

Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999

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SCHEDULE 1 :- FORM C.T. (1)

Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999

1. Short Title and Commencement :-

(1) These rules may be called the Madhya Pradesh Cable Television Network (Exhibition) Rules, 1999. (2) They shall come into force with effect from the date of their publication in the "Madhya Pradesh Gazette".

2. Definitions :-

In these rules unless the context otherwise require,- (a) "Act" means the Madhya Pradesh Entertainments Duty and Advertisements Tax Act, 1936 (No. 30 of 1936). (b) "Authorised Officer" means an Officer not below the rank of District Excise Officer authorised by the Excise Commissioner for the purposes of these rules. (c) "Cable Operator", "Cable Service" and "Cable Television Network" shall, have the same meanings as assigned to them in the Cable Television Network (Regulation) Act, 1995 (No. 7 of 1995). (d) "Financial Year" means the period of twelve months

commencing on the first day of April of a calendar year and ending on 31st day of March of the following year. (e) "Form" means the form appended to these Rules. (f) "Proprietor of a Cable Television Network" means a person who provide Cable Service of a Cable Television Network. (g) "Registration Card" means the Registration Card as prescribed in Rule 6. (h) "Subscriber" means a person who receives the signal of Cable Television Network on subscription at a place indicated by him to the Cable Operator, without further transmitting it to any other person. Explanation.-In case of a hotel or lodging house, each room of such hotel or lodging house where signals of Cable Television Network are received shall be treated as a subscriber. (i) "Treasury" means a Government Treasury and includes a sub-treasury. (j) The terms and expressions used in these rules but not defined here shall have the same meaning as assigned to them in the Cable Television Network (Regulation) Act, 1995, and the rules made thereunder.

3. Permission to provide cable service :-

(1) No person shall provide cable service without prior permission of the "Authorised Officer". (2) Any person, who desires to provide cable service under the Act, may apply to the authorised officer for permission to provide such service. (3) Application under sub-rule (2) shall be submitted in Form CT-1. In case of a hotel or a lodging house, the application shall be submitted in form CT-1A. (4) On receipt of the application under sub-rule (2), the authorised officer shall satisfy himself that the applicant such permission in Form CT-2 or CT-2A, as the case may be, for a period of three financial years at a time: Provided that the authorised officer may for reasons to be recorded in writing and communicated to the applicant, refuse to grant such permission. (5) The authorised Officer shall, within sixty days from the date of receipt of the application pass an order under sub-rule (4).

4. Renewal of the permission :-

(1) The Authorised Officer may, on application submitted to him in Form CT-1/CT-1A sixty days before expiry of the term of the permission, renew the permission granted under rule 3 before the expiry of its term for a period of three financial years at a time. Such renewal shall be given in Form CT-2/CT-2A. (2) The Authorised Officer may, for reasons to be recorded in writing and before the expiry of the term of the permission, refuse the renewal of permission and intimate above such refusal to the applicant in writing.

5. Renewal of the permission deemed to have been granted

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Where the Authorised Officer fails to pass any order under rule 4 before the expiry of the term of the permission granted under rule 3, the renewal of such permission for a period of three financial years shall be deemed to have been granted to the applicant and the Authorised Officer shall in that event, issue such renewal in the prescribed form.

6. Issue of Registration Cards to Subscribers :-

The proprietor of a cable television network shall prepare Registration Card in Form CT-3 in triplicate and will get out the same duly attested by the District Excise Officer of the district or an Assistant District Excise Officer authorised by him. The first copy thereof shall be issued to the subscriber or shall be kept by the proprietor of the hotel or lodging house, as the case may be the second copy shall be made over to the District Excise Officer and the third copy shall be retained by the proprietor of the Cable Television Network for his record.

7. Validity of Registration :-

The Registration Card shall be valid only for the subscriber or the hotel or lodging house in whose name or for which it has been issued.

8. Restriction on sub-connection :-

No subscriber shall have the right to give sub-connection or to provide cable service to any person.

9. Previous information regarding commencement of entertainment and the rate being charged from a subscriber

:-

The proprietor of a Cable Television Network shall inform in writing to the authorised officer the rate being charged by him per month from a subscriber and the number of cable connections given to the subscribers. Whenever any new connection is given, an information to the effect shall be given immediately in writing to the authorised officer. In case of hotel/lodging house, the proprietor shall inform in writing the number of rooms in which cable service connections are provided and the room tariff per day charged by him.

10. Preparation and maintenance of register and statement

:-

(1) The Proprietor of Cable Television Network shall prepare and

maintain a register in Form CT-4 in which all entries column wise shall be made for each calendar month separately. (2) The proprietor of a Cable Television Network shall, within the last three days of every month, submit a monthly statement in Form CT-5 on the basis of entries made in the register referred to in sub rule (1) along with treasury challan in triplicate bearing the word "Treasury Copy". "Departmental copy" & "Depositors Copy" to the District Excise Officer for verification of the statement and head of account.

11. Mode of payment of duty :-

(1) The proprietor of Cable Television Network shall deposit the amount of entertainment duty into the treasury within seven days from the last day of every month, failing which surcharge at the rate of two per cent, per month on the amount remaining unpaid shall become due and be payable with effect from the date immediately following the last date prescribed till the date of payment of such amount. (2) The proprietor of Cable Television Network shall immediately after the duty has been paid send a copy of challan to the District Excise Officer.

12. Amount of Security :-

(1) The proprietor of cable television network shall deposit security amount equal to fifty per cent, of the amount of duty payable for one month. (2) The security referred to in sub-rule (1) shall be either in cash or in the form of National Savings Certificate (s) or guarantee issued by a Nationalised Bank, duly pledged in favour of the State Government through District Excise Officer and shall be utilised recovery of all sums due from the proprietor by way of duty or penalty under the Act and the rules made thereunder.

13. Refund of Security :-

Where the proprietor of a Cable Television Network cease to be proprietor of such network under the Act or these rules, the Authorised officer may, on application and after satisfying himself that no tax is outstanding and no case is pending for decision against the said proprietor under the Act or these rules, release the security and order the balance out of the security deposit amount to be granted to the proprietor.

14. Inspection Book :-

The proprietor of a cable television network shall maintain inspection book and produce the same immediately on demand for recording of marks by the inspecting officers authorised under Section 9 (1) of the Madhya Pradesh Entertainments Duty and

Advertisement Tax Act, 1936.

15. Penalty for breach of rules :-

Whosoever contravenes any provision or commits a breach of any of these rules shall be punishable with fine which may extend to Rs. 5000.

SCHEDULE 1

FORM C.T. (1)

[See rule 3 (2) and 3 (3)]

To,

The Authorised Officer, District.....(M.P.)

Sir,

I..... son/daughter/wife of Shri....R/o...District.....(M.P.) submit the application for permission/renewal of the permission granted on.....to provide cable service at/in.....The details of my/our cable service network centre are as follows.

1. Full address of the Applicant: Local..... Permanent.....
2. Full address of Cable Television Network Centre.:
3. Details of Registration under the Cable Television Network (Regulation) Act, 1995.
4. Period for which permission is required.:
5. Amount of monthly fee per subscriber.:
6. Number of total connections.:
7. Other details, if any:

Date of Application.

Signature of the Applicant