph exhibition.

Even assuming that s. 5A has got application for the purposes of location of the site; then also the mere fact that a particular place has been shown as a place reserved for cinema, cannot oust the jurisdiction of the licensing authority under the Act for granting 'no objection certificate'. In the present case the land belongs to a private person and not the Urban improvement Trust or Municipality or Government. That being so while preparing the master plan, the town planner could not have reserved it for cinema unless there was a scheme for acquiring the land. Moreover, the Town Planner's information can only be considered, as one of the factors for consideration, but cannot be conclusive, nor he can be given 'Veto power' [Smt. Gyan Devi V. The State of Raj., ILR (1978) 28 Raj. 863=1978 R.L.W. 509=A.I.R. 1979 Raj. 5]

- 6. Power of State Government to issue directions.-** The State Government shall have power, from time to time to issue directions to licensees generally or to any licensee in particular for the purpose of regulating the exhibition of any film or class of films so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited and where any such directions have been issued, those directions shall be deemed to be additional conditions and restrictions subject to which the licence under this Act has been granted.

COMMENTARY

SYNOPSIS

1. **Constitutional validity**
2. **Conditions Validity of condition 15**
3. **Interpretation of**
4. **Remedy under Article 226.**

1. **Constitutional validity** – Clause (6) of Art. 19 protects the imposition of a reasonable restriction on the exercise of the right conferred by Art. 19(1) (g) in the interests of the general public. The cinematograph is a valuable agency for

educating the public mind, and in order that the general level of intelligence may develop, any restriction for utilisation of the agency of the cinematograph amounts only to a reasonable restriction. The section does not give an unbridled discretion to the Government because the extent of the restriction is also given in the sub-section namely to secure an adequate opportunity. What is adequate has no doubt been left to be decided by the Government, but that is a contingency which by the very nature must be left to the authority exercising the power, as it would vary as the circumstances vary. The section only authorises the Govt. for issue of directions to regulate the exhibiting of films so that scientific films, films intended for educational Purposes, films dealing with news & current events, documentary films of indigenous films may secure adequate opportunity of being exhibited. The section, therefore, by itself, imposes only reasonable restrictions. Whether the directions actually issued are reasonable or not will be another point for determination but the section only purports to authorise the imposition of reasonable restrictions and is not unconstitutional.

2. **Conditions imposed-Validity of condition 15** – Condition No. 15 imposed by the notification issued by the Chief Commissioner, Ajmer authorised the Chief Commissioner to require an exhibitor to exhibit any film for a period upto 15 minutes, free of charge or on such terms as regards remuneration as the Chief Commissioner may determine. On being challenged it was held that the condition has no authority behind it. There is no mention of the class of films to be shown and as such the condition is an unreasonable restriction so far as the requirement of exhibiting film is concerned. [Brijniwas Das V. Chief Commissioner, Ajmer, 1959 RLW 662 (665)=ILR (1958) Raj. 1076.]
3. **Interpretation** – Section 6 of the Rajasthan Cinemas (Regulation) Act, 1952 Comprises two categories of films, one consisting of scientific films, films intended for educational purposes, films dealing with news and current events and documentary films of what for conciseness may be called "cultural films", and the other. of "indigenous films". (1) cultural and (2) indigenous, & so far as indigenous films are concerned they may be cultural films or may not be. The words "indigenous films" in the section are general and unqualified in their contents, and must include in their ordinary and accepted sense cultural as well as other films. If the two categories of films are to be construed as mutually exclusive, then the words "indigenous films" have to be read as meaning "indigenous films other than cultural films". That would be to cut down the plain

and ordinary sense of the words, and to import into the enactment words which are not there. Such a construction must, if that is possible, be avoided.

Where a notification required that cultural films should have been produced in India, it was within s. 12(4) Cinematograph Act, 1952 (36 of the Rajasthan Act) and such a condition was valid ILR 1958 Raj. 1076 = 1959 RLW 662, partly reversed.[Chief Commissioner, Ajmer V. Brijniwas Das, AIR 1963 SC 408 (410 & 411).]

- 4. Remedy under Article 226.** – Where collector acted in complete disregard of high Court's previous order and thus nullified same. High Court competent to issue direction to comply with order-

To start with, I was of the opinion that since this is the duty of the licensing Authority, this court should not take upon the burden of adjudication upon merits, Mr. Kasliwal strenuously argued that if the orders of the court are disobeyed, as has happened in this case, it would be a mockery of justice and rule of law, if his client is thrown from pole to pillar and pillar to pole by being forced again to go and submit himself before the same authority which has exhibited scant regard for the judgment of this court. The application for obtaining no objection certificate was made as early as in the year 1970, the writ application by this court was decided earlier on 23-02-1974 after the matter remained pending for about a year. More than two years were taken by the collector for passing this arbitrary order. The petitioner has approached this court again on 27-09-1976 and another two years have passed since then. It is serious question to be considered by this court whether after this chequered history of eight years of ordeal of citizen trying to enforce his fundamental right though restricted by laws of the land he should be again told that we accept his writ application, but feel helpless to grant any relief. Since, I am of the opinion that the conditions of Rule 16 are fulfilled and there will be no violation of it if no objection certificate is granted, I hereby direct that the present Collector would grant a no objection certificate but while doing so he may if the present situation and the condition of the locality and society so warrant, insist upon the laying down of the conditions which were mentioned in the letter of Shri L.N. Gupta the then collector dated 19-08-1974. It would be open to him to waive any of those conditions and also to add any fresh one, if situation so warrants, as this court cannot and should not take upon it the duty of the statutory authority, which alone can consider the matters of details. However, it is made clear that it

is desired, the under the garb of lying down conditions the statutory authority should not again repeat same serious mistake which was committed earlier by the impugned order. [Smt. Gyan Devi V. The State of Rajasthan, 1978 RLW 509.]

7. Power to suspend exhibition of films in certain cases – (1) The State Government in respect of the whole or any part of the State of Rajasthan and the District Magistrate in respect of the district within his jurisdiction may, if it or he is of opinion that any film which is being publicly exhibited is likely to cause breach of the peace by order suspend the exhibition of such film and during such suspension, the film shall be deemed to be an uncertified film in such whole, part or district of the State of Rajasthan.

(2) Where an order under sub-section (1) has been issued by a District Magistrate, a copy there of together with a statement of reason therefor, shall forthwith be forwarded to the State Government and the State Government may on a consideration of all the facts of the case confirm, modify or cancel the order.

(3) An order made under this section shall remain in force for a period of two months from the date thereof but the State Government may if it is of opinion that the order should continue in force direct that the period of suspension shall be extended by such further period, as if it thinks fit.

8. Penalties for contravention of Act and Rules thereunder – (1) If the owner or person incharge of a cinematograph uses the same or allows it to be used or if the owner or occupier of occupier of any place permits that place to be used in contravention of the provision of this Act or of the rules made thereunder or of the terms, conditions and restrictions upon or subject to which any licence under this Act has been, or is deemed to have been granted he shall be punishable with fine which may extend to two thousand rupees and, in the case of a continuing offence with a further fine which may extended to two hundred rupees for each day during which the offence continues.

(2) Where a person whose licence for cinematograph has been revoked under section 9, contravenes any provision of this Act or of the rules made thereunder he shall be punishable with imprisonment which may extended to three months, or with a fine which may extended to five thousand rupees, or with both and in the case of a continuing offence a further fine which may extend to five hundred rupees for each day during which the offence continues.

COMMENTARY

Rajasthan Cinema (Regulation) Rules, 1959-R. 7- Renewal refused by collector-Government accepted appeal and granted renewal relating back to date of expiry-Fee deposited-Held, cognizance of offence u/s 8 (1) is not justified.[Smt. Shashi Rani V. State. 1987 WLN (UC) 584=1987 RCC 403.]

- 8A. Power to arrest without warrant.** – Any police officer may arrest without warrant any person who is reasonably suspected of having committed an offence punishable under sub-section (2) of section 8 of the Act.
- 9. Power to revoke licence.** – Where the holder of a licence has been convicted of an offence under section 7 of the Cinematograph Act, 1952 (Act No. 37 of 1952) of the Central Legislature) or under [sub-section (1) of section 8] of this Act or for the commission of any offence under the Rajasthan Entertainments and Advertisements Tax Act 1957, the licence may be revoked by the licensing authority.
- 10. Power to make rules.** – (1) The State Government may by notification in the [Official Gazette] make rules –
- (a) prescribing the terms, conditions and restrictions, if any, subject to which licences may be granted under this Act,
 - (b) providing for the regulation of cinematograph exhibitions for securing the public safety,
 - (c) prescribing the fees to be levied for licensing places for cinematograph exhibitions,
 - (d) providing for the inspection of such places and of electric installations therein,
 - (e) regulating sanitary arrangements therein,
 - (f) prescribing the time within which and the conditions subject to which an appeal under sub-section (3) of section 5 of this Act may be preferred,
 - (g) providing for any other matter which by this Act may be, or is required to be prescribed, and
 - (h) generally for carrying out the purposes of this Act.
- (2) In making rules under this section, the State Government may provide that any person failing to comply with or contravening the provisions of any rule, shall on conviction, be punished with fine which may extend to one hundred rupees.
- (3) The power to make rules under this section shall be subject to the condition of previous publication.

(4) All rules made under this section shall be laid as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days, which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following, the house of the State Legislature makes any modification in any of such rules or resolves that any such rule should not be made, such rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

11. Power to exempt. – The State Government may by order in writing exempt subject to such conditions and restrictions as it may impose, any cinematograph exhibitions or class of cinematograph exhibitions from any of the provisions of this Act or any rules made thereunder if in the opinion of the State Government reasonable grounds exist for doing so.

12. [XXX]

THE RAJASTHAN CINEMAS (REGULATION) RULES, 1959

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THE RAJ. CINEMAS (REGULATION) RULES, 1959

[Notification No. F. 12(8)Home(C) 56, d. 23-12-1959, Pub. in Raj. Gaz., Pt. IV-C, Ext., d. 28-12-1959]

As amended subsequently by the following notifications :-

S. No.	Notification No.	Date	Pub. in Raj. Gaz.		
			Part	Date	Page
1.	F.12(8)Home(C)56	23-12-50	IV-C EXt.	28-12-59	
2.	F.21(36)Home-A/Gr(ii) 60	03-06-61	IV-C(1)	13-07-61	
3.	F.20(10)Home-A(Gr.ii) 62	15-02-63	IV-C(1)	04-04-63	
4.	F.12(17)Home (Gr.VI/71	09-02-73	IV-C(1)	08-03-73	
5.	F.12(10)Home/Gr.VI/ 72	19-12-73	IV-C	21-02-74	135(201)
6.	F.12(12)Home/XIV/73	06-05-75	IV-C	24-07-75	169(127)
7.	F.20(30)Home/Gr.V/ 70	04-12-76	IV-C	07-12-76	543
8.	F.12(1)Home 14-75	13-12-78	IV-C(1)Ext.	15-01-79	348
9.	F.1(10)(24)Home 5-76	10-09-79	IV-C	27-09-79	335
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12.	F.1/7(2)Home-5/82	26-03-83	IV-C(1)Ext.	30-03-83	753
13.	F.1/7(17)Home/Gr. VI/83	27-06-90	IV-C(II)Ext.	27-06-90	70

Note : References in foot notes of the amending Notification are given hereinafter by serial Nos. as given above.

THE RAJASTHAN CINEMAS (REGULATION) RULES, 1959

In exercise of the powers conferred by section 10 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952), the Government of Rajasthan is pleased to make the following rules, namely :-

PART -1

Introductory

1. **Title and commencement.** – (1) These rules may be called the Rajasthan Cinemas (Regulation) Rules, 1959. (2) They shall come into force on the date of their first publication in the Rajasthan Gazette.
2. **Interpretation.** (1) In these rules unless there is anything repugnant in the subject or context –
 - (I) 'Act' means the Rajasthan Cinemas (Regulation) Act, 1952 ;
 - (II) 'Auditorium' means that portion of Cinema in which accommodation is provided for the audience or spectators to view the exhibition of films ;

- (III) 'Cinema' means the entire place licensed for cinematograph exhibitions and includes all appurtenances, plant and apparatus located therein ;
- (IV) 'Electric Inspector' means an inspector appointed by the State Government under the Indian Electricity Act.1910 ;
- (V) 'Enclosure' means that portion of a cinema in which the cinematograph apparatus is erected ;
- (VI) 'Executive Engineer means an officer of the Public Works Department of the State in Charge of roads and buildings in the place where a Cinema is situated ;
- (VII) 'Exit' includes an emergency exit and any entrance usable by the public as an exit ;
- (VIII) 'Fire resisting material' means –
 - (a) burnt brick work, cement concrete and re-inforced brick work or cement concrete having a minimum cover of one inch.
 - (b) terra cotta blocks securely bonded provided that no side or web thereof is less than one and a half inches in thickness.
 - (c) stone, tiles, sealed gypsum blocks, marble iron, steel, copper, asbestos or zinc. or
 - (d) such other material as the Executive Engineer may approve.
- (IX) 'From' means a form annexed to these Rules ;
- (X) 'State Government' means the Government of Rajasthan ;
- (XI) 'Licence' means a licence granted under and in accordance with these rules and includes a temporary permit ;
- (XII) 'Licensee' means a person who is granted a licence or a temporary permit in accordance with these Rules and includes his agent appointed for the purpose under intimation in writing to the licensing authority ;
- (XIII) 'Medical Officer of Health' means an officer of the Medical and health Department appointed by the State Government ;
- (XIV) 'Part' means a part of these rules ;
- (XV) 'Permanent building' means a building which is constructed for permanent use ;
- (XVI) 'Regional fire officer' means the Electric Inspector or any other appointed by the State Government in this behalf.
- (XVII) 'Schedule' means the schedule appended to these rules ;

- (XVIII) 'Special cinematograph exhibition' means a cinematograph exhibition on a specified occasion or occasions at a place not ordinarily used for such purpose ;
- (XIX) 'Temporary building' means a building which is not a permanent building and includes a booth, tent or similar structure ;
- (XX) 'Temporary enclosure' means that portion of a place licensed for special cinematograph exhibition of for a touring cinematograph where cinematograph apparatus is kept or erected or where films are stored and would ;
- (XXI) 'Touring cinematograph' means a cinematograph apparatus which is so adopted or constructed that it can be taken from place to place for the purpose of giving cinematograph exhibition ;
- (XXII) 'Open Air Cinema' means cinematograph exhibition specially permitted by the licensing authority of the Government in any place not ordinarily used for such purpose;
- (XXII-A) 'Lok Chhavi', means cinematograph exhibition arrangements in which the entry charges (excluding entertainment tax) shall not exceed Rupees two.
- (XXIII) 'Winding Room' means that portion of a cinema in which cinematograph films are stored and wound ; and
- (XXIV) 'Words and expressions' used in the Act and not defined in these Rules shall have the meaning assigned to them in the Act.
- (2) The provision of the Rajasthan General Clauses Act, 1955 (Rajasthan Act No. VIII of 1955) shall as far as may, apply mutatis mutandis to the interpretation of these Rules as it applies to the interpretation of any Rajasthan Act.

PART -II

Procedure in granting licences

- 3. Classes of licences** – (1) Licences granted under section 3 of the Act shall be either (triennial) or temporary.
- (2) (A triennial) licence in Form C shall only be granted subject to the provisions of section 3 of the Act and in accordance with the provisions of the rules in Part III in respect of a permanent building. It shall be valid for (three years) from the date of issue and shall be renewable (for the same period) on the application of the licensee.
- (2-A) The provisions of Sub-rule (2) shall also apply for the grant of licence for 'Lok Chhavi'.

(2) (a) Subject to the provisions of the Rules in Part IV, a temporary licence in Form C may be granted in respect of a temporary building or in respect of any place for exhibition by means of touring cinematograph or in respect of a special up cinematograph exhibition :

(b) A temporary licence in respect of a temporary building may be granted in the first instance for a period of one year which can be extended up to five years : Provided that if within this period of five years, the temporary cinema building is not converted into one which is fit for the grant of licence under sub-rule (2) of rule 3, no temporary licence will be granted after the period of five years.

(c) A temporary licence in respect of a touring cinematograph may be granted in the first instance for a period of four months. This period may, however, be extended for a period of less than one year.

(d) A temporary licence in respect of a special cinematograph exhibition may be granted for the period during which the specified occasion or occasions for which the licence is granted is likely to last. The period may, however, be extended for such further periods as may be found necessary keeping the demands of the specified occasion/occasions in view but not exceeding the period (XXX)

(4) Notwithstanding anything contained in sub-rules (2) and (3) (b) of rules 3, all new licence granted for a period of one year or more shall be granted so as to expire on 31st March. Similarly all licences already renewed at the commencement of these rules shall be deemed to have been renewed upto 31st of March next, and it shall be necessary for the licence holders to have their licences renewed for a further period of one year commencing from the 1st April. They shall however, be charged only so much fee for the renewal which becomes due for 2 year after deductiong the excess paid by them for the period after 31st March at the time of previous renewal.

4. Application for licence - Every application for the grant of renewal of a licence shall be in writing and shall be signed by the application. A court fee of rupee one shall be payable thereon.

4-A. Grant of No Objection certificate. – (1) The licensing authority shall, if satisfied that the site fulfills all the conditions, grant of the applicant a No Objection Certificate in Form (B) for the construction of the cinema building. The Certificate shall be valid for a period of two years from the date of commencement of the construction of the building. The licensing authority on an application made in this behalf, if satisfied that the applicant could not for valid reasons, complete the building within the said period

of two years, may extend the validity of such certificate by a further period not exceeding two years.

(2) In the case of Touring Cinema, the licensing authority shall, if satisfied that the site fulfills all the conditions, grant to the applicant a No Objection Certificate in Form (B) for putting up a cinema : The certificate shall be valid for a period of six months from the date of its issue.

5. Accompaniments of application for grant of (triennial) licence. – (1) An application for the grant as distinct from the renewal of an annual licence shall be accompanied by -

- (a) full particulars regarding the ownership of and all rights in the cinema and in the cinematograph apparatus to be used therein ;
 - (b) complete plans, elevations and sections in duplicate of the cinema together with all erections or buildings drawn correctly to the scale of one eighth of an inch to one foot and showing the width of all stairways and the number of steps in each. the width of corridors, gangways and doorways, the height of the cinematograph and of the plant for the generation or conversion of electrical energy ;
 - (c) a site plan in duplicate on a separate sheet drawn to the scale of one fortieth of an inch to one foot showing the position of the cinema in relation to any adjacent premises and to the public thorough-fares upon which the site of the cinema abuts and the arrangements proposed for the parking of motor cars and other vehicles ; and
 - (d) specifications of the various materials used or proposed to be used in the construction of the building.
- (2) The cardinal points of the compass shall be shown on the plans and the plans shall be so coloured as to distinguish the materials used in the construction of the building.

6. Power to require plans etc. for applicants for grant of temporary license.. – The licensing authority may require an applicant for the grant of a temporary license to furnish (a site plan) of the premises and such specifications, as he may consider necessary.

7. Application for renewal– An application for the renewal of (a triennial) license shall be made at least (Sixty days) before the date of the expiry of the existing license ;

Provided that if the application for renewal is made after the prescribed date that licensing authority may renew the license on payment of (an additional fee of Rs. 25/- besides the fee payable under rule 67.)

- 8. Issue of temporary permits.** – (1) If on an application for renewal of a licence the licensing authority does not, for any reason, before the date of the expiry of the licence, other renew and return the licence or refuse to renew the same. he may be granted a temporary permit in Form B.
- (2) Such temporary permit shall be subject to the same conditions as the licence sought to be renewed and shall be valid for such period, not exceeding two months, as the licensing authority may direct :
- Provided that the temporary permit shall cease to be valid and shall be surrendered to the licensing authority on the applicant receiving his licence duly renewed, or on his receiving an order refusing to renew the licence.
- (3) A temporary permit issued under this rule shall during the period of its validity be deemed to be a licence for the purposes of the Act and these rules.
- (4) A fee of ten rupees shall be levied for the grant of such temporary permit, provided that if in the opinion of the licensing authority the grant of a temporary permit has not been necessitated by the negligence of the licensee, the fee or a portion of it may be remitted.
- (5) If at the end or during the period of two months for which the temporary permit was granted ; a licence for the whole year is issued to a licensee he should be charged licence fee as prescribed for the whole year less the amount paid as fee for the grant of temporary permit provided the grant of temporary permit was not necessitated by any negligence or fault on his part.
- 9. Responsibilities of a licensee.** – (1) The licensee shall be responsible for compliance with the provisions of the Act, and of these rules and with the conditions of his licence, for the maintenance of licensed premises at all times and in all respects in conformity with the standards prescribed by these rules and for taking all necessary measures, before any cinematograph exhibition is commenced, to ensure the safety of the public and his employees against fire and other accidents.
- (2) The licensee or some responsible persons nominated by him in writing for the purpose shall be in general charge of the licensed premises and the cinematograph during the whole time that any exhibition is in progress.
- 10. Inspection (prior and subsequent) to grant of licence.**- (1) Before granting (a triennial) license and thereafter annually the licensing authority shall call upon –
- (a) the Executive Engineer having jurisdiction to inspect and examine the structural features of the cinema and report whether the rules relating thereto have been duly complied with ;

- (b) the Electric Inspector to inspect and examine the cinematograph and the electrical equipment to be used in the cinema and to report whether they comply with the requirement both of these rules and of the Indian Electricity Act, 1910 and of such of the rule made thereunder as are applicable and whether all reasonable precautions have been taken to protect spectators and employees for electric shock and to prevent fire in the building through electrical installation and equipment ;
 - (c) the Medical Officer of Health having jurisdiction to inspect and examine the cinema and to report whether the arrangements for sanitation conform to the requirements of these rules ; and
 - (d) the Regional Fire Officer having jurisdiction to inspect and examine the cinema and to report whether the prescribed fire extinguishing appliances have been provided and are in working order and whether the precautions taken against fire conform to the requirements of these rules.
- (2) In cases of renewals also the certificate and reports required under [sub-rule (1)] may be obtained but the renewal of the licence shall not be refused, delayed or withheld simply for want of all or any one of the certificates or reports the same being obtained from the different Government Department by direct correspondence between them and the licensing authority.
- (2A) The certificates or reports (including reports about objections in respect of a matter relevant to the grant of licence) referred to in sub-rule (1), shall be submitted by the concerned authorities to the licensing authority within 30 days of receipt of the communication of the licensing authority ;
- (2B) The licensing authority shall consider the certificates/reports received by it under sub-rule (2-A) on a date fixed by it which shall not be later than 20 days from the date of receipt of the aforesaid certificates/reports last received. Notice of such date shall be given to the applicant and also to the authorities referred to in sub-rule (2-A) who have sent reports of objections. In case any of the authorities referred in sub-rule (2-A) has not sent a report, the licensing authority shall require it to direct some of its officers conversant with the subject-matter to appear before it on the date fixed under this sub-rule. The licensing authority shall hear all such persons/authorities who may appear before it on the date so fixed.
- (3) Defects revealed by such inspections shall be brought to the notice of the applicant or licensee and of the licensing authority, who may refuse to grant or renew the licence unless and until they are remedied to his satisfaction :

Provided that in cases other than the grant of licence for the first time the licensing authority may give such time as may be reasonable in its discretion to the licensee to remove the defects revealed by inspections as specified in [sub-rule (1)] after the expiry, of which the licensing authority if the defects are not removed, may cancel or suspend the licence and may not be revalidated it until the defects are reported to have been removed :

Provided further that no second renewal shall be granted unless the certificates and reports called upon at the time of the first renewal are received before the expiry of the year for which they were meant and the licensing authority may make an inquiry into the cause of such delay and take or recommend such action as he may consider desirable against those responsible for the same.

11. **Inspection by licensing authority** – The licensing authority or any officer authorised by him (in writing) in this behalf may, at any time, enter a place which he has reason to believe is being used or is intended to be used for the purpose of cinematograph exhibitions in order to satisfy himself that all the provisions of the Act, these rules and the conditions of the license are being complied with.
12. **Inspection by other authorities.** – (1) The Executive Engineer, Electric Inspector, Medical Officer of Health, Regional Fire Officer, Entertainment Tax Officer, Superintendent of Police or any officer deputed by any of them (in writing) may at any time enter and inspect any cinema licensed under section 3 of the Act.

(2) Defects revealed by such inspection shall be brought to the notice of the licensee and shall also be reported to the licensing authority.
13. **Production of license on demand.** – The license and the plan and description, if any attached thereto shall be produced on demand by the licensing authority or by any officer authorised by him or by these rules to enter and inspect a place licensed under section 3 of the Act.
14. **Additions and alterations.-** No additions to or alterations or any portion of the cinema licensed under section 3 of the Act, necessitated by fire or any other calamity or cause shall be made without the sanction of the licensing authority.
15. **Notice of additions or alterations.** – The licensee shall give notice in writing to the licensing authority of his intention to make any such additions or alterations and such notice shall be accompanied by complete plans, elevations and section and specifications of the work proposed to be executed, drawn up in duplicate in the prescribed manner, while in the case of a temporary license such plans and specifications only shall be furnished as the licensing authority may consider necessary.

PART III
Premanent Building

16. Situation. – (1) No Person shall put any building or structure or convert existing premises for being used as a cinema except with the previous permission in writing of the licensing authority.

(2) In case of cities having a population of one lakh and above, the licensing authority may grant permission for construction of mini cinemas having a seating capacity of not more than 500 seats :

Provided that while granting such permission under sub-rule (1) and (2) above, the licensing authority shall satisfy itself about the suitability of site for construction of cinema building or structure or conversion of existing premises for being used as a cinema, keeping in view the instructions issued in this behalf by the State Government from time to time.

Legislative changes :- Rule 16, before its substitution by Amending Notification No. 12, d. 26-03-1983, was as under :-

"16. Situation for a Cinema. – (1) No permanent building except that already licensed on the commencement of these rules shall be licensed for cinematograph exhibitions if it is situated :-

(a) within a radius of 200 meters from :-

- (I) any recognised educational institution, or residential premises utilised for the residence of the students attached to a recognised educational institution which impart education to the students above VIII standard and which has 200 or more students on its rolls ; or
- (II) a public hospital with large indoor patient ward; or
- (III) an orphanage containing one hundred or more inmates;

(b) in a residential area.

Explanation.

(a) The radius of 200 meters shall be taken from the end corner of the buiding of the institution etc. referred to above.

(b) An area shall be considered as residential if it is predominanty used as such even though it is also used for commercial purposes and there exist such circumstances on account of which the grant of a licence is likely to interfere adversely with the living conditions of the inhabitants of the area.

(2) For the purpose of this rule, the licensing authority shall subject to the general control of the State Government determined what is a hospital, a recongnised educational institution, residential premises utilised for the residence of students, a large indoor patient ward, a residential area or predominantly residential area and its decision shall be final and conclusive :

Provided that the licensing authority may for sufficient reasons and with the prior approval of the State Government relax this rule or any part thereof, in any case and specially in case of Cinemas already completed or nearing completion prior to the commencement of these rules:

Provided further that in giving approval for relaxing this rule or any part thereof of the State Government shall take into consideration the nature of the proposed building and whether or not it is sound proof or is within a radius of 50 feet from any petrol pump or any shop or store dealing in highly combustible material or is sir-conditioned.

- (3) In the case of new areas schemed or planned by any Urban Improvement Trust or Municipality, a building shall be licensed for cinematograph exhibition if subject to the provisions of rules 1 and 2 above, it is situated within the area earmarked for cinemas for commercial use in the concerned plan or scheme"

17. [XXX]

Rule 17 before deletion by Amending Notification No. 12, d. 26-03-1983, was as under :-

"17. Cinemas not to be on or under other buildings. (1) No cinemas shall be constructed underneath or on the top of any other building. Nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition, before the coming into force of these rules :

Provided that open spaces under the auditorium and stage in such premises, where they exist shall not be rented or used as godowns but may be used for storing, cinema implements, such as advertisement boards, trolleys etc., if they are properly arranged and taken care of :

Provided further that the provisions of this rule shall not apply to 'LOK-CHHAVI."

- 18. Requirements of permanent buildings.**— (1) Every cinema shall have a road frontage on the public thoroughfare. upon which its site abuts and in such frontage there shall be suitable means of entrance and exit for the public.
- (2) Entrances and exits shall be reserved for services in case of emergency, opening on two separate and distinct passages leading either to the said public thoroughfares or to other suitable thoroughfares and such passages shall not be less than 5 feet in width.
- (3) Every cinema shall have sufficient waiting space outside it for the public before performances to avoid crowding public roads.

(4) The road frontage shall be of adequate length and width and the passages referred to in sub-rule (2) must have sufficient width to enable the audience to disperse quickly.

(5) Nothing in sub-rule (1), sub-rule (3) and sub-rule (4) shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these rules.

- 19. Structure to be fire proofed.** – Every cinema shall be enclosed with proper internal or partition walls of brick or stone and the floors, tiers and roof of the auditorium and all parts used by the public shall be constructed of fire resisting materials to the satisfaction of the licensing authority :

[Provided that the licensing authority will have no objection even if "LOK-CHHAVI" are kept open without roofing or roof-covering].

- 20. Galleries.** – No galleries of tiers shall be erected in the cinema unless constructed of fire resisting materials and no wooden parts shall be used for the support of such galleries or tiers.

- 21. Stage.-** All the wood work of the stage shall be rendered unflammable and shall be of hard Wood.

- 22. Construction of Auditorium.** – (1) Wherever it is practicable, the auditorium shall be rendered air-conditioned and ceiling fans shall be provided in the Boxes, Zenana galleries and at other suitable places. The number of ceiling and exhaust fans shall be fixed by the Medical Officer of Health of having jurisdiction.

[Provided that the provisions of air-conditioning or fans shall not apply to "Lok Chhavi" :

Provided further that the provisions of exhaust fans shall not apply to "LOK CHHAVI" where the "LOK CHHAVI" is without roofing.]

(2) No open space shall be allowed under the floor of the auditorium.

(3) The floor, roof, private boxes, balconies, galleries, tiers, partitions and every room, lobby, corridor, staircase and passage devoted to the use of the public shall be constructed of fire-resisting materials.

(4) No soft wood or other inflammable wall, lining, partitions, screens, or barriers shall be used in any part of the auditorium and no cavities shall be left behind any linings.

(5) The fronts of the private boxes and each tier shall be formed of fireproof material except the capping which may be of wood:

Provided that nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these rules.

- 23. Hight of tiers.**- Where the first tier or balcony extends over the pit or stalls, the height between the floor of the pit and such tier or balcony shall not be at any part less than 10 feet: the height between the floor of the highest part of the gallery and the lowest part of the ceiling over the same shall not be less than 12 feet. The height between the severall tiers shall in no case be less than 8 feet :

Provided that nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these rules.

- 24. Accommodation.** – (1) The total number of spectators accommodated in the building shall not exceed 20 per hundred square feet of the area available for sitting and standing or 20 per 133 ½ square feet of the overall area of the floor space in the auditorium :

[Provided that maximum number of 25 Spectators can be accommodated in 100sq. feet area in 'LOK-CHHAVI'].

- (2) A notice showing the number of spectators permitted by the conditions of the licence to be admitted to any one part of the building shall be exhibited at a prominent place either at the entrance of the building or in the auditorium.

- 25. Seating.** – (1) The seating in the building shall be arranged so that there is free access to exits.

- (2) The space assigned for each person shall not less than 2' – 4" deep where backs are provided and not less than 2' deep where backs are not provided and not less than 1'-8" wide where arms are provided and 1'-6" where arms are not provided.

- (3) The rows of seats shall be so arranged that there is a clear space of not less than 12" between the back of one seat and the foremost portion fo the seat, arm or frame behind, measured between perpendiculars.

- (4) All seats, except those in private boxes, shall be securely fixed to the floor, and if battened together or made in linkls, the complete link shall be firmly attached to the floor :

[Provided that in a 'LOK CHHAVI' the seats need not be securely fixed to the floor and even seating arrangements can be made on the floor itself.]

- (5) The minimum distance between the cinematographic screen and the front row of seats shall not be less than 25 feet :

[Provided the limit of 25 feet distance shall not apply to premises duly licensed for use for cinematograph exhibition prior to the coming into force of these rules.]

26. Gangway.- (1) Gangways not less than 44 inches wide shall be provided in the buildings as follows :-

- (a) Down each side of the auditorium.
- (b) Down the centre of the seating accommodation at intervals of not more than 25 Feet.
- (c) Parallel to the line of the seating so as provide direct access to exits provided that not more than one gangway for every 10 rows shall be required :

[Provided that in case of 'LOK CHHAVI' the width of gangways can be kept 36 inches instead of 44 inches leaving a gangway after every 12 rows of seats.]

- (2) All gangways, exits and the reads of steps and stairways shall be maintained with non-slippery surfaces.
- (3) Druggets, matting and floor covering, if provided in gangways, shall be securely fastened to the floors.
- (4) The exits and the gangways and passages leading to exits shall be kept clear of all obstructions other than rope barriers provided in accordance with sub-rule (6). On no account shall extra seats be placed in the gangways, or spectators be allowed to stand in the gangways at the time of performances in such a way as to block or effectively reduce their width.
- (5) If steps have to be inserted in a gangways or passage there shall be not less than 3 steps at any one place. The treads shall not be less than 15" wide and shall be if uniform width and height.
- (6) Rope barriers in gangways or elsewhere shall be fitted with clips or fastenings which will part in the centre on slight pressure. and shall not trail on the floor.
- (7) Guard rails not less than 3 feet 6 inches above floor level shall be proviede on the parapet at the foot of gangways in galleries where the incline of the gangways exceeds 15 degrees.

27. Corridors. – (1) No Corridor shall be used as a (cloak-room) and no pege for hanging hats, cloaks or the like shall be allowed therein nor shall any corridors be used for storage purposes or for any purpose whatever except for exit and entrance from and to the auditorium.

- (2) There shall be no resesses or projections in walls of such passages, gangways or corridors within 5 feet of the ground.
- (3) No Corridor leading to any Staircase communicating with any exit shall be less than 5 feet in width in any part thereof :

Provided that noting in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these rules.

- 28. Exits.** – (1) every building shall be provided with an adequate number clearly indicated entrances and exits so placed and maintained as readily to afford the audience ample means of safe movements and with a passage 3ft. in width for every 10 rows of seating accommodation. By adequate is meant 5 linear feet of exit may for 500 sq. feet or sitting space inside,
- (2) A Common Place of egress may serve as the exit for the floor of the auditorium and the first tier : provided its capacity be equal to the aggregate capacity prescribed by these rules for the necessary out-lets from such floor and tier.
 - (3) For any auditorium floor or any tier which does not accommodate more than 200 individuals, two 4 feet exits only will be required.
 - (4) If the auditorium floor or any tier shall be divided into two or more parts, exits as prescribed in the rules shall be provided for each such part.
 - (5) It shall be compulsory to the management of the cinema premises to allow the public to leave by all exit doors.
- 29. Exit notices.-** (1) All exits and any other doors or openings intended to be used for the purposes of exits shall be indicated by notices in English or Hindi, the letters being not less than 6 inches in height over such doors or at least 6 feet 9 inches above the floor.
- (2) The words "NO THOROUGHFARE" shall be similarly painted over all doors or openings which are in sight of the audience, but which cannot be used as exits.
- 30. Projection Room.-** (1) The Projection room shall be of the following minimum dimensions :-
- | | |
|-----------------|--------|
| Projection wall | 12ft. |
| Side walls | 10 ft. |
| Height | 8 ft. |
- (2) The construction shall be of fire resisting materials, stone slabs shall not be used for roof or floor and the door shall be of steel and of self closing type.
 - (3) Projection and observation posts shall be maximum 8 inches square, glazed with plate glass and shall have automatic closing metal shutters with master control.
 - (4) Extra fans for ventilation shall be provided and fume chimneys over projectors shall be used. Two liquid chemical extinguishers one fire extinguisher using carbon tetrachloride acid, one bucket of sand two buckets of water and a damp blanket shall be kept inside the room. A large sponge shall be kept in one of

the buckets of water one liquid chemical extinguisher shall also be kept immediately outside the room.

- 31. Re-wind Room.-** Re-wind room shall be separate from projection room and its minimum dimensions shall be 3 feet by 8 feet high. It shall not be used for purposes other than re-winding and storing films not in use. All films shall be stored in metal boxes:

Provided that nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of these rules :

Provided further that it will not be necessary in a 'LOK CHHAVI' to have separate rewinding room and rewinding will be permissible in the projection room itself, keeping due regard to safety.

- 32. Cloak rooms.** where cloak rooms are provided they shall be so situated that the use of them shall not obstruct the free use of any exit.

- 33. Doors.-** (1) All outside doors for the use of the public shall be made to open outwards and all internal doors shall be hung so as not to obstruct, when open any gangway, passage, stairway for landing. Such doors when open should engage on an automatic spring.

(2) All such doors may be kept closed but not bolted during a performance or exhibition : provided an attendant is placed in charge of each such door whose duty it shall be to throw open the door in case of emergency.

(3) All exit doors having fastenings shall be fastened by automatic or panic bolts only. of a pattern and in a position to be proved by the licensing authority, but where such doors are also to be used by the public for entrances they may be fitted with lever or other approved fastenings in approved positions. Doors so fitted, however, must not be fastened so long as any of the public area on the premises.

(4) All barriers and internal exit doors shall be made to swing or to open outwards with no other fittings than automatic bolts.

(5) No doors, handles or other fittings shall project into exit ways more than one inch when the doors are open, and no locks, monkey tails, flush or barrel bolt, or locking bars or other obstructions to exit; other than as before mentioned shall be fitted on any doors. gates or barriers.

- 34. Stairways. –** (1) There shall be at least 2 stairways each not less than 4 feet wide to provide access to any gallery or upper floors in the building which is intended for use by the public:

Provided that it shall not be necessary to keep provision for more than one stair case in 'LOK CHHAVI'.

- (2) The treads and risers on each flight of stairs shall be of uniform width and height. The treads shall not be less than 11 inches wide and the risers shall not be more than 7 inches high.
- (3) There shall be no winders.
- (4) A continuous hand rail shall be fitted to each side of stairways.
- (5) No stairways shall discharge into a passage or corridor against or across the direction exit :

Provided that nothing in this rule shall apply to premises duly licensed for use for cinematograph exhibition before the coming into force of the rules.

35. Projections and Recesses. – There shall be no recesses or projections in the walls of such staircases within 5 feet of the floor, and any fittings for lighting shall be at least 6 feet, 8 inches above the steps or landing.

36. The following fire extinguishing appliances shall be provided :-

- (1) In the enclosure. – Two liquid chemical extinguishers, one fire extinguisher using carbon tetrachloride acid, one bucket of sand, two buckets of water and a damp blanket shall be kept inside the enclosure. A large sponge shall be kept in one of the buckets of water. One liquid chemical extinguisher shall also be kept out-side the enclosure.

In the auditorium.- Four portable fire extinguishers, 20 buckets of water and a cistern supplying not less than five gallons of water per 100 square feet of floor area stored.

- (2) These appliances shall be so disposed as to be readily available for the use. The buckets shall have round bottoms and handles and shall be of 2 ½ to 3 gallons capacity, each to hold not less than 2 gallons of water. They shall be painted red with the word "Fire" painted on them in large black letters in English and the (XXX) vernacular.
- (3) The Portable fire extinguishers shall be of soda acid type and of the two gallon size; they shall be installed at an adequate height from the ground. A record regarding the maintenance of portable extinguishers shall be kept.
- (4) Where a portable fire extinguisher of the chemical combination pressure type is older than three years or has not been tested previously, it shall be tested by hydraulic pressure by the Electrical inspector or by an engineering firm or mill authorised in this behalf by the licensing authority, to show that it can withstand for one minute a pressure of 300 lb. per square inch and a certificate of such test shall be submitted to the licensing authority. Similar tests shall be repeated once in two years.

(5) At least four stirrup pumps and eight buckets filled with water if there is no gallery or first floor in the premises ; and at least six stirrup pumps and twelve buckets filled with water if there is a gallery or first floor in the premises in which case, at least two stirrup pumps and four buckets filled with water shall be kept in the gallery or first floor.

(6) Attendants and staff shall be trained in the use of all fire-fighting equipment maintained in the premises.

(7) The licenses shall –

(I) Once in every three months empty the container of each portable fire extinguisher provided in the licensed premises. clean its nozzles and working parts, stir the liquids in it and top it up, immediately record the date of having done so on a slip of paper and paste the same on the out side of such container ;

(II) Once in every year discharge each portable fire extinguisher provided in the licensed premises and recharge it and immediately record the date of such recharge in durable paint on the external surface of the container of the portable fire extinguisher ; and

(III) Stock at least five spare refills for the use of the fire- extinguishers.

37. Fire Regulations. – (1) The Regulations to be followed in case of the fire should be always pasted in some conspicuous place so that all people concerned shall be acquainted with the fire extinguishers.

(2) A report of any fire or alarm of fire, however slight, in the premises shall be atonce sent to the Store-Keeper, Public Works Department and to the nearest police station.

38. Lights.- Every protion of the cinema devoted to the use or accommodation of the public and also all out-lets leading outside the cinema including the corridors shall be well and properly lighted during every performance and the same shall be lighted until the entire public have left such premises.

39. Additional lights.- All "Exit" signs shall be fitted with an auxiliary bulb capable of properly illuminating the sign ; the bulb shall be kept burning throughtout the show from a separate circuit controlled by a separatac switch.

40. Electric lighting.- (1) Where electric light is reasonably available for use, no other illuminant shall be used for the purpose of the exhibition, the choking coils, switches, and fuses being installed in accordance with the instructions issued by the Electric Inspector from time to time. In any case no illuminant other than electric light or lime light shall be used for such purposes.

(2) The General lighting of the auditorium and exits shall not be controlled solely from within the enclosure :

Provided that the provisions of sub-rules (1) and (2) of this rule shall not apply to 'LOK CHHAVI'.

- 41. Engines, Boilers and Dynamos.** – (1) Where electric light is not available, all lime light supply tanks, boilers and engines and dynamos with engine used in connection with, the premises shall be placed in ventilated buildings of fireproof construction, and shall be separated from the cinema house and from each other by brick walls and fireproof, and shall be enclosed on one or more sides by external walls. All Door ways in such building shall have iron doors.
- (2) No coal, coke wood or other combustible material shall be so stored or placed that it is likely to be affected by the head of the furnace, boiler or other heating apparatus.
- (3) No petrol driven engines shall be allowed for generating electric current unless they are fixed in a fireproof compartment at least 10 feet from any other building.
- (4) Every fly wheel directly connected with an engine or other mechanical power and any part of the machinery which may be dangerous if left unfenced shall be kept securely fenced.
- 42. Check Boxes.-** All Check Boxes shall be fixed and placed in such position that they will not obstruct the exits.
- 43. Telephone.-** Every cinema shall be provided with a telephone where available which shall be fitted in such place and manner as the licensing authority may direct.
- 44. Latrines and Urinals.** – Every cinema, shall be provided with separate latrines and urinals for the use of males and females. Such latrines shall be respectively to a minimum scale of one and two per hundred seats.
- (2) In places where water supply is available water flushed latrines and urinals shall be provided, and where such supply is not available they shall be detached from the main building and shall be maintained in a sanitary condition and shall be drained in a soak pit.
- (3) Water flushed latrines and urinals shall discharge into a septic tank or sewer, which shall be at least 16t. by 3t. by 6ft. deep and shall be provided with two main holes with covers, sluge pipes, valves and chambers for cleaning. Effluent from such tank and sewer shall discharge into a soak pit.
- (4) Latrines and urinals, shall be constructed and maintained to the satisfaction of the Medical Officer of Health and shall be cleaned and rendered effectively disinfected after each performance.

- 45. Spittoons.-** (1) Every cinema shall be provided to the satisfaction of the Medical Officer of Health with a sufficient number of spittoons in suitable places for the use of the public.
- (2) The Spittoons shall contain a Strong disinfectant and shall be emptied after each performance.
- (3) Notices directing the attention of the public to the spittoons shall be provided in prominent places.
- 46. Enclosure for Apparatus.-** (1) The cinematograph machines shall be placed in a permanent enclosure of sufficient dimensions to allow the operator to work freely. The enclosure shall be substantially constructed of fire-resisting materials or lined with the same.
- (2) The entrance to the enclosure shall be fitted with a closely fitting door of fire-resisting material suitably placed and opening outwards and all openings, bushes and joints shall be so constructed and maintained as to prevent so far as possible the escape of any smoke into the auditorium. If means of ventilation are provided they shall not be allowed to communicate direct with the auditorium. The area of the ventilating ducts of the enclosure shall not be less than one percent of its floor area.
- Explanation.-* by 'bush' is meant packing inserted in the holes through which the pipes and cables pass in order to render such holes reasonably smoke-proof.
- (3) Openings not exceeding six in number shall be permitted in the front, face of the enclosure, the central one of which must not exceed 8 inches square and those on each side 6 inches square. The projector opening must not exceed 8 inches square and the other 6 inches square. Each opening shall be fitted with a screen of fire-resisting material capable of being actuated both resisting material capable of being actuated both from the inside and from the outside of the enclosure.
- (4) The unnecessary pipes and cables shall enter through efficiently bushed openings.
- (5) No unnecessary combustible material shall be allowed within the enclosure, and as far as possible all necessary combustible material, films and the like, when not in use shall be kept in fireproof receptacles suitable for the purpose.
- 47. Projector Machine.-** (1) The cinematograph machine shall be placed on firm supports of fire resisting materials.
- (2) The body of the machine shall be constructed of metal or lined with metal and asbestos in which case there must be an air space between the metal and the asbestos lining. The bottom of the machine must form a metal tray which shall be surrounded by a vertical edge at least one inch in depth.

- (3) It shall be provided with a metal shutter which shall fall automatically against the film gate, between it and the source of light.
- (4) The shutter shall automatically drop in the event of any accident to the machine or stoppage of the film and shall automatically rise only when the film is in motion for the purpose of projection.
- (5) The film gate shall be of massive construction and provided with ample heat radiating surface and passage for the film shall be sufficiently narrow to prevent half travelling upwards or downwards from the light opening.
- (6) All cinematograph projectors shall be fitted with two metal film boxes of substantial construction and more than 17 ½ inches in diameter, inside measurement to and from which the films shall be made to travel.
- (7) Such boxes shall be of approved construction, shall be made to close in a manner which prevent the ingress of fire and shall be fitted with a film slot so constructed as to prevent the passage of flame to the interior of the film box.
- (8) Spools shall be chained or gear driven and films shall be wound upon spools so that the wound film shall not at any time reach or project beyond the edge of the flanges of the spool.
- (9) All films when not in the cinematograph machine and while still in the enclosure, shall be contained in closed metal boxes.

48. Electric Installation inside the enclosure. – (1) Within the enclosure the insulting material of all electric cables, including those leading to illuminating lamps, shall be covered with fire-resisting material. If the electric pressure to the cabin exceeds 125 volts, all cables inside the cabin shall be enclosed in screwed metal conduits connected to the earth. Lead covered cables shall not be used unless enclosed in such conduits. No electric current at a higher pressure than 110 volts shall be used within the enclosure when a cinematograph apparatus is working :

Provided that an electric current at a pressure of 230 volts may be used in a cinema, if special precautions to be decided by the Electric Inspector have been undertaken under his directions. This proviso shall apply to those equipments which have been in operation prior to the coming into force of these rules.

- (2) The cables from the cinematograph machine shall be taken as a separate circuit from the source of supply and from the supply side of the main fuses in the general lighting circuit on the premises and there shall be efficient switches and fuses inserted at a point where the supply taken and in addition an efficient doublepole switch shall be fitted in the cinematograph lamp circuit inside the enclosure.
- (3) Resistance frames shall be made entirely of fire-resisting material and shall be so constructed and maintained that no coil or other part shall at any time become

unduly heated. All resistances with the exception of resistance for regulating purposes shall be placed outside the enclosure and if reasonably practicable outside the auditorium if inside the auditorium they shall be adequately protected by a wire guard or other efficient means of preventing accident contract. They shall not be permitted to become so heated that a piece of dry newspaper placed in contact with any part of resistance would readily ignite.

- 49. Provisions relating to use of limelight.** – (1) If limelight is used in the cinematograph lantern the oxygen and hydrogen gas shall be contained in cylinder and each such cylinder shall be accompanied by a certificate signed by the manufacturers to the effect that it has been tested and filled in conformity with the requirements set out in the schedule. The tubing shall be of sufficient strength to resist pressure from without and shall be properly connected up.
- (2) No gas shall be stored or used except in containers in accordance with the requirements contained in the schedule.
- (3) No ether or volatile and inflammable liquids shall be employed under any circumstances for producing light.
- 50. Fire precautions in the enclosure.-** (1) Two liquid chemical extinguishers one fire extinguisher using carbon tetrachloride acid one bucket of sand, two buckets of water and a damp blanket shall be kept inside the enclosure. A large sponge shall be kept in one of the buckets of water. One liquid chemical extinguisher shall also be kept immediately outside the enclosure.
- (2) No smoking shall at any time be permitted within the enclosure or the auditorium.
- 51. Winding Rooms.-** (1) The winding room shall be constructed entirely of fire-resisting materials and shall be large enough to allow the winder to operate freely. It shall be constructed apart from the projection room and auditorium, but the licensing authority may for reasons to be recorded, permit the winding room to adjoin the projection room. The winding room shall have no openings in the wall so as to permit communication with the auditorium or public passage ways.
- (2) The winding Room Shall be closed by a closely fitting self closing door of fire-resisting materials which shall only be open for ingress and egress and shall remain closed during the entire period that the cinematograph exhibition is in progress. Suitable arrangements shall be made for ventilation in the winding room and one or more electric fans of suitable dimensions shall be provided by the licensee.
- (3) Only electric lines shall be used in the winding room and any lamps in proximity to the film shall be closed in a stout fitting design to prevent breakage of the bulb.

- (4) The spools shall be chain or gear driven and films shall be so wound upon the spools that the wound film shall not, at any time, reach or project the edges of the flanges of the spool.
- (5) The winding of films shall not be carried out in the projection room while an exhibition is in progress.
- (6) Excepting a film which is being wound or stored, no inflammable article shall unnecessarily be taken into or be allowed to remain in the winding room.
- (7) All cinemas in permanent buildings shall, without exception, be required to provide and use a winding room in accordance with the above requirements.
- (8) Not more than 200 lb. of explosive cinematograph film shall be stored in the premises to which this licence relates, unless a specific licence has been obtained from the Chief Inspector of Explosives in India as required by the Cinematograph Films Rules, 1948.

PART IV

Rules regarding temporary buildings or enclosures and special cinematograph exhibitions.

- 52. Requirements of temporary enclosure.** – A temporary enclosure shall fulfil the following requirements :-
 - (1) It shall consist of a smoke-proof box constructed of sheet iron or steel or a substantial framework and securely fastened together. The internal height from the floor to roof shall be a least ten feet. The floor shall be forty-eight square feet. The room shall be of such width as may allow sufficient space behind the machine for the operators to pass easily.
 - (2) All apparatus within a temporary enclosure shall satisfy the requirements prescribed for similar apparatus in a permanent building except that such apparatus may be of a portable type.
- 53. Conditions in respect of touring cinemas.**- The cinematographs apparatus shall have been certified by the Electric Inspector within a year of the date on which the exhibition is given, to be usable without danger to the public.
- 54. Inspection of touring cinematographs.**- (1) Touring cinematographs used for giving public exhibitions shall be brought for the purposes of inspection by the Electric Inspector to a town where a licence under the Act has been granted once in every three years.
 - (2) It after such inspection the Electric Inspector is satisfied that the touring cinematograph is without danger to the public he shall issue a certificate to this effect.

- 55. Exhibitions in tents, etc.-** In the case of exhibitions given in tent or booth or in any shelter or structure composed of, or covered with combustible materials or of movable character the cinematograph apparatus shall be operated from outside such tent, booth, shelter or structure and shall be placed at a distance of at least six feet therefrom.
- 56. Only qualified operator to remain present.-** No person other than a qualified operator, employes by the licensee and holding a certificate granted by the Electric Inspector or an apprentice duly authorised by the licensee under rule 70 shall be allowed to enter or to be in the enclosure or the 'reserved space' while an exhibition is in progress.
- 57. Inflammable articles and smoking.-** No inflammable articles shall unnecessarily be taken into, or allowed to remain in, the enclosure or 'reserve space' no smoking shall be permitted therein and no naked light shall be used therein.
- 58. Drapery and unprotected combustible materials.-** No drapery and no unprotected combustible materials other than such materials as may compose the floor shall be within six feet of the cinematograph apparatus.
- 59. Fire Appliance.-** The following fire appliances shall be provided viz. a bucket of sand, two buckets of water, a damp blanket and one portable chemical fire extinguisher of pattern class and capacity approved by the licensing authority and such other appliances as the licensing authority may prescribe. They shall be so disposed as to be readily available for use in case of fire within the enclosure.
- 60. Films not in use.-** All films not in use shall be kept in securely closed fire-resisting receptacles.
- 61. Means of exit. –** (1) Adequate means of exit shall be provided as prescribed by the licensing authority.
- (2) Without prejudice to the generality of the foregoing subrule, no tent, booth or similar structure shall be used for the purpose of a cinematograph exhibition, if it enclosed by a wall or walls which do not permit of adequate means of egress and which are erected within 30 feet of such tent, booth or similar structure.
- 62. Seating.-** The seating shall be so arranged as not to interfere with free access to exits, and both exits and passages and gangways leading to them shall throughout the performance be kept clear of all obstacles.
- 63. Touring cinematographs to be licensed only where there is no permanent cinema.-** Licenses to touring cinematographs shall only be granted for places where there are no permanent cinemas.

Provided that the Government or the District Magistrate may in a particular case permit the exhibition of films for purposes by temporary, touring on Open Air Cinemas within 5miles radius of permanent cinema.

- 64. Pandal used during special cinematograph exhibition or by touring cinematographs.-** (1) In every pandal construction of inflammable material, there shall be kept on each side an opening at least seven feet high and eighteen feet wide. The opening may be closed by tattis fixed on split bamboo frame, fastened by twine on the inside but so to be easily removable.
- (2) Doors and openings not ordinarily in use may be covered or closed by mats, screen or similar material so as to prevent removal by light pressure from inside building or structure.
- 65. Notice for special cinematograph exhibition.-** No cinematograph exhibition shall be given in any premises where such exhibition is not a regular feature, unless notice has been given, at least ten clear days before the exhibition is due, to the licensing authority.
- 66. Exemption of special cinematograph exhibition from certain provisions or rules.**
– Where a cinematographs exhibition is to be given in an institution, club or other place and it is not practicable to provide therefore a fire proof enclosure the licensing authority may, for reasons, to be recorded, dispense with the requirements of any of the foregoing rules. A space of six feet shall, however, be railed off all around the cinematograph apparatus, if the provisions applicable to temporary enclosure are for any reasons relaxed. No drapery and no unprotected combustible material other than film or that composed by the floor shall be within six feet of the cinematographs apparatus. Adequate precautions shall be taken against the probable out-break of fire and for the safety of the film.

PART V

Licence and other fees.

- 67. Fees.-** (1) The fee for a license or renewal of a license inclusive of the inspection by the Public Works Department Officer and the Health Department Officer shall be as follows :
- (1) (a) for a permanent cinema. –
- | Number of seats | Licence fee for one year |
|-----------------|--------------------------|
| Upto 200 | Rs. 150 |
| 201 to 500 | Rs. 200 |
| 501 and over | Rs. 250 |
- (b) For a quasi permanent temporary or touring cinema.-
- | | |
|--------------|--------|
| Upto 200 | Rs. 30 |
| 201 to 500 | Rs. 40 |
| 501 and over | Rs. 50 |

Note :- The fees prescribed under these rules are inclusive of one or more inspections made for issue of a fitness certificate and no additional charge shall be made for inspection subsequent to the first inspection for rectification for defects.

- (2) A separate fee of Rs. 50/- shall be paid for the inspection of electric installation in a cinema.
- (3) The application fee for making any alteration or addition in a Cinema License shall be Rs.1 and that for a duplicate license shall be Rs. 2/-. The fee shall be paid by means of a treasury challan.

PART VI Operators and Apprentices.

68. Certification of operators.- (1) During an exhibition the enclosure shall be in charge of a qualified operator of not less than 18 years of age, who holds a certificate (XXX) granted by the Electric Inspector to the effect that he is competent to handle and operate a cinematograph.

(2) An operator shall not be granted a certificate unless he –

- (a) possesses a working knowlege of cinematograph machine and a paricular technical knowlege of the type of machine which he is at the time employed in operating ;
- (b) is already conversant with the rules relating to cinematograph exhibitions and precautions against fire ;
- (c) is acquainted with the most speedy and effective methods of dealing with fire ;
- (d) possesses a fine knowledge of the elements of electric power direct and alternating current, voltage and the like ; and
- (e) is proficient in the handling winding, repairing and efficient cleaning of films ;

(2-A) An operator may obtain a certificate from the Electric Inspector having jurisdiction by presenting himself within a period of 3 months from the date of his appointment, before the said Inspector at his Headquarters or at any other place the Inspector can examine the operator. If for valid reasons the Inspector is not in a position to examine the applicant, he may extend the time limit not exceeding 2 months in writing to the applicant under intimation to the licensing authority.

(3) The Electric Inspector may, after issuing a notice to the operator and after considering his reply if any, withdraw a certificate granted by him, for the reasons to be recorde in writing.

(4) In regard to the grant and withdrawal of certificate, the Electric Inspector shall act under the general supervision of the licensing authority.

- (5) The fee for grant of a certificate shall be ten rupees and a duplicate copy thereof may be granted on payment of a fee of two rupees.
69. Duties of operators incharge.- the oprator-in-charge shall –
- (a) Be present in the enclosure and devote his whole attention to the cinematograph during the whole time and it is being operated ;
 - (b) Before the commencement of an exhibition, satisfy him-self that all cables, leads, connections and fire extinguishing appliances in the enclosure are in proper working order ;
 - (c) inspect the resistances, if not under constant observation, at least once during each performance and switch off the current any faults is detected ; and
 - (d) not allow the film to travel through the machine at a greater speed than 100 feet a minute.
70. **Apprentices.**- An apprentice duly authorised by the licensee may be allowed in the enclosure. Such apprentice shall not be less than sixteen years of age and shall not be permitted to operate the cinematograph apparatus except in the presence of the operator-in-charge.
71. **Person under drunk prohibition from operating.**- No person shall operate a cinematograph or be within the enclosure while under the influence of liquor or any other intoxicant.
72. **List of Operators.**- Every incensee shan rurnish the licensing authority with a list of operators employed by him and, when ever any operator is engaged by him, he shall furnish the licensing authority and the Electric Inspector with particulars regarding him before he is allowed to commence work.

PART VII Miscellaneous.

73. **When license may not be granted.**- No licence shall be granted or renewed in favour of any person unless (i) he or his agent is residing in the city, town or area within which the cinematograph exhibition is intended to be given, and (ii) the licensing authority is satisfied that the requirements of these rules have been fully complied with.
74. **Special conditions of a licence.**- In addition to the conditions laid down by the Act and these rules, the following conditions shall be deemed always to be inserted in every licence :-
- (i) No fire work shall be used as an adjunct to a cinematograph exhibition.

- (ii) Save as the licensing authority may be written order permit, no loudspeaker, gramophone, band, drum, bell horn, whistle, siren or musical instrument of any kind shall be employed or allowed to be used as an advertisement or to attract attention in or outside the cinema nor shall any device be employed which is designed or serves to deliver the entertainment to persons outside the cinema.
- (iii) No poster advertisement, sketch, synopsis or programme of a film shall be displayed, sold or supplied either in or anywhere outside the license place which is likely to be injurious to morality or to encourage or incite to crime or to lead to disorder or to offend the feelings of any section of the public or which contains offensive representation of living persons.
- (iv) If any accident occurs in a licensed place and such accident results in personal injury or is likely to have resulted in personal injury or loss of life the licensee shall give notice in writing of such accident to the licensing authority Electrical Inspector Government of Rajasthan within 24hours of its occurrence; and if the accident results loss of life, the notice shall be given by an express telegram to be confirmed in writing within 24 hours of the occurrence by the Electric Inspector to Government of Rajasthan of any officer specially appointed to assist him in this behalf, the licensee shall not interfere with or remove from the scene of the accident any electrical, mechanical apparatus, wiring, furnishing, etc. which may have been involved in the accident.
- (v) No portion of any cinema house or its permises shall be occupied or used as a hotel, boarding or lodging house, factory, workshop or manufactory, or for storage or residential purposes except as the licensing authority may for the time being allow.
- (vi) No public meeting, promenade concert, boxing wrestling, dancing, music, public ball or any other public performance or enterainment shall be permitted in such premises without the consent of the licensing authority.
- (vii) All parts of the cinema shall be properly and sufficiently ventilated.
- (viii) The licensee shall conduct his occupation or business in an orderly manner.
- (ix) The licensee shall in no way be regarded as not being subject to the laws for the time being in force with regard to liquor, intoxicating drugs and opium.
- (x) No smoking shall at any time be permitted within the auditorium or the enclosure.
- (xi) Free access to a cinema shall be given at all hours to any Police Officer attending the same in the execution of his duty and to the officers mentioned in rule 11 to 12.
- (xii) (XXX)

74-A Orderly behaviour in cinema.- (1) No person in a drunken state shall enter the cinema or smoke in the auditorium or enclosure and no person shall spit (xxx) on the ground or the walls of the auditorium or the enclosure.

(2) Any person contravening the provision of sub-rule (1) Shall be liable to summary ejection from the cinema without payment of compensation. Any such person shall also be liable on conviction, in the case of first offence to a fine not exceeding Rs. 25/- and in the case of second and every subsequent conviction to a fine not exceeding Rs. 100/-

(3) Any Police Officer not below the rank of a Sub-Inspector may arrest without warrant any person who is found smoking or spiting or in a drunken state within the auditorium or the enclosure.

75. Period of appeal.- An appeal under sub-section (3) of section 5 of the Act shall be preferred by the aggrieved person to the District Magistrate against the order of S.D.M. (Licensing authority) and to the State Government in the Home Department against the order of the District Magistrate within thirty days of the communication to him of the order.

75-A. Revision by the State Government.- (1) The State Government may suo moto or on the application of any person aggrieved by the order of the licensing authority passed under section 5-a of the Act granting or refusing a licence permission for construction or re-construction or for use of or the installation of any machinery in any place or building to be used exclusively for the purpose of cinematograph exhibitions, call for the record of the licensing authority, for the purpose of satisfying as to the correctness, legality or propriety of the order of the licensing authority and may pass such order as it thinks fit.

(2) No application for revision shall be entertained by the State Government under sub-rule (1) unless it is filed within a period of 30 days from the date order of the licensing authority excluding the time spent in getting a certified copy of the order.

75-B. Prohibition of sale etc. of cinema tickets by corrupt means.- (1) No person, other than a person who has obtained a licence for exhibition under the Rajasthan Cinemas (Regulations) Rules, 1959, or his agent duly authorised by him in this behalf shall or keep or offier or expose for sale or cause to be sold or cause to be kept or expose for sale any ticket for admission including any pass or other evidence of the right of admission to any cinema.

(2) No Person shall, by resorting to any corrupt practice or by influencing any person who has obtained a licence for exhibition under the Rajasthan Cinema Regulation Rules, 1959 or his agent or otherwise purchase or obtain possession of or keep in his possession, any such ticket for number admisssion to any cinema in excess

of the normally required for the use of the members of his household and not more than four for his guests, if any.

(3) A person violating the provisions of sub-rules (1) and (2) above shall, on conviction, be liable to pay a fine not exceeding Rs. 25/- for the first offence and a fine not exceeding Rs. 100/- for each subsequent offence.

(4) Any Police officer not below the rank of a Sub-inspector may arrest without warrant and eject from the Cinema without payment of compensation, any person who is found contravening the provisions of this rule within the Cinema premises.

PART VIII
Cinema exhibitions in educational or industrial establishments and in the open air.

- 76. Application of rules to educational institutions, in dustrial establishments and open air cinemas.** – The rules in this part and rule 3 in Part II will apply to the cinematograph exhibitions in-
- (A) Educational institutions,
 - (B) Industrial and business establishments, and
 - (C) Open air cinemas.
- 77. Inspection of electrical equipment by Chief Electrical Inspector.-** The electrical equipment shall be initially inspected by the Chief Electrical Inspector or an officer deputed by him who shall send a report to the licensing authority within a period not exceeding one month from the date of receipt of application. A fee of rupees five shall be paid into a Government Treasury to the credit of the Government and the treasury receipt furnished to the Chief Electrical Inspector. But 35 mm. projector installations, which show feature films and admit the general public, shall be inspected once in every year and their clectrical certificate renewed.
- 78. Grant of free licenses.-** The licensing authority may grant a free-licence in From 'F' within two weeks from the date of receipt of the report referred to in rule 77.
- 79. Open air cinema licenses.-** While granting licenses for open air cinemas, the licensing authority shall take into consideration the interests of permanent and touring cinemas in the neighbourhood.
- 79-A. Cancellation and suspension of a licence.-** On the breach of any of these rules and/or any of the conditions or special conditions subject to which a licence was granted, the licensing authority may after issuing a notice to the licensee and after considering his reply if any, cancel or suspend the licence for the reasons to be recorded in writing.

- 80. Supersession of previous rules.-** "The Rajasthan Cinema (Regulation) Rules, 1953" are hereby superseded :

Provided that anything done or any action taken under the rules so superseded shall be deemed to have been done or taken under these Rules and shall continue to be in force accordingly.

FORM (A)
Application
(See Rule 4, Part II)

1. Full name of the applicant.
2. Address of the applicant Village Tehsil District
3. Status and previous experience of the applicant.
4. Is the application for a permanent or touring cinema ?
5. Place where the cinema is proposed to be located, survey number or numbers of the plot or plots, village, district.
6. Site plan drawn to a scale of not less than one-fortieth of an inch to a foot covering an area upto 200 yards from the boundaries of the proposed site showing:-
 - (1) the position of the proposed premises in relation to any adjacent premises and to the public thoroughfare upon which the site such premises abuts ; and
 - (2) the attached sheds, if any in the neighbourhood.
7. Possession by the applicant of other places, if any, licensed under the Act.-
 - (a) whether in the same locality or elsewhere;
 - (b) whether at the time of applying for licence or at any previous time.
8. Distance by public road of the proposed site to the nearest.-
 - (1) Permanent cinema;
 - (2) Touring cinema;
 - (3) School;
 - (4) Hospital;
 - (5) Temple or other religious institution.
9. Interest of the public generally likely to be served by the location of the cinema.
10. Population of the place according to the latest Census figures.
11. Suitability of the place where the cinema exhibitions are proposed to be given.
12. Adequacy of the existing places for the exhibition of cinema films in the locality.
13. Benefit to any particular locality or localities to be afforded by the opening of a new place of cinema exhibition.

Date :

Signature of applicant.

FORM B
No Objection Certificate
 (Rule 4-A, in Part II)

In exercise of the powers conferred by section 5A (2) of the Rajasthan Cinemas (Regulation) Act, 1952, I _____ Collector of _____ k8 _____ do hereby grant this Certificate that there is no objection to Shri _____ son of _____ resident of village _____ Tehsil _____ District _____ locating a permanent/touring cinema in the land belonging to Shri _____ at village _____ Tehsil _____ District _____

The site where the cinema is to be located is specified below :-

(Please give here the description of the site as in Form A).

(XXX)

Given under my hand this _____ day of _____ 19

Collector of
Licensing Authority.

FORM (C)
Licence for exhibition under the Rajasthan Cinemas
(Regulation) Rules, 1959
 (Rule 4, in Part II)

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. Situation of the place or building.
4. Area of the place or building in square feet.
5. Whether the place or building is to be used during the day or during the night or both.
6. Date of last inspection by the Chief Electrical Inspector or Officer authorised by him.

Special conditions, If any, on which the licence is granted.-

Period for which the licence is to be in force. Fees paid

Maximum number of persons permitted in each part of the auditorium:-

In the Class	Persons
In the Class	Persons
In the Class	Persons
In the Class	Persons
Total	Persons

Conditions of Licence.

This licence is granted subject to the provisions of the Rajasthan Cinemas (Regulation) Act, 1952 and the rules made there under. It is also subject to the following conditions. The terms and conditions of the licence, as inserted, may be modified or added to at any time during the currency of the licence :-

- (1) This licence does not exempt the licensee or his servants or agents from taking out any other licence required by or otherunder.
- (2) (a) The licensee shall not exhibit or permit to be exhibited any film other than a film which has been certified as suitable for public exhibition by the authority constituted under section 4 of the Cinematograph Act, 1952 and which, when exhibited displays the prescribed mark of that authority, and has not been altered or tempered within any way since such mark as affixed thereto:
 Provided that an exhibitor may be allowed to exhibit a film if the censor piece of the film has worn out in the usual course and if the exhibitor possesses an authenticated copy of the original censor certificate.
- (b) The licensee shall not exhibit or permit to be exhibited, in the 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 4 of the Cinematograph Act, 1952, as suitable for public exhibition restricted to adults.

Explanation :- This condition shall not be construed as prohibiting the exhibition of a film, in respect of which an "A" certificate has been granted, to children in arms below age of three.

- (c) 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 shot which has been excised from any film under the orders of the Central Board of Film Censors or the Central Government.
- (d) 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 :-
 - (I) The title of each film to be shown on that day, other than trailers, and advertisement films ;
 - (II) The approximate times of commencement of each such film ;
 - (III) whether each such film received an "A" or "U" certificate from the Central Board of Film Censors; and
 - (IV) whether persons below the age of 18 years. other than children below the age of 3 years, will be admitted or not?

- (e) The nature of any certificate received in respect of a film from the Central Board of Film Censors shall clearly be indicated by the letter 'U' or 'A' in any advertisement of the film displayed at the premises.
- (3) 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.
- (4) The licensee shall not permit obscene or objectionable posters or pictorial publicity material to be displayed in the licensed premises.
- (4-A) The licensee shall send previous information of every film having 'A' certificate proposed for exhibition to the District Magistrate and the District superintendent of Police simultaneously at least three days before the date of the proposed exhibition.
- (5) The grant of this licence is subject to any orders that may be passed by the State Government under section (4) of the Act.
- (6) The rates of payment for admission to the different classes in the licensed premises shall be as indicated below. These rates may be revised once in a year by the licensee subject to the condition that the increase in such rates shall not be more than 15% of the existing rates. However before revising the rates, the licensee shall inform the Licensing Authority about such revision, at least thirty days prior to the date of revision of the rates.
Explanation:- For the purpose of this condition, year means financial year i.e. 1st April to 31st March.
- (7) The licensing authority and any subordinate duly authorised by him in that behalf and any police officer deputed to keep order during any entertainment in the licensed premises shall, at all times, have free access to the said premises in order to see whether the conditions of the license are fulfilled.
- (8) The licensee shall comply with such directions as the State 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.
- (9) The licensee shall also comply with such directions as the licensing authority may give in regard to the exhibition of slides in each performance.
- (10) No firework shall be used as an adjunct to a cinema exhibition.
- (11) No Person shall be admitted within a line... feet in front of and parallel to the screen. A strong barrier or other efficient partition shall be provided for enforcing this condition.
- (12) The licensee shall not, without the permission of the licensing authority assign, sublet or otherwise transfer the licence or the licensed premises nor shall the licensee without permission as aforesaid allow any other person during the period of currency of the licence, to exhibit films in the licensed premises.

- (13) In the case of travelling cinema shows the address on the first day of each month and of every subsequent change of camp shall be notified to the Electrical Inspector.
- (14) The licensed premises shall not be kept open after on any day without obtaining special permission in writing from the licensing authority in respect of such day.
- (15) The licensee shall ensure that no dispute arising out of ownership or possession of the site, building or equipment is likely to cause any breach of the peace at any time.
- (16) This licence shall be subject to cancellation or suspension for the breach of any of these conditions or the special conditions specified on the reverse.

Dated the.....day of.....

Seal of the District Magistrate.

FORM (D)

[See rule 10 (b) in Part II]

GOVERNMENT OF RAJASTHAN
ELECTRICITY DEPARTMENT

Office of the Electrical Inspector, Rajasthan

Certificate No. _____

Dated _____

Certificate of the cinema apparatus and plant, electric installation firefighting appliances and fire precautionary measures.

Under rule 10(b) in Part II of the Rajasthan Cinemas (Regulation) Rules, 1959, I certify that the enclosure the cinema apparatus and plant and the electrical installation of the cinema known as _____ and more particularly described overleaf of which Shri _____ is the managing proprietor and Shri _____ is the manager or person in charge at _____ on ____ are

for silent (i.c. non-talkie)

in order _____ films only.

both silent and talkie

- (2) I also certify that the rules regarding the fire fighting appliances and fire precautionary measures in the licensed premises and rules 36 and 37 in Part VII and rules 57, 58 and 59 in part IV have been complied with.
- (3) This certificate is valid for a period of _____ from _____ to _____ but is liable to revocation within that period.

[Reverse]
DETAILS OF EQUIPMENT

Equipment	Maker's name	Number	Capacity
Engine			
Motor			
Generator			
Rectifier			
Projector			
Converter			
Transformer			
Amplifier			
Fire extinguishers			

Note :- For renewals, a chalian for Rs. _____ towards fee for inspection under rule 10(B) should be sent reach the [Electric Inspector] on or before the _____

FORM (E)

[See rule 8 in Part II]

*Temporary permit for exhibition under the Rajasthan
Cinemas (Regulation) Rules, 1959,*

Whereas _____(full name and address) has applied for the renewal of his licence and the said licence has been retained in any office pending disposal of his application, he is hereby permitted temporarily to exhibit films in_____ (here enter description of premises under the Rajasthan Cinemas (Regulation) Act, 1952, for a period of one month from this date, subject to the provisions of rule 3 in Part II and the provisions of rules in Part III of the Rajasthan Cinemas (Regulation) Rules, 1959.

Dated the _____ day of _____

Collector.

It, on an application for the renewal of a licence made under rule 3, the licensing authority does not any reason before the date of expiry of the licence, either renew and return the licence or refuse to renew the same, he shall grant a temporary permit in From E provided that the Chief Electrical Inspector's certificate continues to remain valid.

Such temporary permit shall be subject to the conditions of the licence sought to be renewed, and shall be valid for period of one month from the date of the grant thereof and may be renewed by the licensing authority for further period of one month at a time :

Provided that the temporary permit shall cease to be valid and shall be surrendered to the licensing authority on the applicant receiving the licence duly renewed or on his receiving an order refusing to renew the licence :

Provided further that the temporary permit shall be surrendered to the licensing authority on demand made at any time in the behalf.

The temporary permit shall, during the period of its validity, be deemed to be a licence for the purpose of these rules.

FORM (F)

[See rule 78 in Part VIII]

*Licence for exhibition under the Rajasthan
Cinemas (Regulation) Rules, 1959,*

Name and address of licensee.

If the licensee is not the owner of the place or building, the name and address of the owner thereof.

Situation of the place or building.

Area of the place or building in square feet.

Material of which the roof, sidewalls, gallery and staircase are made.

Whether the place or building is to be used during the day or during the night or both.

Date of inspection by the Chief Electrical Inspector or officer authorised by him.

Period for which the licence is to be in force.

Conditions of licence.

This licence is granted subject to the provisions of the Rajasthan Cinema (Regulation) Act, 1952 and the rules made there under. It is also subject to the following conditions. The terms and conditions of the licence as inserted, may be modified or added to at any time during the currency of the licence :-

- (1) This licence does not exempt the licensee or his servants or agents from taking out any other licence required by or otherwise complying with any other law or rules or bye law made thereunder.
- (2) 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.

- (3) The licensee shall not permit obscene or objectionable posters or pictorial publicity material to be displayed in the licensed premises.
- (4) 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 shot which has been excised from any film under the orders of the Central Board of Film Censors, or the Central Government.
- (5) The licensing authority and any subordinate duly authorized by him in that behalf and police deputed to keep order during any entertainment in the licensed premises shall at all times have free access to the said premises in order to see whether the conditions of the license are fulfilled.
- (6) No firework shall be used as an adjunct to a cinema exhibition.

Dated _____ the day of _____

Seal of the Collector.

RAJ CINEMAS REGULATION ACT, 1952
NOTIFICATIONS UNDER

SECTION 4

1. [Notification No. 1/7(2) Home V/82 dated 26-3-1983, Pub. in Raj. Gaz., Ext. Part IV-C(II), dt. 30-03-1983 p. 497.]

S.O. 235.-In exercise of the powers conferred by proviso to S.4 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act 30 of 1952), the State Government hereby constitutes a Committee consisting of the following to be the Licensing Authority for the purposes of the said Act, in the cities/towns having population of one lakh and above :-

1.	Home Secretary	Chairman
2.	Secretary Local Self Govt. Department	Member
3.	Commissioner Commercial Taxes Department	Member
4.	Special Secretary, Finance	Member
5.	District Magistrate concerned	Member
6.	Chief Town Planner, Rajasthan	Member
7.	Special Secretary Home (Security) Department	Secretary

2. The above notification has been withdrawn in the cities having population over one lakh and above vide notification dated 15-03-1988 ; Pub. in Raj. Gaz., Part IV-C (II), dt. 14-4-1988, p.8.

SECTION 5

3. [No. D 3389/F. 14 (29) Home-D/60 dated 02-08-1960 ; Pub. in Raj. Gaz., Part IV-C, Dt. 18-08-1960 P.285]

In pursuance of the provisions of sub-section 3 of section 5 of the Rajasthan Cinemas (Regulation) Act 1952 (Raj. Act 30 of 1952) the State Government hereby specified every Divisional Commissioner as the officer to whom the appeals under the aforesaid subsection of the said Act might be preferred with in his respective jurisdiction.

4. [No.F21(27) Home-(A-Gr. II)/60), dated June 13, 1961 ; Pub.in Raj. Gaz., Part IV-C, 13-07-1961 Page 161]

This department notification No. D.3389-F. 14/29/Home(D)/60 dated the 2nd August, 1960 issued in pursuance of the provosions of Sub-Section (3) of section 5 of the Rajasthan Cinemas (Regulation) Act, 1952 (30 of 1952) and published in Rajasthan Rajpatra No. 20 dated 18-08-1960 at page No. 285 of Part IV C is hereby cancelled.

SECTION 6

5. [No.F 12(34)/Cine/ Home-D/53- Dated 12-08-1959, published in R.G.G. 4-C, Dated 15-10-1959, p. 771].

In exercise of the powers conferred by S. 6 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act XXX of 1952) and in supersession of the notification No. F.12(34) C-Home II/53 dated the 25th Novermber, 1954, the Government of Rajasthan hereby issues to every licensee under the said Act in the State of Rajasthan the following directions which shall have effect from the date of the publication of this notification in State Gazette of 1965.

1. The Licence shall so regulate the exhibition of cinematograph films that, at every performance open to the public, approved films are exhibited, the approved films to be exhibited, in relation to other films at every such performance being in the same proportion as one is to five or the nearest lower or higher approximation thereto.
2. Only such films produced in India as are approved by the Central Government after considering the recommendations of the Film Advisory Board, Bombay to be scientific films, films intended for educational purposes, films dealing with news and current events or documentaty films shall be deemed to be approved films for the purposes these directions.
3. Nothing contained in these directions shall be construed as requiring the licensee –
 - (a) to exhibit at any performance more than 2,000 feet of approved films of 3mm size of the corresponding footage of approved films of 16mm size or
 - (b) to exhibit any approved film for more than two weeks continuously ; or

- (c) to re-exhibit any approved film which has been shown for two continuous weeks ; or
 - (d) to exhibit approved films to the full extent indicated hereinbefore in the event of sufficient number of length of approved films not being available for the time being.
4. For the purpose of computing the corresponding footage of films of 16 mm size in relation to films of 35 mm size, 400 feet of films of 16 mm size shall be deemed to be equivalent to 1,300 feet of films of 35 mm size.

SECTION 7

6. [No.F 12(23) Home/Gr. VI/73 Dated, July 25, 1973 ; Pub. in Raj. Gaz. Part-IV C Dated 26-07-1973 page 81]

S.O. 82.- In exercise of the powers conferred by Sub-section (2) of Section 7 of the Rajasthan Cinemas (Regulation) Act 1952 (Act No. XXX of 1952) the State Government hereby modifies the order No. F. 22-6 (2)Judl/73/1999 dated 19th June, 1973 and No. 302427/JA dated 25th June 1973 issued under sub-section (1) of section 7 of the aforesaid Act by the District Magistrates, Bikaner and jaipur respectively, imposing ban on the exhibition of film 'Prabhat' in their respective District to the extent that only the revised version of the Film 'Prabhat' in which the indiscriminating portions have been deleted is allowed to be exhibited.

SECTION 11

7. [No.F 12(234) Home 11/52, dated 14-07-1953 ; Pub. in Raj. Gaz., Part I, dt. 25-07-1953 P. 491].

In exercise of the power conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, the Government of Rajasthan hereby exempt exhibitions of Cinematograph films in any place in the State of Rajasthan for the purpose of their examination by the Central Board of Films Censors, its Committees, its advisory Panels and its officers from the operation of all the provisions of the said Act and the Rules made thereunder.

8. [No.F 12(234) Home 11/52(ii), dated 14-07-1953 ; Pub. in Raj. Gaz., Part I, dt. 8-8-1958 Page. 555 and as amended by Notification No. F. 12(234)Home II-52(II) dated 14-11-1953 pub.in Raj. Gaz. part I dated 28-11-1953 at page 945].

In exercise of the power conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, the Government of Rajasthan hereby exempt exhibition of Cinematograph films whether in a finished or an unfinished state in film studios and

projection theatres outside film studios in the State of Rajasthan solely for the purpose of dubbing, synchronising checking and technical analysis or for any Purpose connected with the production of a film or for the purpose of obtaining advance publicity or for a purpose connected with the sale or renting of a film to a distributor or an exhibitor, from the operation of all the provisions of the said Act and the Rules made thereunder subject to the following conditions, namely :-

- (I) No person other than the producer, director, technicians, artists, advisers and others engaged in or for the production of the film, and representative of the press and distributors and exhibitors invited in connection with arrangements for advance publicity or negotiation for the sale or renting of the film shall be admitted or have access to the place where the exhibition is held.
- (II) Omitted.
- (III) If inflammable films are used, the rules for precaution against, and for prevention and extinction of fire, in force in the State shall be observed.
- (IV) The owner or the person-in-charge of the film studio or the projection theatre shall, at least 15 days before starting exhibition of films, make a written report to the chairman, Central Board of Film Censors, Bombay, giving the following particulars, and shall be bound to supply such further particulars or furnish such further reports as may be specified by the Chairman, Central Board of Film Censors Bombay :-
 - (a) Name of the film studio or the projection theatre (with full address) :
 - (b) Name of the owner or the person incharge of the film studio or the projection theatre ;
 - (c) Date from which exhibition of films under the exemption will be started ;
 - (d) Nature of Films that will be exhibited ; and
 - (e) Working hours of the film studio or the projection theatre.
- (V) Employees of the State Government, the Chairman and the Regional and Assistant Regional Officers of the Central Board of Film Censors engaged in the discharge of their official duties, shall be admitted to the shows where exhibitions are held and to the film shows.

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9. [No. F. 12(30)C-Home III/54, dated October 12, 1954 ; Pub. in Raj. Gaz. Part I (b) dt. 23-10-1954, Page 496]

In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act No. XXX of 1952). the Government of Rajasthan is hereby pleased to exempt M/s Horlicks, Ltd., Calcutta, from the operation of the provisions of section 3 of the said Act in respect of 16 m.m. Publicity films for exhibition throughout Rajasthan, provided that no admission fees are

charged by them, and the place where the exhibition is intended to be given is got approved by the local Superintendent of Police.

10. [No. F.39(11)C-Home-C/55 dated 27-04-1955 ; Pub. in Raj. Gaz., Part I (B), dt. 14-05-1955 page 101].

In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act No. XXX of 1952), the Government of Rajasthan is hereby pleased to exempt the Labour Commissioner, Rajasthan, Jaipur, from the operation of the provision of section 3 of the said Act in respect of 16 m.m. educational and recreational films for exhibition to the workers at different industrial places and Labour Welfare centres throughout Rajasthan, provided that no admission fees are charged by him and the place where the exhibition is intended to be given is approved by the local Superintendent of Police.

11. [No. F.39(12)C-Home-C/55 dated May 13, 1955 ; Pub. in Raj. Gaz., Part I(B),dt. 28-05-1955 page 156].

In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, (Rajasthan Act No. XXX of 1952), the Government of Rajasthan is hereby pleased to exempt the Chairman, Mica Mines Labour Welfare Fund, Rajasthan Jaipur from the operation of the provisions of section 3 of the said Act in respect of 35 m.m. films for exhibition throughout Rajasthan, by the Mobile cinema Unit of the Mica Mines Labour Welfare Fund for the benefit of the labourer, provided that no admission fees are charged and the place where the exhibition is intended to be given is approved by the local Superintendent of Police.

12. [No. F. 39(13)C-Home-C/55, dated May 28, 1955 ; Pub.in Raj. Gaz., Part I(B), dt. 18-06-1955 at page 121].

In exercise of the powers conferred by section 10 (a) of the Rajasthan Cinemas (Regulation) Act, 1952, (Act No. XXX of 1952), the Government of Rajasthan hereby directs that the following shall be inserted as condition No. 10 in the form of licence attached to the Rajasthan Cinemas (Regulation) Rules, 1953 :-

"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 shot which has been excised from any film under the orders of the Central Board of Film Censors or the Central Government."

13. [No. F. 12(32)C/H3/54, dated August 26, 1955 ; Pub. in Raj. Gaz., Part I(B), Dt. 17-09-1955 page 430].

In exercise of the powers conferred by section 11 of the Rajasthan Cinemas (Regulation) Act, 1952, (Rajasthan Act No. XXX of 1952), the Government of Rajasthan is hereby pleased to exempt the Manager, Lakheri Cement Works, Lakheri, (hereinafter referred to as "the Licensee") from so much of sub-rule (2) of rule 3 of the Rajasthan Cinemas (Regulation) Rules, 1953 as requires that the annual licence for a cinema should be in respect of a permanent building, and from Part III (Rules 16 to 51) of the said rules, in respect of the 35 m.m. Cinema Projectors operated by the licensee at the said Cement Works with a view to providing entertainment and as a measure of amenity to the employees of the said Cement Works, subject to the following conditions :-

1. No admission fee shall be charged by the licensee for admission to the Cinema.
2. The Place where the films are exhibited will be got approved by the local Superintendent of Police, and if the Superintendent of Police considers it necessary that the place of exhibition and the cinematograph and the electrical equipment to be used in the cinema should be got examined by the various officers mentioned in sub-rule (1) of rule 10 of the said rules, the licensee should be bound to get this inspection carried out at his cost, and shall, notwithstanding the exemption given above from part- III of the rules be bound to comply with such of the provisions of the said Part as the Particular Officer inspecting the cinema etc. may desire the licensee to comply with.

Note :- (a) The Licensee will, of course, have to obtain the annual licence under the rules and pay the prescribed fee, which is Rs. 200/- at present for renewal.

(b) This notification is not to be regarded as exempting the licensee from the Indian Electricity Act, 1910.

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14. [No. F. 13(25) HD/57, dated September 20, 1957 ; pub. in Raj. Gaz., Part I(a), Dt. 03-10-1957 page 430].

In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No. XXX of 1952) the Rajasthan Government being of the opinion that reasonable grounds exist for doing so, does hereby exempt cinematograph exhibition of films in the premises of recognised educational institution throughout the area of Rajasthan from the operation of section 3 of the aforesaid Act, subject to the following conditions namely :-

- (1) Only films of a predominantly educational nature, certified as such by the Central Boards of Film Censors or one of the former State Boards or films approved as scientific films, films intended for educational purposes, films

- dealing with news and current events or documentary films approved by the Film Advisory Board shall be exhibited or permitted to be exhibited ;
- (2) No admission fee, except to the extent required to cover expenses shall be charged ;
 - (3) No Person other than students and staff of the institutions, Members of Managing Committees of the Institution and any guests specially invited by the authorities or the institutions and those enumerated under condition (8) below shall be admitted to the show.
 - (4) Only non-inflammable films and film strips shall be exhibited or permitted to be exhibited.
 - (5) No advertisement films shall be exhibited or permitted to be exhibited.
 - (6) All Institutions which avail themselves of this exemption shall maintain a register of the films exhibited and comply with any other directions that may be issued in this behalf by the State Government. The register shall be open to inspection by duly authorised officers of the State Government.
 - (7) This exemption shall be valid for a period of one year with effect from the date of this notification unless revoked earlier.
 - (8) Employees of the State Government Members of Central Board of Film Censors and its Advisory panels and Regional and Assistant Regional Officers of the Board in discharge of their official duties shall be admitted to the place where the exhibitions are held and to the film show.

15. [No. F. 13(25) HD/57, dated November 18, 1957 ; Pub. in Raj. Gaz., Part I B, Dt. 28-11-1957 Page 779].

In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No.XXX of 1952) the Rajasthan Government being of the opinion that reasonable grounds exist for doing so, does hereby exempt cinematograph exhibition of films in connection with the propaganda of tea as conducted by the Tea Board constituted by the Ministry of Commerce and Industry, Government of India, throughout the area of Rajasthan from the operation of section 3 of the aforesaid Act, subject to the following conditions namely :-

- (1) Only films of the Tea Board certified as such by the Central Board of Film Censors and such other documentary films of the Central and State Governments as may be permitted to be exhibited along with them shall be exhibited.
- (2) No film which has been declared as uncertified or the exhibition of which has been suspended under the Rajasthan Cinemas (Regulation) Act, 1952 shall be exhibited.
- (3) No admission fee shall be charged.

- (4) No advertisement films other than those of the Tea Board shall be exhibited.
- (5) Employees of the State Government, Members of the Central Board of Film Censors and its Advisory Panels and Regional and Assistant Regional Officers of the Board in discharge of their official duties shall be admitted to the place where the exhibitions are and to the film shows.
- (6) As and when necessary the State Government may request the Tea Board to exhibit a few of the Government of India or State Government films.
- (7) A clear space of six feet shall be allowed all-round the place where the van is stationed for conducting shows and the space so allowed clearly cordoned off.
- (8) A fire-proof steel box shall be provided for storage of films.
- (9) In addition to the provision of C.T.C. extinguishers in the room, 2 gallon soda acid extinguishers, 2 strirrup pumps and 4 buckets of water, one bucket of sand and a blanket shall be provided in the van to meet any contingency as the scope of usefulness of the C.T.C. extinguisher is very limited in enclosed structures such as vans.
- (10) No external fencing shall be allowed within a distance of 10 feet where the van is stationed.
- (11) The sanctions shall comply with such of the provisions of the Indian Electricity Act, 1910 and the Indian Electricity Rules made thereunder as are applicable to the premises.
- (12) This exemption shall be valid for a period of one year with effect from the date of this notification unless revoked earlier.

16. [No. F. 13(51) HD/57/271, dated January 21, 1958 ; pub. in Raj. Gaz., Part I (B), Dt. 30-01-1958 page 1038].

In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act No.XXX of 1952), the Rajasthan Government, being of the opinion that reasonable grounds exist for doing so, does hereby direct that the condition contained in sub-rule (3) of rule 3 of the Rajasthan Cinemas (Regulation) Rules 1953, that the aggregate period of a temporary licence cannot exceed six months in a calender year shall not apply to cinematograph exhibition of films by subhas Talkies, Hanumangarh at Hanumangarh Town, District Ganganager for a period of one year commencing on the 1st day of January 1958 or the day the said Subhas Talkies commence exhibition in the said place, whichever is earlier.

17. [No. F. 13(30) Home, D/57 dated June 10, 1958; Pub in Raj. Gaz. Part IV-C dt. 26-06-1958 page 555].

In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act No.XXX of 1952), the Rajasthan Government, being of the opinion that reasonable grounds exist for doing so, does hereby direct that the condition contained in sub-rule (3) of rule 3 of the Rajasthan Cinemas (Regulation) Rules 1953, that the aggregate period of a temporary licence cannot exceed six months in a calender year shall not apply to cinematograph exhibition of films by the Rajasthan Talkies, Sangaria at Sangaria town, District Ganganager for a period of one year commencing on the 1st day of July 1958 subject to the conditions that :-

- (1) There shall be made adequate arrangement for prevention of fire ;
- (2) The screen will be cordoned off and kept apart from the place where people will sit ;
- (3) The temporary structure where exhibition of cinematograph will be made, shall be temporarily covered in rainy and winter seasons ;
- (4) There shall be maintained suffcient number of exits to enable cinemagoers to come out immediately in the event of out-break of fire etc ; and
- (5) Adequate arrangement for seating and other normal conveniences shall be made for cinemagoers.

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18. [No. F. 20(14) Home (A-Gr. II)/61, dated Oct. 30, 1961 Pub in Raj. Gaz. Part IV-C dt. 14-12-1961 at page 444-445].

In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No.30 of 1952), the State Government, being of the opinion that reasonable grounds exist for doing so, does hereby exempt the Cinematograph exhibitions to be given by the Hony, Secretary, Rajasthan State Co-operative Union, Jaipur, through Mobile Cinema Van for imparting Co-operative Education by exhibiting the film shows to the Co-operators and Rural Folks, free from any entry fee from the provisions of section 3 of the Rajasthan Cinema (Regulation) Act, 1952 for a few months in a year.

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19. [No. F. 12(19) H/XIV/72, dated December 22, 1975 Pub in Raj. Gaz. Part IV-C dt. 29-01-1976 page 494].

S.O.868.- In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Act No.XXX of 1952), the Government of

Rajasthan is further pleased to exempt the mobile van of the Fertilizer Corporation of India, Naya Nangal (Panjab) in continuation of this Department Notification Number F.12(19)Home/Gr.VI/72 dated 20-02-1975 for a further period ending 28-02-1977 from the provisions of the Rajasthan Cinemas (Regulation) Act, 1952 in Rajasthan State subject to the conditions as mentioned in this Department Notification No. F.12(19)H/Gr.VI/72 dated 27-04-1973.

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20. [No. F. 12(19) Home/V/72, dated March 1, 1977 Pub in Raj. Gaz. Part IV-C dt. 17-03-1977 page 522].

S.O.644.- In exercise of the powers conferred by Section 11 of the Rajasthan Cinemas (Regulation) Act, 1952 (Rajasthan Act No.XXX of 1952), the Government of Rajasthan is further pleased to exempt the mobile van of the Fertilizer Corporation of India, Chandigarh in continuation of this Department Notification No. F.12(19)Home/XIV/72 dated 22-12-1975 for a further period upto 28-02-1978 from the provisions of the Rajasthan Cinemas (Regulation) Act, 1952 in Rajasthan State subject to the conditions as mentioned in this Department Notification No. F.12(19) Home/VI/72 dated 27-04-1973.

ORDER

21. [No. Jud. 1961/1, dated April 17, 1961 ; Pub in Raj. Gaz. Part IV-C, dt. 17-04-1961 at page 1].

In exercise of the powers conferred upon me under Rule 11 of the Rajasthan Cinemas (Regulation) Rules, 1959 read with section 10 of the Rajasthan Cinemas (Regulation) Act of 1952, I.A.P. Dewan Licencing Authority Jaipur, under the aforesaid Act, do hereby authorise the Sub-Divisional Magistrates of this District to discharge the responsibility and to exercise the powers of the Licensing Authority inder Rules in the areas within their respective Sub-Divisions.

**THE RAJASTHAN VIDEO FLIMS
(REGULATION OF EXHIBITION) ACT, 1990**

(Act No.11 of 1991)

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**THE RAJASTHAN VIDEO FLIMS
(REGULATION OF EXHIBITION) ACT, 1990**

(Act No.11 of 1991)

[Received the assent the of the President on the 17th day of May, 1991]

As amended by Raj. Act 15 of 1992, w.e.f. 1-6-1992.

An Act to provide for the regulation of exhibition of video films and matters incidental or ancillary thereto in the State of Rajasthan.

Be it enacted by the Rajasthan State Legislature in the Forty first year of the Republic of India as follows:-

- 1. Short title and commencement.**-(1) This act may be called the Rajasthan Video Flims (Regulation of Exhibition) Act,1990.
(2) It shall come into force on such date as the State Government may by notification in the official Gazette appoint.
- 2. Definitions.**- In this Act, unless the context otherwise requires,-
 - (a) "Commercial Taxes Officer" means the person holding office with that designation under the State Government;
 - (b) "Commissioner Commercial Taxes" means a person appointed by the State Government to be the Commissioner Commercial Taxes;

- (c) “Deputy Commissioner (Administration)” means a person appointed by the State Government to be the Deputy Commissioner of Commercial Taxes (Administration);
- (d) “Divisional Commissioner” means a Commissioner or Additional Commissioner appointed under section 17 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) ;
- (e) “exhibition of video flim” means exhibition of flim on television screen through video Cassette recorder and video cassette player;
- (f) “Licensing Authority” for video cinemas means the District Magistrate of the area concerned and for video parlors, the commercial Taxes officer of the area concerned;
- (g) “place” means any space including a building, hotel, restaurant, temporary structure of any description or conveyance or transport whether by land, water or air ;
- (h) “video cinema” means the entire place licensed for exhibiting by means of video on a Screen of one hundred or more centimeters and admitting fifty or more but not more than one hundred and fifty persons in a permanent building and includes appurtenances, plants and apparatus located therein ;
- (i) “video film” includes a work produced by a process analogous to that of cinematography;
- (j) “video parlor” means entire place licensed for exhibiting by means of video on a screen of less than 100 centimeters and admitting less than 50 persons in a permanent building and includes appurtenances plants and apparatus located therein.

3. Exhibition of video film.- (1) save as otherwise provided in sub-section (4) no person shall make the exhibition of video film-

- (a) except under and in accordance with a licence granted under section 4; and
 - (b) at a place other than that for which a licence has been granted to him.
- (2) Where at a place the exhibition of a video film is made during the course of a service or any other business, such exhibition shall, irrespective of whether anything was or was not specifically charged for such exhibition, be deemed to be an exhibition under this Act.
- (3) No person shall exhibit or permit to be exhibited a video film which has not been certified as suitable for public exhibition under the Cinematograph Act, 1952 or the rules made or the guidelines issued thereunder.

- (4) Nothing contained in sub-sections (1) and (2) shall apply to the exhibition of a Video film in the residential premises of a family for the members of the household, their relatives and personal friends.

4. Grant of licence and levy of fee/entertainment tax.-(1) Every person, becoming liable to obtain a licence on or after the commencement of this Act, shall within 30 days of such commencement or, as the case may be, of his so becoming liable make an application in the prescribed form to the Licensing Authority having jurisdiction.

- (2) The application for a licence shall be accompanied by such licence fee or other fee as may be prescribed from time to time and such other documents as may be prescribed.
- (3) The entertainment tax for admission to video cinema/parlor shall be levied at such rates not exceeding one hundred percent payment of admission as may be notified by the State Government from time to time or on such compound basis as may be prescribed. and
- (4) The Licensing Authority may, on being satisfied-
- (a) that it is not against the provisions of this Act and any rules made there under as also of any other law for the time being in force;
 - (b) that it is not opposed to public police or against public interest or the orders or directions issued by the State Government under section 7 ;
 - (c) that the safety, convenience and comfort of the persons to be admitted to the exhibition have been ensured;
 - (d) that the applicant has not been previously convicted of an offence under this Act or the Rajasthan Entertainments and Advertisements Tax Act, 1957 (Rajasthan Act 24 of 1957) ;
 - (e) that the applicant has given an undertaking that he will screen only legal cassettes authorised for commercial exhibition; and
 - (f) that in case any cable, wire or other apparatus is used for exhibition of video film, the applicant has obtained a licence for laying of such cable, wire or other apparatus under, over, along, across or upon any public land, ground, street, road or place as per Indian Telegraph Act, 1885 (Act 13 of 1885).

grant a licence applied for under sub-section (1).

- (5) The Licensing Authority may, after giving a reasonable opportunity of being heard and for reasons to be recorded in writing refuse to grant a licence.

(6) A person aggrieved by a refusal under sub-section (5) may, within a period of thirty days from the date of the order of such refusal prefer an appeal before the Divisional Commissioner for video cinema and before the Deputy Commissioner (Administration) for video parlors.

5. Terms and conditions of licence.- (1) The licence granted under section 4 shall be subject to the provisions of this Act and the rules made thereunder and to such orders or directions as are issued under section 7.

- (2) Where a person makes the exhibition of a video film at more than one place, whether in the same city, town or village or in different cities, towns or villages, he shall obtain a separate licence for each such place.
- (3) A licence shall be granted for a financial year or a part thereof and shall expire on the last day of such year.
- (4) the licence shall be non-transferable and shall be deemed to have expired on the death of the licensee.
- (5) A licence to exhibit video films shall be granted only for exhibition of those video films for which rights have been acquired from the genuine copyright holder.

6. Renewal of licence.- (1) A licence granted under section 4 may, on an application in the prescribed form and on payment of the prescribed fee, within two months before the expiration of the term of the licence, be renewed by the Licensing Authority for one year:

Provided that where such an application is made after such expiration, the fee payable shall be equal to double the amount of the fee prescribed as aforesaid.

- (2) The provision of section 5 and those of sub-section (5) and (6) of section 4 shall be applicable to the renewal of a licence in the same manner as they are applicable to the grant of a licence.

7. Power of State Government to issue orders or directions.- The State Government may, from time to time and having regard to the interest of the general Public, issue such orders or directions as it may consider necessary for proper control on the exhibition of video films, and such orders or directions shall have effect notwithstanding anything contrary contained in the terms and conditions and restrictions of the licence.

8. Power to suspend or cancel a licence.- (1) The Licensing Authority may, on being satisfied that the exhibition of a video film is in contravention of any provisions of this Act or the rules made thereunder or to such orders or directions as are issued under section 7, by order suspend a licence granted under section 4.

- (2) The person holding a licence shall not during the period of suspension of his licence exhibit a video film to any person for any purpose.
- (3) The Licensing Authority may after giving to the licence holder a reasonable opportunity of being heard and for reasons to be recorded in writing cancel the licence.

9. Appeal.- A person aggrieved by an order of suspension or cancellation of the licence may, within a period of thirty days from the date of the order, prefer an appeal to the Divisional Commissioner for video cinemas and to the Deputy Commissioner (Administration) for video parlors.

10. Punishment on conviction.- Any person who contravenes any of the terms, conditions and restrictions of the licence granted to him or any of the provisions of this Act or the rules made thereunder, shall on conviction, be punishable in the case of the first offence, with imprisonment which may extend to six months or with fine which may extend to ten thousand rupees or with both, and in the case of a second or subsequent offence, with imprisonment which may extend to one year or with fine which may extend to twenty thousand rupees or with both:

Provided that in the case of a continuing offence, such person shall be punishable with a further fine which may extend to five hundred rupees for each day till the offence continues.

11. Search and seizure .- (1) The Licensing Authority or an officer specially authorised by Commissioner, Commercial Taxes in this behalf or an Executive Magistrate or a police officer not below the rank of a sub-inspector of police shall have power to enter into and search the place suspected of being used for exhibition of a video film in contravention of any of the provisions of this Act or the rules made thereunder or such orders or direction as are issued under section 7.

- (2) It shall be lawful for the Licensing Authority or an officer specially authorised by the commissioner, commercial Taxes under sub-section (1) or the executive magistrate or the police officer making the search to seize television set, video cassette recorder, video cassette player, monitoring screen and video film or any other things being used in connection with the exhibition of a video film.
- (3) The provisions of the code of Criminal procedure, 1973 (Central Act 2 of 1974) shall be applicable in regard to the entry, search and seizure under this section.
- (4) Notwithstanding anything contained in any law for the time being in force, an offence punishable under this Act shall be cognizable and bailable.

- 12. Confiscation of video film, etc.-** In case of conviction under section 10, the video film, the video cassette recorder, video cassette player, television set or other equipments and articles used in connection with the exhibition shall be liable to be confiscated by the Court convicting such person.
- 13. Power to exempt.-** Notwithstanding anything contained in this Act, the Government may, on being satisfied that it is necessary or expedient so to do in public interest, exempt prospectively or retrospectively by notification in the Official Gazette, any person, society, body or institution from all or any of the provisions of this Act.
- 14. Power to make rules.-**(1) The Government may, by notification in the official Gazette, make rules for the purpose of carrying out all or any of the provisions of this Act.
- (2) Every rules made under sub-section (1) shall be laid as soon as may be after it is so made before the House of State Legislature while it is in session for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the House agrees in making any modification in the rule or agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- 15. Levy, Assessment and Collection of Entertainment tax.-** Subject to the provisions of this Act and the rules made thereunder, for the purpose of carrying out all or any provisions of this Act, the authorities for the time being empowered to assess, re-assess, collect and enforce the payment of tax under the Rajasthan Entertainments & Advertisements Tax Act, 1957 (Act No. 24 of 1957), and the rules made thereunder, shall assess, re-assess, collect and enforce payment of tax, fees penalty, interest or any other sum payable by a proprietor of video cinema/parlor, as if the tax, fees, penalty, interest or other sum payable by such proprietor were payable under the said Act, and for this purpose they may exercise all or any of the powers they have under the said Act and the rules made thereunder ; and provisions relating to returns, advance payment of tax, assessment, composition of tax, appeal, rectification, revision, refunds, rebates, penalties, charging or payment of interest, prosecution and compounding of offences shall, mutatis mutandis apply.