

## **PUBLIC AMUSEMENT PERFORMANCES (Certificate of suitability) RULES, 1975**

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## **PUBLIC AMUSEMENT PERFORMANCES (Certificate of suitability) RULES, 1975**

In exercise of the powers conferred by clauses (w) (wa) and (y) of sub-section (1) of section 33 of the Bombay Police Act, 1951 (Bombay Act XXII of 1951), the District Magistrate, Ahmedabad, with the previous sanction of the State Government is pleased to make the following rules, namely:

### **1. Short title :-**

These rules may be called the Public Amusement Performances (certificate of suitability) Rules, 1975. It shall come into force on the date of publication of these Rules in the Gazette.

### **2. Definition :-**

In these Rules, unless the context requires otherwise :

- (a) "Act" means : the Bombay Police Act, 1951.
- (b) "Board" means the Board appointed by the State Government under sub-clause (a) of sub-section (1) of section 33 of the Act
- (c) "Certificate" means a certificate of suitability granted under Rule 4,
- (d) "Form" means the authority competent to grant licence for the holding of or providing for any public amusement performance

under any rules in that behalf

(f) "Mela" means a groupe of boys above twelve of years of age or girls between ten and twelve years of age or both such boys and girls organised for the purposes of a Ganpati Festival and occasionally for some time thereafter for giving or staging performances for public amusements consisting of songs, dialogues, skits, dances, mimetices and such other items of entertainments, and perfomed or staged in any enclosed or open space.

(g) "Public amusement performance" means; any musical, dancing, dramatic, mimetic, theatrial or similar other performance for public amusement including Ras, Graba, Bhavai and Mela given in a place of public amusement or many other place whether with of without admission fee and to which admission is not restricted exclusively to the members of any particular institution.

(h) "Ras" means a musical and dancing performances staged by two or more persons with the aid of "trips" depicting generally the theme of dances played by "Lord Krishna with the Gopies".

(i) word and expression used and not defined in these rules shall have the meaning assigned to them in the Act.

### **3. Application for Certificate :-**

(1) Any person who desire to hold or provide for any public amusement performances whether with or without tickets, shall one months before the date on which such performance is to be held or provided for apply to the Chairman of the Board for the grant of a certificate of suitability therefor.

(2) Such application shall be made in Form A. Any application which does not contain information about all the particulars mentioned in the said form to the satisfaction of the Board may not be considered by it.

### **4. Grant of Certificate :-**

The Board may after considering the application and obtaining such further particulars as it may deem fit, issue a certificate of suitability in respect of such performance, impose such conditions as may be specified in the certificate shall be issued in Form B.

### **5. Power to refuse certificate :-**

The Board may refuse to grant a certificate in respect of any such performance if from the script submitted for scrutiny or otherwise,

the Board considers that the performance,

(1) is likely to:

(i) incite or encourage any person to resort to violence for the purpose over-throwing or undermining the Government established by law, in India or any State thereof or its authority in any area.

(ii) incite or encourage any person to commit murder or any offence involving violence,

(iii) seduce any member of any of the armed forces of the Union or of the Police forces of his allegiance to his duty, or prejudice the recruiting of persons to serve in any such force or prejudice the discipline of any such force,

(iv) promote feeling of enmity or hatred between different sections of the people of India, or

(v) wound the susceptibilities of any nation or followers of any religion, or

(2) is grossly indecent scurrilous or obscene.

#### **6. Access to Chairman and Members of the Board :-**

The Chairman members of the Board shall be given free access to any place where any public amusement performance is to be or is being performed or exhibited and they shall be given accommodation in the highest class.

#### **7. Power to suspend or cancel Certificate :-**

(1) If the Chairman, or any members and Secretary of the Board considered that the whole or any part of the public amusement performance of exhibited was not scrutinised and certified by the Board or had actually been existed by the Board he may make a report of the fact to the Board and also to the licensing authority.

(2) On receipt of such a report, the Board may suspend or cancel the certificate and shall report the matter to the licensing authority as early as possible.

#### **8. Re-examination of scripts :-**

Notwithstanding anything contained in these rules, the Board may at any time of its own motion or on a representation made to it in that behalf re-examine the script any public amusement performance in respect of which a certificate has already been

granted by it and, if the Board is of the opinion that the script is unfit for holding or providing for such public amusement performance on any of the grounds referred to in rules 5, the Board may suspend or cancel the certificate. The Board shall communicate its decision to the licensing authority.

**9. Grant of Duplicate Certificate :-**

If any certificate is lost, a duplicate copy thereof may be granted by Board on application.

**10. Exemption :-**

Nothing in these rules shall apply to performance for which a licence is required under the Bombay Cinema Rules, 1954 or to the programme arranged by the Director of Information, Gujarat State or by the Gujarat Sangit Nrilya Natya Academy and also to special gathering of educational institutes recognised by Government or University physical feats, Ras, Doocha, Lokgito Chhand and Kirtans or Bhajans or Garbas organised at any time in the year even if it is on payment of ticket.

**11. Repeal and Saving :-**

Any Rules relating to the matter covered by these rules which may be in force immediately before the commencement of these Rules in the area to which these Rules are applicable are hereby repealed:

Provided that such repeal shall not affect the validity of any certificate of suitability granted under the rules hereby repealed :

Provided further that the Board may, at any time of its own motion or on a representation made to it in that behalf, examine the script of any performance in respect of which certificate of suitability may have been granted and if the Board is of opinion that the script is unfit for performance for public amusement on any of the grounds referred to in Rule 5, it may revoke such certificate, and shall give intimation about such revocation to the licensing authority.