The Madhya Pradesh Cinemas (Regulation) Act, 1952
Act 17 of 1952

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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.

[(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,—

(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.

4. 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 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.
³ Subs. by M. P. Act 23 of 1958, S. 3(3) Sch. Part A, item 72, for "Mahakoshal region".
5. (1) The licensing 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 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. (1) The State Government in respect of the [whole State] 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 thereof, 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 any period exceeding 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 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 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.

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.

9. The State Government may, by notification, 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.]

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.

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.
मध्यप्रदेश राज्यपाल
(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 33] भोपाल, शुक्रवार, दिनांक 27 जनवरी 2023—माध 7, शक 1944

विधि और विधायी कार्य विभाग
भोपाल, दिनांक 27 जनवरी 2023

क्र. 1607-36-इक्कोस-अ(प्रा. )—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 25 जनवरी, 2023 को महामहिम राज्यपाल को अनुमति प्राप्त हो चुकी है, एवं इसका संरक्षाधरण को जानकारी के लिए प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राष्ट्रवेत्र भारद्वाज, अतिरिक्त सचिव।
धारा २ का संशोधन.

२. मध्यप्रदेश सिनेमा (विनियमन) अधिनियम, १९५२ (क्रमांक २७ सन् १९५२) (जो इसमें इसके परवर्ती मूल अधिनियम के नाम से निर्देश है), को धारा २ में--

(एक) खण्ड (क) के परवर्ती, निम्नलिखित खण्ड अन्तःस्थापित किए जाएँ, अर्थातः--

"(क) "नगरालिक क्षेत्र" का वह अंश घोषित, जो उसके लिए मध्यप्रदेश नगरालिक नियम अधिनियम, १९५६ (क्रमांक २३ सन् १९५६) की धारा ५ के खण्ड (३४-क) में तथा मध्यप्रदेश नगरालिक अधिनियम, १९६६ (क्रमांक १७ सन् १९६६) की धारा ३ के खण्ड (६५-क) में समुदायित किया गया है;

(क) "अन्य क्षेत्र" से अभिरुचि तथा उसमें सम्मिलित है, छावनी कोई अधिकारियों के अधीन आने वाले क्षेत्र के सिवाय, नगरालिक क्षेत्र के बाहर का कोई क्षेत्र;"

(दो) खण्ड (ख) में, शब्द "समुदाय" के स्थान पर, शब्द "जन" स्थापित किया जाए.

धारा ४ का स्थापन अनुसार प्राधिकारी.

३. मूल अधिनियम की धारा ४ के स्थान पर, निम्नलिखित धारा स्थापित की जाए, अर्थातः--

"४. इस अधिनियम के अभिरुचि अनुसार प्रदान करने की शक्ति रखने वाली प्राधिकारियों (जो इसमें इसके परवर्ती अनुसार अनुसार प्राधिकारी के नाम से निर्देश है) नगरालिक नियम की सीमाओं के भीतर नगरालिक क्षेत्र तथा अन्य क्षेत्रों के लिए और अन्य क्षेत्रों के लिए या वहाँ मजिस्ट्रेट या प्रमुख मजिस्ट्रेट द्वारा प्रभावित कोई कार्यालय मजिस्ट्रेट हो, उप-खण्ड मजिस्ट्रेट की क्षमता से नीचे का न होः

पाँचवी वर्ष के अंत तक अधिसूचना द्वारा, संपूर्ण राज्य या उसके किसी भाग के लिए ऐसे अन्य प्राधिकारियों नियुक्त कर सकती है, जैसे कि वह इस अधिनियम के प्रवर्तन के लिए अनुसार अनुसार अनुसार प्राधिकारी होने के लिए अधिसूचना में विनिमय करे.".

धारा ५ का स्थापन अनुसार प्राधिकारी.

४. मूल अधिनियम की धारा ५ के स्थान पर, निम्नलिखित धारा स्थापित की जाए, अर्थातः--

"५. इस अधिनियम या उसके अभिरुचि अनुसार प्रदान करने की शक्ति रखने वाली प्राधिकारियों कोई अनुसार इस अधिनियम के अभिरुचि प्रदान को भी है, के उद्देश्य में, वह वलिचित्र का स्वामी या भारतीय सरकार उसका प्रयोग करता है या उसका उपयोग करने को अनुमति देता है, या वह वहीं स्थान का स्वामी या अधिरक्षक उस स्थान के उपयोग करने की अनुमति देता है, तो वह जुमला से, जो वहाँ है, इसे अधिकार का माना गया होगा और विनिमय अतिरिक्त की उपस्थिति में, उस प्रयोके दिन के लिए, जिसमें अपराध जतना रहता है, अतिरिक्त जुमला से, जो पूर्व हुआ रहेगा, तथा अभिरुचि का नहीं होगा, दण्डनीय होगा."
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.

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

"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:

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

"7. If the owner or person in-charge of a cinematograph uses the same or allows it to be used, or if the owner of 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.".