

Uttar Pradesh Cinema (Regulation) (Amendment) Act, 2009

27 of 2009

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Uttar Pradesh Cinema (Regulation) (Amendment) Act, 2009

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An Act further to amend the Uttar Pradesh Cinema (Regulation) Act, 1955 It is hereby enacted in the Sixtieth Year of the Republic of India as follows:-- 1. Received the assent of the Governor on September 8, 2009 and published in the U.P. Gazette, Extra., Part 1, Section (Ka), dated 9th September, 2009, pp. 5-7

1. Short Title :-

This Act may be called the Uttar Pradesh Cinema (Regulation) (Amendment) Act, 2009.

2. Amendment Of Section 2 Of U.P. Act No. 3 Of 1956 :-

In Section 2 of the Uttar Pradesh Cinema (Regulation) Act, 1955 hereinafter referred to as the principal Act,--

(a) in clause (ad),--

(i) for the words "any apparatus" the words "any apparatus or electronic digital projection system or any other emerging analogous technology" shall be substituted.

(ii) the following explanation shall be inserted at the end, namely:--

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"Explanation.--Digital projection system is a set of electronic apparatus used for digital cinema exhibition receiving digital print delivery through hard disc or through satellite or otherwise."

(b) clause (aaa) shall be renumbered as clause (a-1) and after

clause (a-1) as so renumbered the following clause shall be inserted, namely:--

"(a-2) Multiplex means a group or conglomeration of two or more than two cinema halls within the same premises with commercial, cultural and other entertainment related facilities,".

(c) after clause (f) the following clauses shall be inserted, namely:-

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"(f-1) television signal receiver means any device, by whatever name called, used to receive and/or decode the transmission programme of particular channel and without which no person is able to see a particular channel programme;

(f-2) television signal receiver agency means a place by whatever name called, where business of selling or letting on hire or distribution or exchange or putting into circulation in any manner whatsoever of television signal receiver.".

(d) clause (g) shall be renumbered as clause (h) and before clause (h) as so renumbered the following clause shall be inserted, namely:--

"(g) Video means any system, by whatever name called, of recording on, or reproducing from video cassette or any other device by whatever name called or transmitting through any recording medium or directly the moving visual images with or without sound.".

(e) after clause (h) the following clause shall be inserted, namely:--

"(i) Words and expression not defined in this Act but defined in the Uttar Pradesh Entertainments and the Betting Tax Act, 1979 or the Cable Television Network (Regulation) Act, 1995 shall have the meaning assigned to them in the said Acts.".

3. Amendment Of Section 3 :-

For Section 3 of the principal Act, the following section shall be substituted, namely:--

"3. Save as otherwise provided in this Act, no person shall,--

(a) give an exhibition by means of cinematograph, or

(b) give an exhibition by means of video, or

(c) keep a video library, or

(d) keep television signal receiver agency,

elsewhere than in a place licensed under this Act, or otherwise than in compliance with the conditions and restrictions imposed by such license.".

4. Amendment Of Section 6-A :-

In Section 6-A of the principal Act, for the words video library the words video library or television signal receiver agency shall be substituted.

5. Amendment Of Section 8 :-

In Section 8 of the principal Act,--

(a) in sub-section (1),--

(i) for the words video library the words video library or television signal receiver agency shall be substituted;

(ii) for the words five thousand rupees the words ten thousand rupees shall be substituted;

(iii) for the words five hundred rupees the words two thousand rupees shall be substituted.

(b) in sub-section (2) for the words two thousand rupees the words five thousand rupees shall be substituted.

(c) after sub-section (2) the following sub-sections shall be inserted, namely:--

"(3) If any person commits or attempts to commit or abets the commission of offences of infringement of copyright in relation to a cinematograph or video film or a record embodying in part of sound track associated with the film, punishable under the Copyright Act, 1957 or exhibit or permits to be exhibited or sale, store, let on hire, distribute, exchange or put into circulation any infringed copy of cinematograph film or video cassette or any other device by whatever name called shall be punishable with imprisonment for a term which may extend to two years or with fine which shall not be less than twenty-five thousand rupees but which may extend to five lakh rupees or with both.

(4) If a person, having been convicted of an offence punishable under sub-section (3) is again guilty of an offence punishable under that sub-section, he shall be punishable for the second or subsequent offence for a term of imprisonment which shall not be less than one year which may extend to two years or with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees or with both."

6. Amendment Of Section 13 :-

In Section 13 of the principal Act, in sub-section (2),--

(a) in clause (a) for the words video libraries the words video libraries or television signal receiver agencies shall be substituted;

(b) in clause (aa) for the words "cinematography" the words "cinematography or video" shall be substituted.