



The Madhya Pradesh Cinemas (Regulation) Act, 1952

Act 17 of 1952

Keyword(s):

Cinematograph, Place, Regulation, Licensing, Exhibition of Films

Amendment appended: 8 of 2023

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THE MADHYA PRADESH CINEMAS (REGULATION)
ACT, 1952

(No. 17 of 1952)

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THE MADHYA PRADESH CINEMAS (REGULATION) ACT, 1952

(No. 17 of 1952)¹

(Received the assent of the Governor on the 10th September, 1952; assent first published in the Madhya Pradesh Gazette on the 19th September, 1952).

An act to make provision for the regulation of cinemas including their licensing.

Preamble.

Whereas it is expedient to make provision for the regulation of cinemas, including their licensing;

It is hereby enacted as follows :—

1. (1) This Act may be cited as the Madhya Pradesh Cinemas (Regulation) Act, 1952.

Short title, extent and commencement.

[(2) It extends to and shall be in force in the whole of Madhya Pradesh.]²

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

Definitions.

(a) “cinematograph” includes any apparatus for the representation of moving pictures or series of pictures;

(b) “Place” includes a house, building, tent and any description of transport, whether by sea, land or air;

(c) “prescribed means prescribed by rules made under this Act.

3. 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 conditions and restrictions imposed by such licence.

Cinematograph exhibition to be licensed.

4. The authority having power to grant licences under this Act (hereinafter referred to as the “Licensing authority”) shall be the District Magistrate:

Licensing authority.

Provided that the State Government may, by notification constitute for the whole or any part of [the State]³ such other authority as it may specify in the notification to be the licensing authority for the purposes of this Act.

1. For Statement of Objects and Reasons, see Madhya Pradesh Gazette, dated the 25th July, 1952, Part IV (A), Page 79. For proceedings in Assembly see Madhya Pradesh Legislative Assembly Proceedings, 1952, Vol. II. Page 66 to 69, 22 to 54 and 17 to 23, dated the 18th, 19th and 20th August 1955, respectively.

2. Subs. by M.P. Act 23 of 1958, S. 3(3), Sch. Part A, item 72.

3. Subs. by M. P. Act 23 of 1958, S. 3(3) Sch. Part A, item 72, for “Mahakoshal region”.

Resnictions on powers of
licensing authority.

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

- (a) the rules made under the Act have been substantially complied with ; and
- (b) adequate precautions have been taken in the place in respect of which the licence is to 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 tremes 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.

Power of State Govern-
ment or local authority
to suspend exhibition of
films.

6. (1) The State Government in respect of the [whole State]¹ or any part thereof, and the District Magistrate in respect of the district or town within his jurisdiction, may, if it or he is of opinion that any film which is being publicly exhibited, as likely to cause a breach of the peace, by order suspend the exhibition of any film and during such suspension no person shall exhibit such film in any place in the area specified in the order.

(2) Where an order under sub-section (1) has been issued by a District Magistrate a copy thereof, together with a statement of reasons therefor, shall forthwith be forwarded by the District Magistrate to the State Government and the State Government may either confirm or discharge the order.

(3) No order under this section shall remain in force for more than two months but the State Government, may, if it is of opinion that any such order should continue in force, direct that the period of suspension shall be extended by such further period as it thinks fit.

1. Subs. by M.P. Act 23 of 1958 S. 3. (1), Sch. Part A, item 72, for whole of the "Mahakoshal region"

7. If the owner or person incharge 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 the rules made there under, or of the conditions and restrictions, upon, or subject to, which any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupees, and, in the case of continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues.

Penalties.

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

Power to revoke licence.

9. The State Government may, by notification, make rules—

Power to make rules.

- (a) prescribing the terms, conditions and restrictions, if any, subject to which licences may be granted under this Act ;
- (b) providing for the regulation of cinematograph exhibitions for securing the public safety ;
- (c) prescribing the time within which and the conditions subject to which an appeal under sub-section (2) of section 5 may be preferred ;

[(d) any other matter which is to be or may be prescribed.]¹

10. The State Government may, by order in writing, exempt, subject to such 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.

Power to exempt.

11. The Cinematograph Act, 1918 (II of 1918), in so far as it relates to matters other than the sanctioning of cinematograph films, is hereby repealed.

Repeal.

इसे वेबसाईट www.govtpressmp.nic.in से भी डाउन लोड किया जा सकता है.



मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 33]

भोपाल, शुक्रवार, दिनांक 27 जनवरी 2023—माघ 7, शक 1944

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 27 जनवरी 2023

क्र. 1607-36-इक्कीस-अ(प्रा.).—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 25 जनवरी, 2023 को महामहिम राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिये प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,

राघवेन्द्र भारद्वाज, अतिरिक्त सचिव.

मध्यप्रदेश अधिनियम
क्रमांक ८ सन् २०२३
मध्यप्रदेश सिनेमा (विनियमन) संशोधन अधिनियम, २०२२

[दिनांक २५ जनरी, २०२३ को राज्यपाल की अनुमति प्राप्त हुई; अनुमति "मध्यप्रदेश राजपत्र (असाधारण)" में दिनांक २७ जनवरी २०२३ को प्रथमवार प्रकाशित की गई.]

मध्यप्रदेश सिनेमा (विनियमन) अधिनियम, १९५२ को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के तिहत्तरवें वर्ष में मध्यप्रदेश विधान-मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

संक्षिप्त नाम.

१. इस अधिनियम का संक्षिप्त नाम मध्यप्रदेश सिनेमा (विनियमन) संशोधन अधिनियम, २०२२ है.

धारा २ का संशोधन.

२. मध्यप्रदेश सिनेमा (विनियमन) अधिनियम, १९५२ (क्रमांक १७ सन् १९५२) (जो इसमें इसके पश्चात् मूल अधिनियम के नाम से निर्दिष्ट है), की धारा २ में,—

(एक) खण्ड (क) के पश्चात्, निम्नलिखित खण्ड अन्तःस्थापित किए जाएं, अर्थात्:—

“(क क) “नगरपालिक क्षेत्र” का वही अर्थ होगा, जो उसके लिए मध्यप्रदेश नगरपालिक निगम अधिनियम, १९५६ (क्रमांक २३ सन् १९५६) की धारा ५ के खण्ड (३४-क) में तथा मध्यप्रदेश नगरपालिका अधिनियम, १९६१ (क्रमांक ३७ सन् १९६१) की धारा ३ के खण्ड (१८-क) में समनुदेशित किया गया है;

(क ख) “अन्य क्षेत्र” से अभिप्रेत तथा उसमें सम्मिलित है, छावनी बोर्ड की अधिकारिता के अधीन आने वाले क्षेत्र के सिवाय, नगरपालिक क्षेत्र के बाहर का कोई क्षेत्र;”;

(दो) खण्ड (ख) में, शब्द “समुद्र” के स्थान पर, शब्द “जल” स्थापित किया जाए.

धारा ४ का स्थापन अनुज्ञापन प्राधिकारी.

३. मूल अधिनियम की धारा ४ के स्थान पर, निम्नलिखित धारा स्थापित की जाए, अर्थात्:—

“४. इस अधिनियम के अधीन अनुज्ञप्तियां प्रदान करने की शक्ति रखने वाला प्राधिकारी (जो इसमें इसके पश्चात् अनुज्ञापन प्राधिकारी के नाम से निर्दिष्ट है) नगरपालिक निगम की सीमाओं के भीतर नगरपालिक क्षेत्र के लिए आयुक्त होगा तथा नगरपालिका परिषद्, नगर परिषद् की सीमाओं के भीतर आने वाले नगरपालिक क्षेत्रों के लिए और अन्य क्षेत्रों के लिए जिला मजिस्ट्रेट या जिला मजिस्ट्रेट द्वारा प्राधिकृत कोई कार्यपालिक मजिस्ट्रेट होगा, जो उप-खण्ड मजिस्ट्रेट की श्रेणी से नीचे का न हो :

परन्तु राज्य सरकार, अधिसूचना द्वारा, संपूर्ण राज्य या उसके किसी भाग के लिए ऐसा अन्य प्राधिकारी नियुक्त कर सकेगी, जैसा कि वह इस अधिनियम के प्रयोजनों के लिए अनुज्ञापन प्राधिकारी होने के लिए अधिसूचना में विनिर्दिष्ट करे.”

धारा ७ का स्थापन शास्तियां.

४. मूल अधिनियम की धारा ७ के स्थान पर, निम्नलिखित धारा स्थापित की जाए, अर्थात्:—

“७. इस अधिनियम या उसके अधीन बनाए गए नियमों के उपबंधों या शर्तों और निबंधनों, जिनके अधीन कोई अनुज्ञप्ति इस अधिनियम के अधीन प्रदान की गई है, के उल्लंघन में, यदि चलचित्र का स्वामी या भारसाधक व्यक्ति उसका उपयोग करता है या उसका उपयोग करने की अनुमति देता है, या यदि किसी स्थान का स्वामी या अधिभोगी उस स्थान के उपयोग करने की अनुमति देता है, तो वह जुर्माने से, जो पचास हजार रुपए से अधिक का नहीं होगा और निरन्तर अपराध की दशा में, उस प्रत्येक दिन के लिए, जिसमें अपराध जारी रहता है, अतिरिक्त जुर्माने से जो पांच हजार रुपए से अधिक का नहीं होगा, दण्डनीय होगा.”

भोपाल, दिनांक 27 जनवरी 2023

क्र. 1607-36-इक्कीस-अ(प्रा.)—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश सिनेमा (विनियमन) संशोधन अधिनियम, 2022 (क्रमांक 8 सन् 2023) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राघवेंद्र भारद्वाज, अतिरिक्त सचिव.

MADHYA PRADESH ACT
No. 8 OF 2023

THE MADHYA PRADESH CINEMAS (REGULATION) AMENDMENT ACT, 2022

[Received the assent of the Governor on the 25th January 2023; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 27th January 2023].

An Act further to amend the Madhya Pradesh Cinemas (Regulation) Act, 1952.

Be it enacted by the Madhya Pradesh Legislature in the seventy-third year of the Republic of India as follows :—

1. This Act may be called the Madhya Pradesh Cinemas (Regulation) Amendment Act, 2022. **Short title.**

2. In the Madhya Pradesh Cinemas (Regulation), Act, 1952 (No. 17 of 1952) (hereinafter referred to as the principal Act), in Section 2,— **Amendment of Section 2.**

(i) after clause (a), the following clauses shall be inserted, namely :—

"(aa) "Municipal area" shall have the same meaning as assigned to it in clause (34-a) of Section 5 of the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) and clause (18-a) of Section 3 of the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961);

(ab) "other area" means and includes any area outside the municipal area, except area falling under jurisdiction of the Cantonment Board;";

(ii) in clause (b), for the word "sea", the word "water" shall be substituted.

3. For Section 4 of the principal Act, the following section shall be substituted, namely :— **Substitution of Section 4.**

"4. The authority having powers to grant licenses under this Act (hereinafter referred to as the "licensing authority") shall be the Commissioner for the municipal area within the limits of Municipal Corporation and the District Magistrate, or an executive magistrate, not below the rank of sub-divisional magistrate, authorized by the District Magistrate for municipal areas falling within limits of Municipal Council, Nagar Parishads and for other areas :

Licensing Authority.

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

Substitution of Section 7.

4. For Section 7 of the principal Act, the following Section shall be substituted, namely :—

Penalties.

"7. If the owner or 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 the rules made thereunder, or of the conditions and restrictions subject to which any license has been granted under this Act, he shall be punishable with fine not exceeding rupees fifty thousand, and in the case of continuing offence, with a further fine not exceeding rupees five thousand for each day the offence continues."