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**KARNATAKA EXHIBITION OF FILMS ON TELEVISION  
SCREEN THROUGH VIDEO CASSETTE RECORDER  
(REGULATION) RULES, 1984**

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**KARNATAKA EXHIBITION OF FILMS ON TELEVISION  
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(REGULATION) RULES, 1984**

Whereas a draft of the Karnataka Exhibition of Films on Television Screen through Video Cassette Recorder (Regulation) Rules, 1984 was published as required by Section 19 of the Karnataka Cinemas (Regulation) Act, 1964 (Karnataka Act 23 of 1964) in Notification No. HD 324 CNA 83, dated 21st February, 1984, in Part IV, Section 2-C(i) of the Karnataka Gazette, dated 1st March, 1984 inviting objections and suggestions from all persons likely to be affected thereby on or after 5th April, 1984. And whereas, the said Gazette was made available to the public on 1st March, 1984. And whereas, the objections and suggestions received on the said draft have been considered by Government. Now, therefore, in exercise of the powers conferred by Section 19 of the Karnataka Cinemas (Regulation) Act, 1964 (Karnataka Act 23 of 1964), the Government of Karnataka hereby makes the following rules, namely:-

**1. Title and commencement :-**

(1) These rules may be called the Karnataka Exhibition of Films on Television Screen through Video Cassette Recorder (Regulation) Rules, 1984.

(2) They shall come into force on the date of their publication in the Official Gazette.

## **2. Definitions :-**

In these rules, unless the context otherwise requires.

(a) "Act" means the Karnataka Cinemas (Regulation) Act, 1964;

(b) "Film" means a Cinematograph recorded on Video Cassette tape;

(c) "Form" means a form appended to these rules;

(d) "Place" includes a house, building, tent and any description of transport, whether by water, land or air;

(e) "Video Cassette Recorder" means a Cinematograph for the purpose of giving Cinematograph exhibition of films recorded on video cassette tape.

## **3. Application for grant of licence :-**

(1) Every application for grant of licence for exhibition of films on television screen through video cassette recorder shall be made in eight sets to the Licensing Authority in Form I:

Provided that no such licence shall be necessary for exhibition of film on television screen through Video cassette recorder for domestic purposes to the family members of the house hold:

Provided further that a person who holds a licence for exhibition of films on television screen through Video Cassette Recorder on the date of commencement of these rules, shall apply for grant of licence under these rules within one month from the date of commencement of these rules or before the expiry of such licence, whichever is earlier.

(2) An application for exhibition of films on television screen through Video Cassette recorder in transport vehicle shall be made in quadruplicate to the Licensing Authority in Form II.

(3) Application under sub-rule (1) or (2) shall be accompanied by a treasury receipt for having paid the prescribed fee.

(4) The fee for grant of a licence upto fifty seats shall be rupees two hundred per annum and for above fifty seats shall be rupees four hundred per annum.

#### **4. Grant or refusal of licence :-**

(1) On receipt of application under Rule 3, the Licensing Authority shall.

(i) If the application is not in order return the same for representation within a period of thirty days failing which such application is deemed to have been rejected;

(ii) If the application is in order forward the copies of such application to the following authorities having jurisdiction over the area where the place is situated for their reports or certificates.

(a) the Superintendent of Police or Commissioner of Police;

(b) the Executive Engineer, Public Works Department;

(c) the Health Officer;

(d) the Officer of the Electrical Inspectorate;

(e) the Fire Officer.

(2) The authorities specified above, within fifteen days from the date of receipt of application under sub-rule (1), before sending report or certificate, as the case may be regarding the exhibition of films on television screen through video cassette recorder, satisfy themselves about the following.

(i) that there is a need in the place where the licence is sought;

(ii) that the exhibition of films will not endanger public safety;

(iii) that the building and electrical installations are adequate and sound for the exhibition of films;

(iv) that adequate provisions are made for sanitation, ventilation and light;

(v) that necessary precautions have been observed and provision is made to install fire fighting equipments.

(vi) that the provisions of these rules and the Act and Rules that are in force regarding the exhibition of Cinematograph films have been complied with and

(vii) that there is no objection for grant of licence.

(3) In the case of the exhibition of films on television screen or video cassette recorder in transport vehicle, the Licensing Authority shall obtain the tax clearance certificate issued under the Karnataka Motor Vehicle (Taxation) Rules, 1957 and the fitness certificate issued under the Motor Vehicles Act, 1939.

(4) The certificate issued under sub-rule (2) and (3) shall be valid for a period of one year from the date of issue.

(5) The licensing authority shall, in deciding whether to grant or refuse licence for exhibition of films have regard to the following matters, namely.

(i) the interest of the public generally;

(ii) the status, antecedents and previous experience of the applicant.

Explanation. For the purpose of this clause the expression antecedents' means the conduct of the applicant in relation to the payment of any tax or dues payable by him to the Government.

(6) The Licensing Authority shall not grant a licence under these rules unless it is satisfied.

(i) that the rules have been substantially complied with; and

(ii) in the case of an application for the grant of a licence for exhibition of film, that adequate precautions have been taken in the place, in respect of which the licence is to be granted, to provide for the safe convenience and comfort of the persons attending exhibitions therein.

(7) Subject to the provisions of the Act and these rules, within fifteen days from the date of receipt of certificates under sub-rules (2) and (3), the Licensing Authority may grant licence to the applicant in Form III, on such terms and conditions and subject to such restrictions as it may determine. When the Licensing Authority refuses to grant any licence, it shall do so by an order communicated to the applicant, giving the reasons in writing for such refusal.

(8) Every licence granted under these rules shall be personal to the person to whom it is granted and no transfer or assignment thereof, whether absolute or by way of security or otherwise shall

be valid unless approved in writing by the Licensing Authority.

(9) A licence granted under these rules shall be valid for a period of one year from the date of issue of licence.

**5. Licensing Authority to permit construction and reconstruction of buildings, installations of machinery, etc., for exhibition of films :-**

(1) Any person who intends.

(i) to use any place for exhibition of films on television screen through video cassette recorder; or

(ii) to use any site for constructing a building thereon for the exhibition of films on television screen through Video Cassette recorder; or

(iii) to construct or reconstruct any building for such exhibition of films are proposed to be given, shall make an 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 authorities specified under sub-rule (1) of Rule 4, grant or refuse permission. The provisions relating to licenses for exhibition of films on television screen through video cassette recorder shall, so far as may be, apply to permission under this rule.

**6. Applications for regrant of licence :-**

(1) An application for regrant of a licence shall be made in Form I to the Licensing Authority thirty days before the expiry of the licence originally granted:

Provided that if the Licensing Authority is satisfied that for valid reasons the application could not be made within the period specified above, it may receive such application after the date but not later than fifteen days.

(2) The application for the regrant of a licence shall be accompanied by a treasury challan for having paid the prescribed fee under sub-rule (4) of Rule 3 and the licence originally granted.

(3) On receipt of the application for regrant of licence the Licensing Authority may subject to the provisions of the Act and these rules regrant a licence.

**7. Fee for duplicate licence :-**

The fee for grant of a duplicate licence shall be rupees twenty-five.

**8. Refund :-**

In the case of refusal to grant licence, a refund at the rate of one half of the total amount of the licence fee paid shall be refunded to the applicant, if the applicant made an application for such refund within thirty days from the date of receipt of orders rejecting his application for the grant of licence. If an appeal has been preferred the refund shall be made after the disposal of the appeal.

**9. Licensee to exhibit only certified films :-**

(1) No person licensed under these rules to give an exhibition of films on television screen through video cassette recorder shall 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 3 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952), and which, when exhibited displays the prescribed mark of that authority, and has not been altered or tampered with in any way since mark was affixed thereto.

**10. Conditions regarding seating accommodation :-**

(1) No premises for exhibiting films shall be licensed to accommodate more than twenty . persons per nine square metres in the auditorium and the number so fixed for each part of the auditorium shall be specified in the licence.

(2) The entrance, passage, corridor, gangway and stage, shall be deducted before calculating the area available for seating accommodation.

(3) The distance between the television screen and first row of seats shall not be less than ten feet.

(4) There shall be a passage of 0.90 metre in width for every ten rows of seating accommodation.

(5) The gangways shall be not less than 0.90 metre in width and shall be so arranged that no seats shall be more than ten feet away from gangway.

(6) The chairs shall be battened together in complete lengths.

(7) There shall be an intervening space of at least 0.35 metre between the back of one seat and the front of the seat immediately

behind measured between perpendicular.

(8) There shall be two doorways fitted with doors to open outwards.

(9) There shall be openings of one and half square metres for every ten persons to ensure good ventilation.

(10) There shall be an open space of not less than ten feet in width on any two sides of the building and an open space of twenty feet on the third side for parking of vehicles.

(11) One portable fire extinguisher of CO<sub>2</sub> or CTO or D.P.C. type of one kilogram capacity and one bucket of nine litres filled with stand shall be provided.

(12) Drinking water shall be provided in such manner and in such quantities as may be specified by the Licensing Authority.

(13) One W.C. and one urinal for every fifty persons and less for exclusive use of each sex shall be provided.

#### **11. Electrical Installations :-**

(1) The cables or wires used shall be of ISI grade and the wiring shall pass through conduit pipes only.

(2) There shall be a separate circuit controlled by a suitable linked switch for the supply of electricity taken to the auditorium.

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

(4) Separate circuits shall be provided for lights, fans and other equipments.

(5) An automatic voltage regulator or stabiliser which can provide an output voltage of 230 + 6% shall be installed.

(6) A dim light of about 25 watts to 40 watts bulb shall be kept burning throughout the exhibition of films. The bulb shall be placed at right angle to the line of vision of the public.

(7) The Extractors, exhaust fans or ceiling fans may be provided in such number as may be specified by the Licensing Authority.

#### **12. Appeal :-**

(1) Any person aggrieved by the decision of the Licensing Authority

under these rules may appeal to the Divisional Commissioner of the Division.

(2) An appeal shall be submitted in duplicate in the form of a memorandum setting forth concisely the grounds of objection to the order which is the subject of appeal and shall be accompanied by the original or a certified copy of the order appealed against.

(3) The memorandum of appeal shall be signed by the appellant or by his authorised agent and presented to the Appellate Authority in person or by agent at any time during the office hours on any working day or sent by registered post. The authorisation of the agent to present appeals shall be in writing and shall accompany the memorandum of appeal unless the agent holds a power of attorney.

(4) The Appellate Authority shall fix a day for hearing of the appeal. On the date fixed for hearing the appeal or such further date to which, the appeal may be adjourned, the Appellate Authority shall after hearing the parties or their agents, pass such orders on the appeal as it deems fit.

(5) A fee of Rupees 50 shall be paid on every memorandum of appeal presented to an Appellate Authority.