



The Uttar Pradesh Cinemas (Regulation) (Amendment) Act, 1974  
Act 27 of 1974

**Keyword(s):**  
Exhibition by Means of Video, Video Library

**Amendments appended: 21 of 1986, 32 of 1995, 8 of 2001**

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THE UTTAR PRADESH CINEMAS (REGULATION)  
(AMENDMENT) ACT, 1974

[U. P. ACT NO. 27 OF 1974]

\* (Authoritative English Text of the Uttar Pradesh Chal-Chitra (Viniyaman)  
(Sanshodhan) Adhiniyam, 1974).

AN  
ACT

further to amend the Uttar Pradesh Cinemas (Regulation) Act, 1955

It is HEREBY enacted in the Twenty-fifth Year of the Republic of India  
as follows:—

1. This Act may be called the Uttar Pradesh Cinemas (Regulation)  
(Amendment) Act, 1974.

Short title.

2. In section 5 of the Uttar Pradesh Cinemas (Regulation) Act, 1955,  
hereinafter referred to as the principal Act, in sub-section (1),—

Amendment of  
section 5 of  
U.P. Act no. 3  
of 1956.

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

“(aa) the building or other place in which cinematograph exhibi-  
tion proposed to be given—

(i) is situated at a distance of not less than 200 metres from  
the Raj Bhawan, the State Government Secretariat, the High  
Court, the State Public Service Commission or the Board of  
Revenue ;

(ii) is situated at such minimum distance as may be prescribed  
from other public buildings and from recognised educational  
and other public institutions and public hospitals ;

(iii) is not situated in a locality which is exclusively residen-  
tial in character or is reserved exclusively for residential pur-  
poses; and”;

(ii) after clause (b), the following clause shall be inserted, namely:—

“(c) the grant of licence is not otherwise contrary to the public  
interest.”;

(iii) at the end, the following Explanation shall be inserted, namely:—

“Explanation—(1) Different minimum distances may be prescribed  
under sub-clause (ii) of clause (aa) in relation to different classes of  
public buildings, institutions and hospitals.

(2) For purposes of clause (aa), the distance shall be measured from  
the outer boundary of the compound of the cinema building to the outer  
boundary of the compound, if any, of the other building mentioned in  
that clause.”

3. In section 7 of the principal Act,—

(i) for sub-section (1), the following sub-sections shall be substituted,  
namely:—

Amendment of  
section 7.

“(1) Notwithstanding anything contained in this Act, where a licence  
has been granted under section 5, it may be cancelled or revoked in the  
public interest—

(i) by the State Government, where the licence was granted by  
the Government or by the licensing authority ;

(ii) by the licensing authority, where the licence was granted by  
such authority.

\*(For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary),  
dated August 24, 1974.

(Passed in Hindi by the Uttar Pradesh Legislative Council on August 21, 1974, and by  
the Uttar Pradesh Legislative Assembly on August 22, 1974).

(Received the Assent of the Governor on August 26, 1974 under Article 200 of the  
Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated  
August 27, 1974).

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विधान पुस्तकालय  
(संस्कृत प्रकाशन)  
उत्तर प्रदेश, लखनऊ

(1-A) In particular and without prejudice to the generality of the power conferred by sub-section (1), a licence may be cancelled or revoked under that sub-section on any of the following grounds, namely:—

(a) that the licence was obtained through fraud or mis-representation; or

(b) that the licensing authority or the State Government while considering the application or appeal, as the case may be, under section 5 was under a mistake as to a matter essential to the question of grant or refusal of licence; or

(c) that the licensee has been guilty of breach of the provisions of this Act or the rules made thereunder or of any conditions or restrictions contained in the licence, or of any direction issued under sub-section (4) of section 5; or

(d) that on account of any change occurring in the situation of the place licensed, the continuance of the licence is considered prejudicial to decency or morality; or

(e) that the licensee has been convicted of any offence under section 8 of this Act or section 7 of Cinematograph Act, 1952.”;

(ii) in sub-section (2),—

(a) the word “suspended” shall be *omitted*;

(b) the following proviso thereto shall be *inserted*, namely:—

“Provided that where the State Government or the licensing authority, as the case may be, is further of the opinion that the object of the action proposed to be taken would be defeated by delay, it may, while or after communicating to the licensee, as aforesaid, the grounds on which the action is proposed, pass an interim order suspending the licence in the mean time.”;

(iii) in sub-section (3), the word “suspended” shall be *omitted*;

(iv) in sub-section (4), for the words “suspending, cancelling or revoking a licence under sub-section (3)”, the words “suspending a licence under the proviso to sub-section (2) or cancelling or revoking it under sub-section (3)” shall be *substituted*.

Amendment of section 12.

4. In section 12 of the principal Act, in sub-section (2), for the word “order” wherever occurring, the words “rule or order” shall be *substituted* and be deemed always to have been *substituted*.

Amendment of section 13.

5. In section 13 of the principal Act,—

(a) in sub-section (1), the words “after previous publication” shall be *omitted* and be deemed always to have been *omitted*;

(b) after sub-section (2), the following sub-section shall be *inserted*, namely:—

“(3) All rules made under this Act shall, as soon as may be after they are made be laid before each House of the State Legislature while it is in session for a total period of thirty days extending in its one session or more than one successive sessions, and shall unless some later date is appointed, take effect from the date of their publication in the *Gazette*, subject to such modifications or annulments as the two Houses of the Legislature may during the said period agree to make, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.”

Act to apply to pending applications etc.

6. The amendments made in the principal Act by this Act shall apply in relation to all applications, whether given before or after the commencement of this Act, for the grant of licence for cinematograph exhibition or for approval for construction of a permanent building for that purpose, and shall apply in relation to all such applications for the grant of licence for cinematograph exhibition notwithstanding that approval for construction of a permanent building for that purpose had been given by the licensing authority before the commencement of this Act.

No. 1688 (2) / XVII-V-1-1 (KA) -1986

*Dated Lucknow, September 22, 1986*

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Chal-Chitra (Viniyaman) (Sanshodhan) Adhiniyam, 1986 (Uttar Pradesh Adhiniyam Sankhya 21 of 1986) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 20, 1986 :

THE UTTAR PRADESH CINEMAS (REGULATION)

— (AMENDMENT) ACT, 1986

{U. P. ACT NO. 21 OF 1986}

*(As passed by the Uttar Pradesh Legislature)*

AN  
ACT

*further to amend the Uttar Pradesh Cinemas (Regulation) Act, 1955*

IT IS HEREBY enacted in the Thirty-seventh Year of the Republic of India as follows :

1. (1) This Act may be called the Uttar Pradesh Cinemas (Regulation) (Amendment) Act, 1986.

Short title and commencement

(2) It shall come into force on such date as the State Government may, by notification, appoint in this behalf.

- Amendment of long title of U.P. Act no. 3 of 1956
- Amendment of preamble
- Amendment of section 2
2. In the long title of the Uttar Pradesh Cinemas (Regulation) Act, 1955, hereinafter referred to as the principal Act, after the word "cinematographs" the words "and video" shall be inserted.
3. In the preamble of the principal Act, after the word "cinematographs" the words "and video" shall be inserted.
4. In section 2 of the principal Act,—
- (a) in clause (a) after the word "apparatus" the words "other than video" shall be inserted;
- (b) after clause (a), the following clause shall be inserted, namely:
- "(aa) 'exhibition by means of video' means an exhibition in public on payment for admission of moving pictures or series of pictures by playing or replaying a pre-recorded cassette by means of a video cassette player whether on the screen of a television set or videoscope or otherwise;
- Explanations*—For the purposes of this clause exhibition by means of video in any restaurant or hotel or public transport vehicle shall be deemed to be on payment for admission whether or not payment for admission to such exhibition is charged distinctly from the payment for refreshment or meals or room rent or fare or any other charges, as the case may be."
- (c) after clause (f), the following clause shall be inserted, namely:
- "(g) 'Video library' means a place, by whatever name called, where the business of selling or letting on hire or distribution or exchange or putting into circulation in any manner whatsoever, of moving pictures or series of pictures recorded on a video cassette is carried on."
- Substitution of section 3.
5. For section 3 of the principal Act, the following section shall be substituted, namely:
- Licence "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,
- elsewhere than in a place licensed under this Act, or otherwise than in compliance with the conditions and restrictions imposed by such licence."
- Insertion of new section 6-A
6. After section 6 of the principal Act, the following section shall be inserted, namely:
- "6-A (1) The Licensing authority or any other officer authorised by Inspection him in this behalf may, with such assistance as may be necessary, enter, inspect and search at any reasonable time, any place ordinarily used or suspected to be used, for exhibition by means of cinematograph or video, or for keeping video library, with a view to securing compliance of the provisions of this Act or the rules made thereunder.
- (2) Every officer, referred to in sub-section (1), shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.
- (3) Every officer, referred to in sub-section (1), may require a person who is suspected of contravening any of the provisions of this Act or rules made thereunder, to declare immediately his name and address, and if such person refuses or fails to give his name and address, or if the officer reasonably suspects him of giving a false name or address, the officer may arrest him and detain or get him detained at the nearest police station and the provisions of section 42 of the Code of Criminal Procedure, 1973 shall apply."
- Substitution of section 8.
7. For section 8 of the principal Act, the following sections shall be substituted, namely:
- "8. (1) If the owner or person incharge of a Cinematograph uses or allows it to be used, or if the owner or occupier of a place permits that place to be used for exhibition by means of

cinematograph, or if a person gives exhibition by means of video or keeps a video library, in contravention of the provisions of this Act or the rules made thereunder or of the conditions and restrictions upon or subject to which licence has been granted under this Act, he shall be punishable with fine which may extend to two thousand rupees, and in the case of continuing offence with a further fine which may extend to five hundred rupees for each day during which the offence continues.

(2) If any person prevents the entry of any officer duly authorised in this behalf, or otherwise obstructs such officer in the discharge of his duties imposed by or under this Act or the rules made thereunder, he shall be punishable with a fine which may extend to two thousand rupees.

8-A. (1) Any offence punishable under this Act may, subject to any Compounding of Offences. general or special order of the State Government in this behalf, be compounded by the Licensing Authority, either before or after the institution of the prosecution, on realisation of such amount of composition fee as he thinks fit, not exceeding the maximum amount of fine fixed for the offence.

(2) Where the offence is so compounded,—

(a) before the institution of the prosecution, the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty;

(b) after the institution of the prosecution the composition shall amount to acquittal of the offender."

8. In section 10 of the principal Act, for the words "any cinematograph exhibition or class of exhibitions" the words "any exhibition or class of exhibitions by means of cinematograph or video or any video library" shall be substituted.

Amendment of section 10

9. In section 13 of the principal Act, in sub-section (2) —

(a) in clause (a), for the words "cinematograph exhibitions may be displayed" the words "exhibitions by means of cinematograph or video may be made or video libraries may be kept" shall be substituted;

(a) in clause (a) after the word "apparatus" the words "other than graph exhibition" the words "licenses under this Act" shall be substituted.

Amendment of section 13

By order,  
S. N. SAHAY,  
Sachiv.

No. 1805 (2)/XVII-V-1—1(KA)39-1995

*Dated Lucknow, September 14, 1995*

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Chal Chitra (Viniyaman) (Sanshodhan) Adhiniyam, 1995 (Uttar Pradesh Adhiniyam Sankhya 32 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 13, 1995:

**THE UTTAR PRADESH CINEMAS (REGULATION) (AMENDMENT) ACT, 1995**

(U. P. ACT NO. 32 OF 1995)

*[As passed by the Uttar Pradesh Legislature]*

AN  
ACT

*further to amend the Uttar Pradesh Cinemas (Regulation) Act, 1955.*

**IT IS HEREBY enacted in the Forty-sixth Year of the Republic of India as follows :—**

1. (1) This Act may be called the Uttar Pradesh Cinemas (Regulation) (Amendment) Act, 1995. Short title and commencement

(2) It shall come into force on such date, as the State Government may, by notification, appoint in this behalf.

2. In section 2 of the Uttar Pradesh Cinemas (Regulation) Act, 1955, hereinafter referred to as the principal Act, clauses (a) and (aa) shall be re-numbered as clauses (aa) and (aaa) thereof respectively and before clause (aa) as so re-numbered the following clause shall be inserted, namely :— Amendment of section 2 of U. P. Act no. 3 of 1956

“(a) ‘appellate authority’ means the State Government when the appeal is preferred against an order of the Entertainment Tax Commissioner, Uttar Pradesh, and the Divisional Commissioner when the appeal is preferred against an order of the District Magistrate ;”

3. In section 5 of the principal Act, in sub-section (3), for the words “the State Government and the State Government” the words “the appellate authority and the appellate authority” shall be substituted. Amendment of section 5

4. In section 6-A of the principal Act,—

(a) in sub-section (1), after the words “rules made thereunder” the words “and may seize such films and video cassettes as are found being exhibited or kept in contravention thereof” shall be inserted ; Amendment of section 6-A

(b) after sub-section (4), the following sub-section shall be inserted, namely :—

“(5) Every film or video cassette seized under sub-section (1) shall, as soon as may be, be produced before the court having jurisdiction which may make such order as it thinks fit for its proper custody.

(6) Films and video cassettes seized under sub-section (1) shall be liable to confiscation by an order of the court having jurisdiction :

Provided that no order of confiscation shall be made until the expiration of one month from the date of seizure and without hearing any person who may claim any right thereto and considering the evidence, if any, which he produces in respect of his claim.”

5. In section 7 of the principal Act—

(a) in sub-section (1-A), in clause (b) for the words “State Government” the words “appellate authority” shall be substituted ; Amendment of section 7

(b) in sub-section (4), for the words “State Government” the words “appellate authority” shall be substituted ;

(c) in sub-section (5), for the words “State Government” the words “appellate authority” shall be substituted.

By order,  
N. K. NARANG,  
Pranikh Sachiv



Dated Lucknow, March 28, 2001

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Chal-Chitra (Viniyaman Sanshodhan) Adhiniyam, 2000 (Uttar Pradesh Adhiniyam Sankhya 8 of 2001) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 27, 2001.

THE UTTAR PRADESH CINEMAS (REGULATION)  
(AMENDMENT) ACT, 2000

(U. P. ACT NO. 8 OF 2001)

[As passed by the Uttar Pradesh Legislature]

AN  
ACT

to amend the Uttar Pradesh Cinemas (Regulation) Act, 1955.

IT IS HEREBY enacted in the Fifty-first Year of the Republic of India as follows:—

Short title

1. This Act may be called the Uttar Pradesh Cinemas (Regulation) (Amendment) Act, 2000.

Amendment of  
section 2 of U.P.  
Act no. 3 of 1956

2. In section 2 of the Uttar Pradesh Cinemas (Regulation) Act, 1955,—

(a) in clause (aa) for the words "a pre-recorded cassette by means of a video cassette player", the words "a pre-recorded cassette or any other device, by whatever name called by means of a video cassette player or any other apparatus, by whatever name called" shall be substituted;

(b) in clause (g) for the words "video cassette", the words "video cassette or any other device by whatever name called" shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

The Uttar Pradesh Cinemas (Regulation) Act, 1955 has been enacted to provide for regulating exhibitions of cinemas by means of cinematographs and video. With the development of science and technologies, new devices and apparatus have been developed for exhibiting cinema. It has, therefore, been decided to amend the said Act to include such devices and apparatus also within the ambit of the said Act.

The Uttar Pradesh Cinemas (Regulation) (Amendment) Bill, 2000 is introduced accordingly.

By order,  
**Y. R. TRIPATHI,**  
*Pramukh Sachiv,*