



The Tamil Nadu Cinemas (Regulation) Act, 1955

Act 9 of 1955

Keyword(s):

Cinematograph, District Collector, Place

Amendments appended: 38 of 1986, 24 of 1987, 48 of 1987, 11 of 1994, 30 of 1997, 3 of 1998

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¹[TAMIL NADU] ACT No. IX OF 1955.²[THE ¹[TAMIL NADU] CINEMAS (REGULATION)
ACT, 1955.]

(Received the assent of the Governor on the 19th April 1955 ;
first published in the Fort St. George Gazette on the
27th April 1955.)

An Act to provide for the regulation of exhibitions by
means of cinematographs in the ³[State of Tamil Nadu].

WHEREAS it is expedient to provide for the regulation of
exhibitions by means of cinematographs in the ³[State of
Tamil Nadu];

BE it enacted in the Sixth Year of the Republic of India
as follows:—

Short title,
extent and
commence-
ment. 1. (1) This Act may be called the ¹[Tamil Nadu]
Cinemas (Regulation) Act, 1955;

(2) It extends to the whole of the ³[State of Tamil
Nadu.]

(3) It shall come into force on *such date as the
Government may, by notification, appoint.

¹These words were substituted for the word "Madras" by the
Tamil Nadu Adaptation of Laws Order, 1969, as amended by the
Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

²For Statement of Objects and Reasons, see *Fort St. George
Gazette*, Extraordinary dated the 6th December 1954, Part IV-A,
page 328.

This Act was extended to the Kanyakumari district and the
Shencottah taluk of the Tirunelveli district by section 3 of, and the
Schedule to, the Tamil Nadu (Transferred Territory) Extension of
Laws, Act, 1957 (Tamil Nadu Act XXII of 1957), repealing the
corresponding law in force in that territory.

This Act was extended to the added territories by section 3 of,
and the First Schedule to, the Tamil Nadu (Added Territories) Extension
of Laws Act, 1952 (Tamil Nadu Act 14 of 1952), repealing the
corresponding law in force in those territories.

³This expression was substituted for the expression "State
of Madras" by the Tamil Nadu Adaptation of Laws Order,
1969, as amended by the Tamil Nadu Adaptation of Laws (Second
Amendment) Order, 1969.

*Came into force on the 30th May 1956.

252

2. In this Act, unless the context otherwise requires—**Definitions**

(1) "cinematograph" includes any apparatus for the representation of moving pictures or series of pictures;

(2) "District Collector" in relation to the presidency-town, means the Commissioner of Police, Madras;

(3) "Government" means the State Government;

(4) "notification" means a notification published in the ***Fort. St. George Gazette*;

(5) "place" includes a house, building, tent and any description of transport, whether by water, land or air;

(6) "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 exhibitions to be licensed.**

¹[3-A. No person shall be eligible for applying for a licence if he has been convicted of an offence under clause (a) or clause (c) of section 14 of the ²[Tamil Nadu] Entertainments Tax Act, 1939 (²[Tamil Nadu] Act X of 1939), unless a period of two years has elapsed since his conviction. **Disqualification for holding a licence.**

4. The authority having power to grant licences under this Act (hereinafter referred to as the licensing authority) shall be the District Collector. **Licensing authority.**

Provided that the 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.

***Now the Tamil Nadu Government Gazette.*

¹This section was inserted by section 2 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1964 (Tamil Nadu Act 20 of 1964).

² These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

(3) The licensing authority may, after consideration of the matters set forth in sub-section (1), limit the number of places in any area in respect of which licences under this Act may be granted.

(4) The Government may issue such orders and directions of a general character as they may consider necessary, in respect of any matter relating to licences for the exhibition of cinematograph films, to licensing authorities; and every licensing authority shall give effect to such orders and directions.

(5) Subject to the foregoing provisions of this section, the licensing authority may grant licences under this Act to such persons and on such terms and conditions and subject to such restrictions as it may determine. Where the licensing authority refuses to grant any licence, it shall do so by an order communicated to the applicant, giving the reasons in writing for such refusal.

(6) Every licence under this Act shall be personal to the person to whom it is granted and no transfer or assignment thereof whether absolute or by way of security or otherwise shall be valid unless approved in writing by the licensing authority.

(7) Any person aggrieved by ¹[the decision of the licensing authority granting, or refusing to grant, a licence under this Act or approving, or refusing to approve, any transfer] or assignment thereof, may, within such time as may be prescribed, appeal to such authority as the Government may specify in this behalf and such authority may make such order in the case as it may think fit.

²[(8) The appellate authority referred to in sub-section (7) may stay the execution of any such decision, pending the exercise of its powers under sub-section (7) in respect thereof.]

¹These words were substituted for the words "the decision of the licensing authority refusing to grant a licence under this Act or refusing to approve any transfer" by section 2 (i) of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961 (Tamil Nadu Act 4 of 1961).

²This sub-section was added by section 2 (ii) of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961 (Tamil Nadu Act 4 of 1961).

Licensing authority to permit Construction and reconstruction of buildings installation of machinery, etc. for cinematograph exhibitions.

¹5-A (1) Any person who intends—

(a) to use any place for the exhibition of cinematograph films, or

(b) to use any site for constructing a building thereon for the exhibition of cinematograph films, or

(c) to construct or reconstruct any building for such exhibition, or

(d) to instal any machinery in any place where cinematograph exhibitions are proposed to be given, shall make an application in writing to the licensing authority for permission therefor, together with such particulars as may be prescribed, and any provision contained in the enactments specified below or in the rules made under any of them in so far as it relates to any of the matters specified above shall not apply to any application made under this section:

(i) The (²[Tamil Nadu] Places of Public Resort Act, 1888 ²[Tamil Nadu] Act II of 1888);

(ii) The Madras City Police Act, 1888 (²[Tamil Nadu] Act III of 1888);

(iii) The Madras City Municipal Act, 1919 (²[Tamil Nadu] Act IV of 1919)*;

(iv) The (²[Tamil Nadu] District Municipalities Act, 1920 ²[Tamil Nadu] Act V of 1920);

(v) The ²[Tamil Nadu] District Boards Act, 1920† ²[Tamil Nadu] Act XIV of 1920); and

(vi) The (²[Tamil Nadu] Village Panchayats Act,* 1950 ²[Tamil Nadu] Act X of 1950).

¹Section 5-A was inserted by section 2 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1956 (Tamil Nadu Act XXI of 1956), which came into force on the 30th January 1957.

²These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

*~~Now~~ the Madras City Municipal Corporation Act, 1919.

*†~~Now~~ the Tamil Nadu Panchayats Act, 1958 (Tamil Nadu Act XXXV of 1958).

(2) The licensing authority shall thereupon, after consulting such authority or officer as may be prescribed, grant or refuse permission and the provisions of ¹[sections 5, 8, 9, ²[9-A and 9-B] relating to licences shall, so far as may be, apply to permission under this section.

6. The Government may, from time to time, issue directions to any licensee or to licensees generally, requiring the licensee or licensees to exhibit such film or class of films having a scientific or educative value, such films dealing with news and current events, such documentary films, indigenous films, or such other films having special value to the public, as may have been approved by the Government in that behalf from time to time ; 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 Government to issue directions.

Provided that no direction issued under this section shall require the licensee to exhibit any such film or films exceeding two thousand feet at, or for more than one-fifth of the entire time taken for, any one show.

³[6-A. The licensing authority may, from time to time, issue directions to any licensee or licensees generally, requiring the licensee or licensees to exhibit in each show such slides of public interest as may be supplied by that authority :

Power of licensing authority to issue directions.

Provided that no direction issued under this section shall require the licensee to exhibit more than three such slides at, or for more than four minutes, in any one show.]

¹ These words, figures and letter were substituted for the words and figures " sections 5, 8 and 9 " by section 3 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961 (Tamil Nadu Act 4 of 1961).

² This expression was substituted for the expression " and 9-A " by section 2 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1979 (Tamil Nadu Act 50 of 1979), which was deemed to have come into force on the 22nd August 1979.

³ Section 6-A was inserted by section 3 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1956 (Tamil Nadu Act XXI of 1956), which came into force on the 30th January 1957.

Power of
Government
or District
Collector
to suspend
exhibition of
films in
certain
cases.

7. (1) The Government in respect of the whole of the State or any part thereof, and the District Collector within his jurisdiction, may, if they or he are or is of opinion that any film which is being or is about to be publicly exhibited is likely to cause a breach of the peace, by order, suspend the exhibition of the film ; and during such suspension, no person shall exhibit such film or permit it to be exhibited in any place in the State or any part or district thereof, as the case may be.

(2) No order shall be issued under sub-section (1) until the person concerned has been given a reasonable opportunity of showing cause against the order proposed to be issued in regard to him :

Provided that this sub-section shall not apply where the Government or the District Collector proposing to issue the order are or is satisfied that owing to any emergency or for some other reason, to be recorded by them or him in writing, it is not reasonably practicable to give to that person an opportunity of showing cause :

Provided further that a copy of the reasons recorded by the Government or the District Collector for issuing the order shall be communicated to the person concerned as soon as it becomes reasonably practicable to communicate the reasons to him.

(3) If any question arises whether it is reasonably practicable to give to any person an opportunity of showing cause under sub-section (2), the decision thereon of the Government or the District Collector, as the case may be, shall be final.

(4) Where an order under sub-section (1) has been issued by the District Collector, a copy thereof, together with a statement of the reasons therefor, shall forthwith be forwarded by him to the Government, and the Government may, on a consideration of all the facts of the case, either confirm or vary or discharge the order.

(5) An order issued under sub-section (1) shall remain in force for a period of two weeks from the date thereof, but the Government may, if they are of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as they think fit :

Provided that the Government or the District Collector may review their own order.

8. 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 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 fine which may extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues. Penalties.

9. ¹[(1)] Where the holder of a licence has been convicted of an offence under, clause (a) or clause (c) of section 14 of the ²[Tamil Nadu] Entertainments Tax Act, 1939 (²[Tamil Nadu] Act X of 1939), or has been permitted to compound such offence under section 15 of the said Act, or has been convicted of an offence under section 7 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952), or section 8 of this Act, the licence may be revoked or suspended by the licensing authority by an order in writing. Power to revoke ¹[or suspend] licence.

³[(2) If the licensing authority is satisfied, either on a reference made to it in this behalf or otherwise, that—

(a) a licence granted under this Act has been obtained by misrepresentation or fraud as to an essential act, or

(b) the licensee has, without reasonable cause, failed to comply with any of the provisions of this Act or of the rules made thereunder, or any of the conditions or restrictions upon or subject to which the licence has been granted,

then without prejudice to any other penalty to which the licensee may be liable under this Act, the licensing authority may, after giving the licensee an opportunity of showing cause, revoke or suspend the licence.

¹ Section 9 was renumbered as sub-section (1) of that section and these words were inserted in the marginal heading by section 4 (1) of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961, (Tamil Nadu Act 4 of 1961); and the present sub-section (1) was substituted by section 4 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1964 (Tamil Nadu Act 20 of 1964).

² These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

³ These sub-sections were added by section 4 (2) of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961 (Tamil Nadu Act 4 of 1961).

(3) Where the licensing authority revokes or suspends any licence under sub-section (2), it shall do so by an order communicated to the licensee giving the reasons in writing for such revocation or suspension.]

Appeal against
revocation of
suspension of
licence.

¹[9-A. (1) Any person aggrieved by the decision of the licensing authority revoking or suspending a licence under sub-section (2) of section 9 may, within such time as may be prescribed, appeal to such authority as the Government may specify in this behalf and such authority may make such order in the case as it may think fit.

(2) The appellate authority referred to in sub-section (1) may stay the execution of any such decision, pending the exercise of its powers under sub-section (1) in respect thereof.]

Powers of
revision by
Government.

²[9-B. (1) The Government may on their own motion or on application, call for and examine the record of the appellate authority in respect of any proceeding under section 5 (7) or section 9-A (1) to satisfy themselves as to the legality of such proceeding or the correctness, legality or propriety of any decision passed or order made therein; and, if, in any case, it appears to the Government that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration, they may pass orders accordingly :

Provided that every application to the Government for the exercise of the powers under this section shall be preferred within such time as may be prescribed and shall be accompanied by such fee as may be prescribed.

(2) No order prejudicial to any person shall be passed under sub-section (1) unless such person has been given an opportunity of making his representations.

(3) The Government may stay the execution of the decision or order pending the exercise of their power under sub-section (1) in respect thereof.]

¹This section was inserted by section 5 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961 (Tamil Nadu Act 4 of 1961).

²This section was inserted by section 3 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1979 (Tamil Nadu Act 50 of 1979), which was deemed to have come into force on the 22nd August 1979.

10. (1) The Government may, by notification, make rules to carry out the purposes of this Act. Power to make rules.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the terms, conditions and restrictions, subject to which a licence may be granted under this Act and the fees to be paid in respect of such licence ;

(b) the regulation of cinematograph exhibitions for securing the public safety ;

(c) the time within which and the conditions subject to which an appeal under sub-section (7) of section 5 may be preferred, and the fees to be paid in respect of such appeal ;

(d) the procedure for approval of films for the purposes of section 6 ;

¹[(e) the procedure to be followed by persons submitting applications for permission under section 5-A ;

(f) the documents and plans to be submitted together with such applications, and the fees to be paid on such applications ;

(g) the matters to be taken into consideration by the licensing authority before approving the site for the construction of the building, or the plans for the construction or reconstruction of the building or the installation of machinery ;

(h) the terms, conditions and restrictions subject to which the licensing authority may accord approval in respect of the matters referred to in clause (g) ;

(i) the action to be taken in cases of contravention of the terms, conditions and restrictions subject to which such approval was accorded ;

(j) the procedure to be followed by the licensing authority before granting or refusing permission under section 5-A and any other matter incidental thereto.]

¹ Clauses (e) to (j) were added by section 4 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1956 (Tamil Nadu Act XXI of 1956), which came into force on the 30th January 1957.

¹[(k) the time within which and the conditions subject to which an appeal under section 9-A or a revision under section 9-B may be preferred and the fees to be paid in respect of such appeal or revision, as the case may be.]

(3) All rules made under this Act shall come into force on the date of notification and shall be laid for not less than fifteen days before both Houses of the State Legislature, as soon as possible after they are made, and shall be subject to such modifications whether by way of repeal or amendment, as those Houses may make during the session in which they are laid.

Power to exempt. 11. The Government may, by order in writing, exempt, subject to such conditions and restrictions as they may impose, any cinematograph exhibition or class of cinematograph exhibitions or any place where a cinematograph exhibition is given from any of the provisions of this Act or of any rules made thereunder.

Repeal. 12. In relation to this State, the Cinematograph Act, 1918 (Central Act II of 1918), in so far as it has not been repealed by the Cinematograph Act, 1952 (Central Act XXXVII of 1952), is hereby repealed :

Provided that any appointment, notification, order, scheme, rule, form or by-law, made or issued under the repealed Act, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been made or issued under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, form or by-law made or issued under this Act.

¹ This clause was substituted by section 4 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1979 (Tamil Nadu Act 50 of 1979), which was deemed to have come into force on the 22nd August 1979, for the following clause, which was added by section 6 of the Tamil Nadu Cinemas (Regulation) Amendment Act, 1961 (Tamil Nadu Act 4 of 1961):—

“(k) the time within which and the conditions subject to which an appeal under section 9-A may be preferred and the fees to be paid in respect of such appeal.”

247

The following Act of the Tamil Nadu Legislative received the assent of the Governor on the 12th June 1986 and is hereby published for general information :—

ACT No. 38 OF 1986.

An Act further to amend the Tamil Nadu Cinemas (Regulation) Act, 1955.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Cinemas (Regulation) Amendment Act, 1986.

(2) It shall come into force at once.

2. *Amendment of section 5-A, Tamil Nadu Act IX of 1955.*—In section 5-A of the Tamil Nadu Cinemas (Regulation) Act, 1955 (Tamil Nadu Act IX of 1955), in sub-section (1), in clause (d),—

(1) in item (v), the word “and” occurring at the end shall be omitted;

(2) in item (vi), the word “and” shall be added at the end;

(3) after item (vi), the following item shall be added, namely :—

“(vii) The Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972).”

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th June 1987 and is hereby published for general information:—

ACT No. 24 OF 1987.

An Act further to amend the Tamil Nadu Cinemas (Regulation) Act, 1955.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Cinemas (Regulation) Amendment Act, 1987.

(2) It shall come into force at once.

2. *Substitution of section 3-A, Tamil Nadu Act IX of 1955.*—For section 3-A of the Tamil Nadu Cinemas (Regulation) Act, 1955 (Tamil Nadu Act IX of 1955) (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

“3-A. *Disqualification for applying for grant or renewal of licence.*—No person shall be eligible to apply for the grant or renewal of a licence,—

(a) if he has been convicted of an offence under—

(i) clause (a), or sub-clause (i) of clause (b) or clause (c) of sub-section (1) of section 14 of the Tamil Nadu Entertainments Tax Act, 1939 (Tamil Nadu Act X of 1939), or

(ii) sub-clause (i) of clause (a) of sub-section (1) of section 7 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952), or

(b) if any of his licence under this Act has been revoked or suspended under clause (a) of sub-section (2) of section 9, unless a period of two years has elapsed since his conviction, or as the case may be, the revocation or suspension of his licence.”

3. *Amendment of section 9, Tamil Nadu Act IX of 1955.*—In section 9 of the principal Act,—

(1) in sub-section (1), for the expression “Where the holder of a licence has been convicted of an offence under clause (a) or clause (c) of section 14”, the expression “Where the holder of a

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licerce or any person employed by him has been convicted of an offence under clause (a) or sub-clause (i) of clause (b) or clause (c) of sub-section (1) of section 14" shall be substituted;

(2) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1-A) Where the holder of a licence has been convicted for three times in the aggregate under any one or more of the following provisions, namely:—

(a) section 8 of this Act, for contravention of the condition and restriction of a licence relating to the number of persons to be admitted in any place where a cinematograph exhibition is given; or

(b) sub-clause (i) of clause (b) of sub-section (1) of section 14 of the Tamil Nadu Entertainments Tax Act, 1939 (Tamil Nadu Act X of 1939);

the licensing authority shall, by an order in writing, revoke the licence.”

(By order of the Governor.)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 2nd December 1987 and is hereby published for general information:—

ACT No. 48 OF 1987.

An Act further to amend the Tamil Nadu Cinemas (Regulation) Act, 1955.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Tamil Nadu Cinemas (Regulation) Third Amendment Act, 1987.

2. *Amendment of section 2, Tamil Nadu Act IX of 1955.*—In section 2 of the Tamil Nadu Cinemas (Regulation) Act, 1955 (Tamil Nadu Act IX of 1955) (hereinafter referred to as the principal Act), clause (4) shall be omitted.

3. *Amendment of section 5, Tamil Nadu Act IX of 1955.*—In section 5 of the principal Act,—

(1) in sub-section (1), for clause (a), the following clause shall be substituted, namely:—

“(a) the interest of the cinema going public and other sections of the public generally;”;

(2) in sub-section (5), before the expression “and on such terms and conditions”, the expression “on payment of such fees as may be prescribed” shall be inserted;

(3) after sub-section (6), the following sub-sections shall be inserted, namely:—

“(6-A) (a) Whenever the licensee proposes to transfer or assign the licence, the licensee and the person to whom the licence is proposed to be transferred or assigned, as the case may be, shall, before such transfer or assignment, apply jointly to the licensing authority for approval thereof.

(b) An application under clause (a) shall be in such form, contain such particulars and be accompanied by such fee as may be prescribed.

(6-B) (a) Subject to clause (b), the licensing authority may, on receipt of the application and the fee under sub-section (6-A) and after making such inquiry as it thinks fit, either approve in writing the transfer or assignment, as the case may be, or refuse

(b) Notwithstanding anything contained in clause (a),—

(i) no transfer or assignment of a licence shall be approved under that clause, unless the licensing authority is satisfied that the licensee has paid all amounts due under the Tamil Nadu Entertainments Tax Act, 1939 (Tamil Nadu Act X of 1939) on the date of such transfer or assignment; and

(ii) such approval shall not be refused until the applicant has been given a reasonable opportunity of showing cause against such refusal.”

4. *Amendment of section 5-A, Tamil Nadu Act IX of 1955.*—
In section 5-A of the principal Act, in sub-section (1),—

(a) after the expression “or in the rules made under any of them”, the expression “or in any other law governing municipal or local bodies in this State or in the rules made under any such enactment or other law” shall be inserted;

(b) in item (iii), after the word “Municipal”, the word “Corporation” shall be inserted;

(c) for items (v) and (vi), the following items shall be substituted, namely:—

“(v) The Tamil Nadu Panchayats Act, 1958 (Tamil Nadu Act XXXV of 1958);

“(vi) The Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971); and”.

5. *Amendment of section 6, Tamil Nadu Act IX of 1955.*—In section 6 of the principal Act, in the proviso, for the words “two thousand feet”, the words “six hundred metres” shall be substituted.

6. *Amendment of section 7, Tamil Nadu Act IX of 1955.*—In section 7 of the principal Act, in sub-section (5), in the proviso, after the word “their”, the words “or his” shall be inserted.

7. *Amendment of section 9, Tamil Nadu Act IX of 1955.*—In section 9 of the principal Act,—

(1) in sub-section (2),—

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

“(aa) the licensee has failed to pay any amount due under the Tamil Nadu Entertainments Tax Act, 1939 (Tamil Nadu Act X

(ii) in clause (b), the word "or" shall be added at the end;

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

"(c) taking into account the matters mentioned in clauses (a) to (f) of sub-section (1) of section 5, the licence should be revoked or suspended,";

(iv) the words "after giving the licensee an opportunity of showing cause" shall be omitted;

(v) the following proviso shall be added at the end, namely:—

"Provided that the licensing authority shall not revoke or suspend the licence under clause (aa) unless an officer of the Commercial Taxes Department not below the rank of an Assistant Commissioner of Commercial Taxes certifies that the licensee has failed to pay the amount referred to in that clause.";

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

"(2-A) No licence shall be revoked or suspended under sub-section (1) or sub-section (2), unless the licensee has been given a reasonable opportunity of showing cause against such revocation or suspension."

8. *Amendment of section 10, Tamil Nadu Act IX of 1955.*—In section 10 of the principal Act,—

(i) in sub-section (1), the words "by notification" shall be omitted;

(ii) in sub-section (2), in clause (e), after the word "applications", the words, brackets, figures and letter "for transfer or assignment of licence under sub-section (6-A) of section 5 or" shall be inserted;

(iii) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) Every rule made under this Act, shall, as soon as possible, after it is made, be placed on the table of the Legislative Assembly and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or the Assembly decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

(By order of the Governor)

S. VADIVELU,

*Commissioner and Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 3rd March 1994 and is hereby published for general information :—

ACT No. 11 OF 1994.

An Act further to amend the Tamil Nadu Cinemas (Regulation) Act, 1955.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fourth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Cinemas (Regulation) Amendment Act, 1994.

*Short title
and com-
mencement.*

(2) It shall come into force at once.

2. In section 5-A of the Tamil Nadu Cinemas (Regulation) Act, 1955, in sub-section (1), in clause (d),—

*Amendment
of section 5-A.*

(1) in item (v), the word “and” shall be added at the end ;

(2) in item (vi), the word “and” occurring at the end shall be omitted ;

(3) item (vii) shall be omitted.

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 9th May 1997 and is hereby published for general information :—

ACT No. 30 OF 1997.

An act further to amend the Tamil Nadu Cinemas (Regulation) Act, 1955.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Cinemas (Regulation) Amendment Act, 1997.

Short title and commencement.

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

Amendment of section 8.

Tamil Nadu Act IX of 1955.

2. In section 8 of the Tamil Nadu Cinemas (Regulation) Act, 1955 (herein-after referred to as the principal Act, for the expression, "he shall be punishable with fine which may extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues.", the following expression shall be substituted, namely:—

"he shall be punishable,—

(i) in the case of permanent theatre, for the first offence with fine which may extend to two thousand rupees and for the second or subsequent offence with fine which may extend to four thousand rupees; and

(ii) in the case of touring theatre, for the first offence with fine which may extend to one thousand rupees and for the second or subsequent offence with fine which may extend to two thousand rupees."

3. After section 8 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 8-A.

"8-A power to compound offence.—(1) The licensing authority may accept, from any person who has committed or is reasonably suspected of having committed an offence against this Act or the rules made thereunder or the condition and restriction upon or subject to which any licence has been granted under this Act may be specified by rules by way of compensation of such offence a sum of money,—

(i) not exceeding one thousand rupees, in the case of permanent theatre and

(ii) not exceeding six hundred rupees, in the case of touring theatre.

(2) Where an offence has been compounded under sub-section (1), the offender if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence."

4. In section 9 of the principal Act, in sub-section (1-A), in clause (a), the expression "relating to the number of persons to be admitted in any place where a cinematograph exhibition is given" shall be omitted.

Amendment of section 9.

(By order of the Governor)

A. K. RAJAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th March 1998 and is hereby published for general information :—

ACT No. 3 OF 1998.

An Act further to amend the Tamil Nadu Cinemas (Regulation) Act, 1955.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Cinemas (Regulation) Amendment Act, 1998. Short title and commencement.

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

2. In section 10 of the Tamil Nadu Cinemas (Regulation) Act, 1955, in sub-section (2), after clause (k), the following clause shall be added, namely :— Amendment of section 10.

“(l) the fees to be collected by the licensees for parking vehicles in the premises of cinema theatre.”.

(By order of the Governor)

A. K. RAJAN,

Secretary to Government, Law Department.