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NOTIFICATION

No.F.16011/17/85-GAD/Pt, the 19th November, 2001. In exercise of the powers conferred by Section 21 of the Mizoram Exhibition of Films on Television Screen Through Video Cassette Players Act, 1990, the Governor of Mizoram is hereby pleased to make and publish the Mizoram Exhibition of Films on Television Screen Through Video Cassette Players Rules, 2000.

Further, as provided under Rule 1(3) of the Said Rules, the Governor of Mizoram is pleased to appoint that the Rules shall come into force from the date of its publication in the Official Gazette.

A copy of the said Rules is annexed.

Yogaraja,
Joint Secretary to the Govt. of Mizoram,
General Administration Department,

THE MIZORAM EXHIBITION OF FILMS ON TELEVISION SCREEN THROUGH VIDEO CASSETTE PLAYERS RULES. 2000.

In exercise of the powers conferred by section 21 of the Mizoram Exhibition of Films on Television Screen Through Video Cassette Players Act, 1990, the Governor of Mizoram is pleased to make the following rules for the regulation of the exhibition of films on television screen through Video Cassette Players, Namely—

PART — I

GENERAL

1. SHORT TITLE, EXTENT AND COMMENCEMENT :

- (1) These Rules may be called the Mizoram Exhibition of Films on Television Screen through Video Cassette Players Rules, 2000.
- (2) It shall extend to the whole of the State of Mizoram.
- (3) It shall come into force on such date as the State Government may by notification in the Official Gazette appoint.

2. DEFINITIONS :

- (1) In these Rules, unless the context otherwise requires :—

- (a) "Act" means the Mizoram Exhibition of Films on Television Screen Through Video Cassette Players Act, 1990;
- (b) "Cinematograph" includes an apparatus for the representation of moving pictures or series of pictures;
- (c) "Films" means a Cinematograph film recorded on video cassette tape/Laser disc/Compact disc;
- (d) "Government" means the State government of Mizoram;
- (e) "Licensing Authority" means the Deputy Commissioner of the District;
- (f) "Place" includes a house, building, tent and any description to transport whether by water, land or air;
- (g) "Video" means a cinematograph for giving exhibition of motion pictures through the use of any Video tape, video cassette or video record;
- (h) "Video Library" means a place by whatever name called where, the business of selling, letting, to hire, distribution, exchange of putting into circulation in any manner whatsoever of film for purpose of exhibition is carried on.

- (2) The words and expressions used, but not defined in these rules, shall have the meaning assigned to them in the Act.

PART — II**PROCEDURE FOR GRANTING LICENCE****3. CONDITION FOR GRANTING OF LICENCE FOR VIDEO CASSETTE PLAYER AND VIDEO LIBRARY.**

- (1) No person shall exhibit films on television screen through video cassette players or Laser/Campact Players on payment for admission basis in any place unless he has obtained a licence granted under these rules:

Provided that a person who, immediately before the commencement of these rules, holds a licence under any instruction issued by the State Government, shall be required to obtain a fresh licence within one month from such commencement or on the expiry of the licence held by him at the time of the commencement of these rules whichever period is earlier.

- (2) Nothing contained in sub-rule (1) shall apply to any exhibition of films on Television screen through Video Cassette Players for domestic purposes to the family members on the household.
- (3) Save as otherwise provided in these rules, no person shall keep any Video Library except under, and in accordance with a licence granted under these rules.
- (4) Where a person keeps more than one Video Library, whether in the same town or village or in different towns or villages, he shall obtain a separate licence in respect of each such Video Library.
- (5) Every licence for keeping a Video Library shall, save as otherwise provided in these rules, expire on the last day of the year in which it was granted but may be renewed year to year.
- (6) A licence for Video cassette player shall be granted to such person having premises with not more than fifty seating capacity.

4. DURATION OF LICENCE

- (1) A licence to be granted under these rules shall be either for a fixed period of one year or a temporary licence for a period not exceeding three months at a time but not exceeding six months in aggregate in a calendar year.
- (2) A licence for a period of one year shall be granted or renewed only in respect of a place permanently equipped for exhibition of films on television screen through video cassette player.

5. APPLICATION

Every person desiring to obtain a licence under these rules for any place shall apply to the Licensing Authority in Form-I.

6. FEES

The fees for a licence shall be :—

- (a) Five hundred rupees in the case of a licence for a period of one year; and
- (b) Ten rupees per week in the case of a temporary licence.

7. LICENSING AUTHORITY TO OBTAIN REPORTS OF CERTAIN AGENCIES

Every application for granting licence for exhibition of films on Television screen shall be accompanied by documents certificates and reports from the following authorities having jurisdiction in the area where the place for which the licence is to be granted is situated :—

- (a) No objection Certificate from the Sub-Divisional Officer (Civil) or the Block Development Officer or the Administrative officer concerned as the case may be, that there is a need for such a licence in the place for which the licence is sought and the exhibition of films will not endanger public safety.
- (b) A report from the Sub-Divisional Officer of the Public Works Department is the concerned area :—
 - (i) that the electrical installation in the building are reasonably adequate and safe for the exhibition of films;
 - (ii) that adequate provisions are made for sanitation, ventilation, light drinking water and toilet etc., and
 - (iii) provisions is made to install fire fighting equipment.
- (c) A report from the Officer-in-charge of the nearest Police Station/Out-post that exhibition of films will not endanger enforcement of law and order.

8. GRANT OR REFUSAL OF LICENCE

- (1) On receipt of the report of the authorities specified in rule 7, the licensing authority may, after taking into consideration the following matters, either grant or refuse a licence under these rules —
 - (a) that the provisions of the Act and these rules are substantially complied with for exhibition of films;
 - (b) that adequate security precautions of the safety of the persons attending exhibition have been taken at the place where the films are to be exhibited;

- (c) that the interest of the public in general is not in any way prejudiced, and
- (d) that the applicant is having good antecedents and also possesses experience in exhibiting films:

Provided that before refusing a licence, the licensing authority shall afford an opportunity of being heard to the affected person.

EXPLANATION

- (1) For the purpose of these rules, the expression "antecedents" means the conduct of the applicant in relation to the payment of any tax or any other dues payable by him to the State Government.
- (2) Where an application for the grant of a licence is refused, the order of such refusal indicating the reason, for such refusal shall be communicated to the applicant.
- (3) Where the application for the grant of a licence is not refused, the licensing authority may grant a licence in Form II within fifteen days from the date of receipt of reports under Rule 7, subject to the provisions of the Act and the rules and on such terms and conditions as may be set forth in the licence and also subject to such restrictions as it may deem fit to impose;

Provided that no licence shall be granted for a building under these rules, if such building is worth accommodating more than fifty spectators at a time.

- (4) Every licence shall, unless previously suspended, cancelled or revoked, expire on the last day of the week of the month or of the month of the year specified at the time of granting or renewal of the licence, as the case may be.

9. RENEWAL OF A LICENCE

- (1) An application in Form-I for the renewal of a licence together with such fees as is payable under rule 6 shall be made so as to reach the licensing authority not less than thirty days before the date on which the licence expired;

Provided that the licensing authority may entertain the application after the expiry of the said period but not later than fifteen days after the expiry of the licence if it is satisfied that the applicant was prevented by sufficient cause from applying for renewal within time.

- (2) If, on an application for renewal of a licence, the licensing authority does not, for any reason, before the expiry of licence, either renew or refuse to renew, it shall grant a temporary permit to the applicant subject to the conditions of the licence sought to be renewed and such temporary permit

shall be valid for such period not exceeding two months as the authority may direct and during the period so specified, it shall be deemed to be a licence for the purpose of these rules.

10. GRANT OF A DUPLICATE LICENCE.

If the licence is defaced, lost, destroyed or become illegible, a licence may get a duplicate licence on an application challan receipt of twenty five rupees.

PART — III

LICENSING AUTHORITY TO PERMIT CONSTRUCTION AND RECONSTRUCTION OF BUILDING INSTALLATION OF MACHINE ETC. FOR EXHIBITION OF FILMS.

11. (1) Any person who intends—

- (a) to use any place for exhibition of films on television screen through Video Cassette Players, or
- (b) to use any site for constructing a building proposed to be given for such exhibition of films shall make for application in writing to the licensing authority for permission thereof together with such particulars as may be specified by the licensing authority.

(2) The licensing authority shall thereupon, after consulting the authorities specified under sub-rule (1) of rule 7 grant or refuse such permission. The provisions relating to licenses for exhibition of films on television screen through Video Cassette Players shall so far as may be apply to permission under this rule as well.

MISCELLANEOUS

12. PROHIBITION ON TRANSFER OF LICENCE

A licence granted under these rules shall not be transferred in any manner whatsoever without the approval of the licensing authority in writing.

13. LICENCEE TO EXHIBIT ONLY CERTIFIED FILMS.

- (1) A licensee shall exhibit on television screen through Video Cassette Player only the films which have been certified to be suitable for public exhibition by the authority constituted under section 3 of the Cinematograph Act, 1952 and such films, when exhibited shall display the mark of the aforesaid authority and the mark should not be altered or tempered with in any manner.
- (2) No licensee shall exhibit any film which—
 - (a) offends against good taste or decency;
 - (b) contains criticism of friendly countries;

- (c) contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;
 - (d) contains anythings obscene, defamatory, deliberate false and suggestive innuendos and half-truths;
 - (e) is likely encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes;
 - (f) contains anything amounting to contempt of court;
 - (g) contains aspersions against the integrity of the President and the judiciary;
 - (h) contains anything affecting the integrity of the Nations;
 - (i) criticizes, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country;
 - (j) encourages superstition or blind belief;
 - (k) denigrates women through the depletion in any manner of the figure of women, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprive, corrupt or injure the public morality to deprive, corrupt or injure the public morality or morals;
 - (l) denigrates children;
 - (m) contain visuals or words which reflect a slandering, ironical and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups;
 - (n) contravenes the provisions of the Cinematograph Act, 1952.
- (3) The Licencee should strive to carry films which project women in a positive leadership role of sobriety, moral and character building qualities.
 - (4) Films meant for adult should normally be screened after 10 p.m and before 6 a.m.
 - (5) Care should be taken to ensure that films meant for children do not contain any bad language or explicit scenes of violence.
 - (6) Films unsuitable for children must not be screened at times when the largest number of children are viewing.

14. CONDITIONS REGARDING SEATING ACCOMMODATION

The licensee shall comply with the following requirements in respect of seating accommodation etc., in a bulding-

- (a) the building licenced for exhibiting films on television Screen through Video Cassette Player shall not accommodate more than twenty persons per nine square metres excluding entrance passage, corridor, gangway and stage in the auditorium;
- (b) the distance between the television Screen and first row of seats shall not be less than ten feet;
- (c) there shall be a passage of 0.90 metres in width for every two rows of the seating accommodation;
- (d) the gangway shall not be less than 0.9 metre in width and shall be so arranged that no seat shall be battened together in complete lengths;
- (e) the chairs shall be battened together in complete lengths;
- (f) there shall be an intervening space of atleast 0.35 metre between the back of one seat and the front of the seat immediately behind measured between perpendicular;
- (g) there shall be two door ways fitted with doors to open outwards;
- (h) there shall be opening of one and half square metres for every ten persons to ensure good ventilation.
- (i) there shall be an open space of twenty feet and the third side for parking of vehicles;
- (j) there shall be provided such number of Water closets and urinals as may be specified by the licensing authority;
- (k) there shall be provided one portable fire extinguisher of Carbon Dioxide type of one Kilogram capacity and one bucket of nine litres filled with sand; and
- (l) the drinking water shall be provided in such manner and in such quantity as may be specified by the licensing authority.

15. CONDITIONS REGARDING ELECTRICAL INSTALLATIONS

The building to be licensed under these rules shall comply with the following requirements in respect of electrical installations -

- (a) the cables of wire used shall be of I.S.I Mark and the wiring shall pass through conduct pipes;
- (b) there shall be a separate circuit controlled by a suitable linked switch for the supply of electricity taken to the auditorium;
- (c) there shall be used three pin plugs with the third pin effectively connected to the earth;

- (d) there shall be installed an automatic voltage regulator or stabilizer which can provide output voltage of 230 plus 6 per cent;
- (e) there shall be provided separate circuits for lights, fans and other equipments;
- (f) there shall be kept burning a dimlight of about 25 watts to 40 watts bulb placed at right angle sight of vision of the public throughout the exhibition of films; and
- (g) there shall be provided the extractors, exhaust fans in such manner as may be specified by the licensing authority.

16. REFUND.

In the case of refusal to grant a licence or to renew a licence, as the case may be, a refund at the rate of one half of the total amount of the fee paid shall be made to the application made by him within thirty days from the date of receipt or order refusing to grant or renew a licence;

Provided that if the applicant has preferred an appeal against the order of the licensing authority during the grant or renewal of a licence as the case may be, the refund, if any shall be made after the disposal of the appeal.

FORM — I (See Rule—5)

Application for Grant or Renewal of Licence for Exhibition of Films on Television through Video Cassette Player.

To

The Deputy Commissioner
(Name of the District)

Sir,

I do hereby apply for grant/ renewal of licence for exhibition of films on television screen through video cassette player—

1. Name
2. Address
3. Is the application for the grant of licence?
4. Details of place where the video apparatus is proposed to be installed?
 - (a) Place/House No. and Address :—
 - Locality
 - Village
 - Town
 - District
 - (b) Is any other or business carried on the same place where the video shows are to be exhibited?

- (i) Has licence for such trade or business been obtained from the competent authority?
- (ii) Whether by conducting the exhibition of films on television screen through video cassette player the trade or business for which the licence has been granted is likely to be affected?

5. Area in square metres of the—

- (a) Building
- (b) Auditorium
- (c) Passage and gangways
- (d) Urinals and water closets

6. Whether necessary fee has been paid and the treasury challan have been enclosed?

- (a) Challan No. and date
- (b) Amount deposited
- (c) Name of the Treasury

7. Copy of the entertainment tax clearance certificate.

Signature of the applicant.

FORM—II (Vide Rule-8(3))

Licence to be granted under the Mizoram Exhibition of Films on Television Screen through Video Cassette Player Rules 2000.

1. Name of the licensee.
2. Address
3. Situation of the place.
4. Area in square metres of —
 - (a) Building
 - (b) Auditorium
 - (c) Passage and gangway
 - (d) Urinals and water closets
5. Special conditions, if any, on which licence is granted
6. Period for which licence is to be in force
7. Fee paid
8.
 - (a) Maximum number of persons permitted
 - (b) Maximum rate of admission allowed

CONDITIONS OF THE LICENCE

The Mizoram Exhibition of Films on Television Act, 1990 and the Mizoram Exhibition of Films on Television Screen through Video Cassette Player Rules, 2000 and the conditions specified below:—

- (1) The Licence 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 Cinematograph Act, 1952 and which when exhibited displays the prescribed mark of the Central Board of film Censors and has not been altered or tempered with in any manner since such mark was affixed thereto.
- (2) The licensee shall submit the synopsis of the film to the licensing authority forty eight hours before exhibiting the same of Television Screen through Video Cassette Player if such a film has not been released and exhibited on the Cinema screen.
- (3) No film suspended under section 6 of the Cinematograph Act, shall be exhibited.
- (4) The licensee shall not allow any film exhibited by means of cinematograph before 12.00 noon or after 10.00 pm or as may be specified by the Licensing Authority, except in transport vehicle.
- (5) The licensee shall not exhibit advertisement slides relating to sexual diseases and medicines to correct sexual disorder or purporting to assist the childless in getting children.
- (6) The licensee shall not exhibit or cause to be displayed any photograph, picture or poster which depict or represents or purports to represent or depict a scene or short which has been excised from any film under the order of the Central Board of film Censors of the Central Government.
- (7) Smoking and consumption of alcoholic liquor during the exhibition shall not be permitted.
- (8) The number of persons admitted or the number of tickets issued into any part of the auditorium shall not exceed the number specified in the licence.
- (9) The licensee shall not permit obscence or objectionable posters or pictorial publicity material to be displayed in the licensed premises.
- (10) The licensee shall not exhibit or permit to be exhibited to any person who is not an adult any film which has been certified by the Central Board of Film Censors as suitable for public exhibition restricted to adults.

Deputy Commissioner.