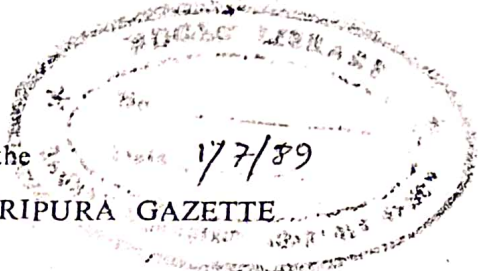


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GOVERNMENT OF TRIPURA
LAW DEPARTMENT

No. F. 2(13)-LAW/Leg/85

Dated, Agartala, the 7th November, 1985.

The following Act of the Tripura Legislative Assembly received assent of the Governor on 20-10-1985 and is hereby published for general information.

Tripura Act No. 9 of 1985.

THE TRIPURA CINEMAS (REGULATION) ACT, 1985.

An
ACT

to make provision for regulating exhibitions by means of cinematographs and for matters connected therewith.

BE it enacted by the Legislature of Tripura in the Thirty Sixth year of the Republic of India as follows :—

1. **Short title, extent and commencement :—**

- (1) This Act may be called the Tripura Cinemas (Regulation) Act, 1985.
- (2) It extends to the whole of the State of Tripura.
- (3) It shall come into force at once.

2. **Definitions :—**

In this Act, unless there is anything repugnant in the subject or context,—

- (a) "Cinematograph" includes any apparatus for the representation of moving pictures or series of pictures ;
- (b) "Film" means a cinematograph film ;
- (c) "Place" includes a house, building, tent and any description of transport whether by water, land or air ;
- (d) "prescribed" means prescribed by rules made under this Act.



3. Cinematograph exhibitions to be licensed :—

Save as otherwise provided in this Act, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Act or otherwise than in compliance with any condition and restrictions imposed by such licence.

4. Licensing authority :

The authority having power to grant licences under this Act (hereinafter referred to as the licensing authority) shall be the District Magistrate :

Provided that the State Government may, by notification in the Official Gazette, constitute for the whole or any part of the State of Tripura such other authority as it may specify in the notification to be the licensing authority for the purposes of this Act.

5. Restrictions on powers of licensing authority :—

(1) The licensing authority shall not grant a licence under this Act, unless it is satisfied that—

(a) the rules made under this Act have been substantially complied with, and

(b) adequate precautions have been taken in the place, in respect of which the licence is to be given, to provide for the safety of persons attending exhibitions therein.

(2) Subject to the foregoing provisions of this section and to the control of the State Government, the licensing authority may grant licences under this Act to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions as it may determine.

(3) Any person aggrieved by the decision of a licensing authority refusing to grant a licence under this Act may, within such time as may be prescribed, appeal to the State Government or to such officer as the State Government may specify in this behalf and the State Government or the officer, as the case may be, may make such order in the case as it or he thinks fit.

(4) The State Government may, from time to time, issue directions to licensees generally or to any licensee in particular for the purpose of regulating the exhibition of any film or class of films so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited, and where any such directions have been issued those directions shall be deemed to be additional conditions and restrictions subject to which the licence has been granted.

6. Power of State Government or the District Magistrate to suspend exhibition of films in certain cases :—

(1) The State Government in respect of whole of the State of Tripura or any part thereof and the District Magistrate in respect of the district within his jurisdiction may, if it or he be of opinion that any film which is being publicly exhibited is likely to cause breach of the

peace, by order, suspend the exhibition of the film and during such suspension the film shall not be exhibited in the whole or part of the State or district, as the case may be provided that the District Magistrate may, in respect of any sub-division within the district, empower the sub-divisional Magistrate having jurisdiction to exercise the powers of the District Magistrate under this section.

- (2) Where an order under sub-section (1) has been issued by the District Magistrate or as the case may be, the Sub-Divisional Magistrate, a copy thereof together with a statement of reasons therefor shall forthwith be forwarded by him to the State Government which may either confirm or discharge the order.
- (3) An order made under this section shall remain in force for a period of two months from the date thereof, but the State Government may, if it is of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as it thinks fit.

7. Penalties for contravention of this Act :—

(1) If any person including the owner or the person in charge of a cinematograph uses the same or allows it to be used or, if the owner or occupier of any place permits that place to be used, in contravention of the provisions of this Act or of the rules made thereunder or of the conditions and restrictions upon or subject to which any licence has been granted under this Act, he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both and in the case of a continuing offence, with a further fine which may extend to one thousand rupees for each day during which the offence continues.

(2) Any offence under this Act shall be cognizable.

8. Power to revoke licence :—

Where the holder of a licence has been convicted of an offence under section 7 of the Cinematograph Act, 1952 (XXXVII of 1952) or under section 7 of this Act, the licence may be revoked by the licensing authority.

9. Power to make rules :—

- (1) The State Government may, by notification in the official Gazettes make rules for the purpose of carrying into effect the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing powers, rules made under this section may provide for—
 - (a) the terms, conditions and restrictions, if any, subject to which licences may be granted under this Act ;
 - (b) the regulation of the cinematograph exhibitions for securing the public safety ;
 - (c) the fees to be levied for licensing places for cinematograph exhibition ; and
 - (d) the time within which and the conditions subject to which an appeal under sub-section (3) of section 5 may be preferred.



10. Power to exempt :—

The State Government may, by order in writing, exempt, subject to conditions and restrictions as it may impose, any cinematograph exhibition or class of cinematograph exhibitions from any of the provisions of this Act or of any rules made thereunder.

11. Repeal and savings :—

- (1) The provisions of part III of the Cinematograph Act, 1952 (Central Act XXXVII of 1952) in its application to the State of Tripura is hereby repealed.
- (2) Notwithstanding such repeal, every action taken, order passed, notification published, licence issued, rules made or penalty imposed under the repealed provisions of the aforesaid Act and are in force immediately before the commencement of this Act shall be deemed respectively to have been taken, passed, published, issued made or imposed under the corresponding provisions of this Act.

By order of the Governor,

A. B. Paul

Deputy Secretary, Law