


	<p style="text-align: center;">THE UTTAR PRADESH CINEMAS (REGULATION) ACT, 1955¹</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">(U.P. Act No. 3 of 1956)</p> <p style="text-align: center;">Authoritative English Text of the Utthar Pradesh Chal Chitra (Viniyaman) Adhiniyam, 1955</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">An ACT</p> <p style="text-align: center;">to make provisions for regulating exhibitions by means of cinematograph ² [and video] .</p> <p>Whereas it is expedient to make provisions for regulating exhibitions by means of cinematograph ³ [and video] in the State of Uttar Pradesh.</p> <p style="text-align: center;">It is hereby enacted as follows:</p>
SEC 1	<p>Short title, extent and commencement-</p> <p>(1) This act may be called the Uttar Pradesh Cinemas (Regulation) Act, 1955.</p> <p>(2) It shall extend to whole of Uttar Pradesh.</p> <p>(3) It shall come into force on such date as the State Government may, by notification in the Gazette, appoint.</p>
SEC 2	<p>Definitions—</p> <p>In the Act, unless there is anything repugnant in the subject or context—</p> <p>⁴[(a) “appellate authority“ means the State Government when the appeal is preferred against the order of an <u>Officer</u>, notified by the State Government for this purpose and the Divisional Commissioner when the appeal is preferred against an order of the District Magistrate,</p> <p>(a-1) “Competent Authority” means the local authority created or established under any law for the time being in force by the State Government which exercises authority over land under its jurisdiction, and has powers to give permission for development of such immovable property;</p> <p>(a-2) “Entertainment“ includes any exhibition, performance, amusement, game, sport (including horse race), Direct-To-Home Broadcasting services, Cable Services, exhibition by means of cinematograph, Digital Projection System and Video, to which persons are admitted for payment and, in the case of exhibition by means of cinematograph and Digital Projection System includes exhibition news-reel, documentaries, cartoons, advertisements, shorts and slides, whether before or during the exhibition of a feature film or separately. It also includes any activity notified as entertainment by the State Government from time to time;</p> <p>(a-3) “exhibition by means of video” means an exhibition to or in public, on payment for admission of moving pictures or series of pictures, by playing or replaying a pre-recorded cassette or any other device, by whatever name called or by means of a video cassette player or any other apparatus, by whatever name called whether on screen of a television set or video scope or otherwise;</p> <p>(a-4) “Mini Cinema” means a single screen cinema licensed for cinematograph exhibition or exhibition through digital projection system in a permanent building with seating capacity not exceeding 125;</p> <p>(a-5) “Multiplex” means a group or conglomeration of two or more than two cinema halls within the same premises with commercial, cultural and other entertainment related facilities;”]</p> <p>1. Received the assent of Governor on 10.01.1956 and published in U.P. Gazette, Extraordinary dated 23.01.1956.</p> <p>2. inserted by U.P. Act No. 21 of 1986.</p> <p>3. inserted by U.P. Act No. 21 of 1986.</p> <p>4. inserted by U.P. Act No. 7 of 2018</p>

	<p>(aa) “cinematograph” includes any apparatus ¹[other than video] for the representation of moving pictures or series of pictures;</p> <p>²[“<i>Explanation—</i>”</p> <p>Digital projection system is a set of electronic apparatus used for digital cinema exhibition receiving digital print delivery through hard disc or through satellite or otherwise.]</p> <p>(b) “occupier” includes a managing agent or other person authorized to represent the occupier or having charge, management or control of the place on his behalf;</p> <p>(c) “owner” used with reference to any place includes any person receiving or entitled to receive the rent from the occupier;</p> <p>(d) “place” includes a house, building, tent or other structure and any description of transport whatsoever;</p> <p>(e) “prescribed” means prescribed by rules made under this Act; and</p> <p>(f) “State Government” means the Government of Uttar Pradesh;</p> <p>(g) “Video” means any system, by whatever name called of recording on, or reproducing from video cassette or any other device by whatever name called or transmitting through any recording medium or directly the moving visual images with or without sound.</p> <p>(h) “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 or any other device, by whatever name called, is carried on.</p> <p>(i) Words and expression not defined in this Act but defined in the Cable Television Network (Regulation) Act, 1995 shall have the meaning assigned to them in the said Acts.”</p>
SEC 3	<p>Licence-</p> <p>³ [Save as otherwise provided in this Act, no person shall—</p> <p>(a) give an exhibition by means of cinematograph, ⁴[or digital projection system], or</p> <p>(b) give an exhibition by means of video, or</p> <p>(c) keep a video library, or</p> <p>(d) ⁵Omitted</p> <p>Elsewhere than in a place licensed under this Act, or otherwise than in compliance with the conditions and restrictions imposed by such licence.”]</p>
SEC 4	<p>⁶[Licensing Authority—</p> <p>The authority having power to grant license under this Act (hereinafter referred to as the licensing authority) shall be the District Magistrate.</p> <p>Provided that the State Government may, by notification in the Gazette, confer upon an Officer, notified by the State Government for this purpose, for the whole or any part of the State, such of the powers of the licensing authority under this Act, as it may specify in the notification, either concurrently with or to the exclusion of the District Magistrate:</p> <p>Provided further that where any of such powers are exercisable concurrently by the District Magistrate and an Officer, notified by the State Government for this purpose, each of them shall keep the other informed of all orders passed by them, and in case of difference of opinion between them on any matter a reference shall be made to the State Government whose decision shall be final.”]</p> <hr/> <p>1. inserted by U.P. Act No. 21 of 1986.</p> <p>2. inserted by U.P. Act No. 27 of 2009.</p> <p>3. Substituted by U.P. Act No. 27 of 2009.</p> <p>4. inserted by U.P. Act No. 7 of 2018.</p> <p>5. Words keep television signal receiver agency omitted by U.P. Act No. 7 of 2018.</p> <p>6. Substituted by U.P. Act No. 7 of 2018.</p>

<p>SEC 4-A Permissi on for holding entertain ment</p>	<p>¹[(1) No entertainment on which any tax is leviable, whether exempted from the liability to pay tax or not, shall be held without obtaining prior permission of the District Magistrate.</p> <p>(2) The District Magistrate may permit any such entertainment after satisfying himself that proper precaution has been taken for electrical and fire safety, law and order, public order and safety, and extra safety measures have been taken for any arrangement of air cooling or air conditioning facility and any other electrical installations at the place where the entertainment is proposed to be held.</p> <p>(3) Notwithstanding anything to the contrary contained in any provision of this Act or any other law for the time being in force, the District Magistrate or any other officer authorized by the State Government in this behalf, may prohibit the holding of such entertainment, if he is satisfied that—</p> <p>(a) the proprietor has given any false information which is likely to result in the evasion of tax;</p> <p>(b) the proprietor has committed or likely to commit a breach of any of the provisions of this Act or the rules made thereunder; or</p> <p>(c) the holding of the entertainment is prejudicial to public safety, decency or morality;</p> <p>Provided that nothing in this section shall apply to Direct-to-Home, cable services and all entertainments licensed under the provisions of this Act.]</p>
<p>SEC 4-B Provisio ns related to the licensing and permissi on</p>	<p>²[(1)- A license required for the entertainments, as provided in section-3 may be granted by the licensing authority for a period not exceeding five years.</p> <p>(2)- A permission, as provided in section-4-A may be granted by the District Magistrate for the required period as mentioned in an application not exceeding five years.</p> <p>(3)- On submission of an application complete in all respect the licensing authority or the District Magistrate shall grant or refuse to grant license or permission within 30 days from the date of receipt of an application in such manner as may be prescribed by the State Government. On expiry of the said period, the license or the permission shall be deemed to be granted.</p> <p>³[(4)- The applicant shall submit his/her application on departmental web portal along with necessary documents and payment of fees (if any). If the application is complete in all respect and the applicant is eligible, the license or permission shall be granted through the web portal within 30 days and the same shall be sent through email to the applicant. The applicant may also download the said license or permission from the departmental web portal:</p> <p>Provided if license or permission is obtained by misrepresentation of fact or concealment of fact or on the basis of forged document then such license or permission shall be deemed null and void and may be cancelled by the licensing authority or District Magistrate and legal action shall be taken against applicant.]]</p> <hr/> <p>1. inserted by U.P. Act No. 7 of 2018.</p> <p>2. inserted by U.P. Act No. 7 of 2018.</p> <p>3. Substituted by U.P. Act No. 2 of 2021.</p>

SEC 5	<div data-bbox="1321 174 1592 315" data-label="Page-Header">  </div> <p>Restrictions on the powers of licensing authority-</p> <p>(1) The licensing authority shall not grant a licence under this Act, unless it is satisfied that—</p> <p>(a) the rules made under this Act have been substantially complied with, and</p> <p>(aa) the building or other place in which cinematograph exhibition proposed to be given—¹[(i) is situated at a distance of not less than 200 meters from the Raj Bhawan, the State Government Secretariat, or the High Court;]</p> <p>(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 there in:</p> <p>(c) the grant of licence is not otherwise contrary to the public interest.</p> <p><i>Explanation—</i>(1)²Omitted</p> <p><i>Explanation—</i>(2) For the 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 building mentioned in that clause.</p> <p>³["NOTE- The certificate of actual measurement in Metre-Kilogram-Second (M.K.S.) system shall be provided by the Competent Authority or the person authorized by him."]</p> <p>(3) Subject to the foregoing provisions of this section and to the control of the State Government and the interests of the general public, the licensing authority may grant licences under this Act on such terms and conditions and subject to such restrictions as it may determine and on payment of such fees as may be prescribed.</p> <p>(4) 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 and the State Government may make such order in the case it thinks fit.</p> <p>(5) The State Government may from time to time, issue directions to licencees generally or to any licencee in particular for the purpose of regulating the exhibition of any film or class of films, so that scientific films, films intended for educational purpose, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited and where any directions have been issued, those directions shall be deemed to be additional conditions and restrictions subject to which the license has been granted.</p> <hr/> <p>1. Substituted by U.P. Act No. 7 of 2018.</p> <p>2. Omitted by U.P. Act No. 7 of 2018.</p> <p>3. Inserted by U.P. Act No. 7 of 2018.</p>
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SEC 6	<p>Power of the State Government or District Magistrate to suspend exhibition of films in certain cases –</p> <ol style="list-style-type: none"> 1) The State Government, in respect of the whole of the state of Uttar Pradesh or any part thereof, and The District Magistrate in respect of district within his jurisdiction, may, if it or he, as the case may be, is of opinion that any film which is being exhibited is likely to cause of breach of the peace, by order, suspend the exhibition of the films and thereupon the film shall not during such suspension be exhibited in the state, Part of the district concerned, notwithstanding the certificate granted under the Cinematograph Act, 1952. 2) Where an order subsection (1) has been made by a district magistrate a copy thereof together with a statement of reasons thereof shall forthwith be forwarded by him or it to the State Government which may either confirm or discharge the order. 3) An order of suspension 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 suspension shall be extended by such for the period as it thinks fit.
SEC 6 A	<p>¹[Inspection.—</p> <ol style="list-style-type: none"> (1) The Licensing Authority or any other officer authorized by 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 ² [video library], with a view to securing compliance of the provisions of this Act or the rules made there under and may seize such films and video cassettes as are found being exhibited or kept in contravention thereof. (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 person who is suspected of contravening any of the provisions of this Act or rules made there under, 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 detained or get him detained at the nearest police station and the provisions of Section 42 of the Code of Criminal Procedure, 1973 shall apply. (4) ³[Every officer, referred to in sub-section (1) shall have the power to prevent any exhibition by means of ⁴[cinematograph or digital projection system or video] being given in contravention of the provisions of Section 3 and may, for that purposes, use such minimum force as he may consider necessary in the circumstances of the case.] (5) 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) Film and video cassettes seized under sub section (1) shall be liable to confiscation by an order of the court having jurisdiction : <p>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"]</p> <hr/> <ol style="list-style-type: none"> 1. Inserted by U.P. Act No. 21 of 1986. 2. Substituted by U.P. Act No. 7 of 2018. 3. Inserted by U.P. Act No. 12 of 1989. 4. Substituted by U.P. Act No. 7 of 2018. 5. Inserted by U.P. Act No. 32 of 1995.

Power to suspend, revoke and cancel a licence-

(1) 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.

(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 misrepresentation ;or

(b) That the licensing authority or the ²[appellate authority] while considering the application or appeal, as the case may be, under Section 5 was under a mistake 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 there under 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.]

(2) Where the State Government or the licensing authority is of the opinion that a licence granted under Section 5 should be ³[* * *], cancelled or revoked, it shall, as soon as may be, communicate to the licensee the grounds on which the action proposed to be taken and shall afford him a reasonable opportunity of making a representation against it:

⁴[Provided that where the State Government or the licensing authority, as the case may be, is further of the opinions 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 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 meantime.]

(3) If after considering the representation, the State Government or the licensing authority, as the case may be, is satisfied that licence should be ⁵[* * *] cancelled or revoked, it may make an order accordingly and shall communicate it to the licensee stating in writing the grounds therefore.

(4) Where the order suspending a licence under the proviso to sub-section (2) or cancelling or revoking it under sub-Section (3) has been passed by a licensing authority, any person aggrieved by the order may, within thirty days of the communication of such order to him, appeal to the ⁶[appellate authority] which may pass such order as it may thinks fit.

(5)The order of the ⁶[appellate authority] shall be final.

1. Inserted by U.P.Act No.27 of 1974.

2. Substituted by U.P. Act No. 32 of 1995.

3.The word "suspended" omitted by Act No. 27 of 1974.

4. Inserted by U.P.Act No.27 of 1974.

5. The word "suspended" omitted by Act No. 27 of 1974.

6. Substituted by U.P. Act No. 32 of 1995.

SEC 8	<p>¹[Penalty—</p> <ol style="list-style-type: none"> 1) If the owner or person in-charge of a Cinematograph uses or allows it to be used or of the owner or occupier of a place permits that place to be used for exhibition by means of cinematograph, or if the person gives exhibition by means of video or keeps a ²[video library or holds entertainment] 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 licence has been granted under this Act, shall be punishable with simple imprisonment for a term which may extend to six months or with fine which may extend to twenty thousand or with both and in case of continuing offence with a further fine which may extend to two thousand rupees for each day during which the offence continues. 2) If any person prevent the entry of any officer duly authorized 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 ³[ten thousand rupees].] 3) ⁴[If any person commits or attempts to commit or abets the commission of offences of infringement of copyright in relation to a cinematograph or video film or a record embodying in part of sound track associated with the film, punishable under the Copyright Act, 1957 or exhibit or permits to be exhibited or sale, store, let on hire, distribute, exchange or put into circulation any infringed copy of cinematograph film or video cassette or any other device by whatever name called shall be punishable with imprisonment for a term which may extend to two years or with fine which shall not be less than ⁵[fifty thousand rupees] but which may extend to five lakh rupees or with both. 4) If a person, having been convicted of an offence punishable under sub-section (3) is again guilty of an offence punishable under that sub-section, he shall be punishable for the second or subsequent offence for a term of imprisonment which shall not be less than one year which may extend to two years or with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees or with both.]
SEC 8 A	<p>⁶[Compounding of offences -</p> <ol style="list-style-type: none"> (1) Any offence punishable under this Act may, subject to any 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 realization 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.] <hr/> <ol style="list-style-type: none"> 1. Substituted by U.P. Act No. 21 of 1986. 2. Substituted by U.P. Act No. 7 of 2018. 3. Substituted by U.P. Act No. 7 of 2018. 4. Inserted by U.P. Act No. 27 of 2009. 5. Substituted by U.P. Act No. 7 of 2018. 6. Inserted by U.P. Act No. 21 of 1986.

SEC 9	<p>Offences by companies—</p> <p>(1) If the person committing any offence under this Act is a company, every person who at the time the offence was committed was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company shall be deemed to be guilty of offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.</p> <p>(2) Notwithstanding anything contained in sub-section(1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director or manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.</p> <p><i>Explanation—</i>For the purpose of this section---</p> <p>(a) “company” means anybody corporate and includes a firm or other association of individuals; and</p> <p>(b) “director” in relation to a firm means a partner in the firm.</p>
SEC 10	<p>Power to exempt -</p> <p>The State Government may, in the interest of the general public or any section thereof, by order in writing and stating the reasons there for, exempt, subject to such conditions any restrictions as it may impose, ¹[any exhibition or class of exhibitions by means of cinematograph or video may be made or video library] from any of the provisions of this Act or any rules made there under.</p>
SEC 11	<p>Direction of action taken under the act—</p> <p>(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made or deemed to be made under this Act or the rules made there under.</p> <p>(2) No suit or legal proceeding shall lie against the State Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order made or deemed to be made under this Act or rules made there under.</p>
SEC 12	<p>Repeal—</p> <p>(1) The Cinematograph Act, 1918 in so far as it relates to the matter other than the sanctioning of cinematograph films for exhibition, is hereby repealed in its application to the State of Uttar Pradesh.</p> <p>(2) Any ²[rule or order], made under the Cinematograph Act, 1918 and in force immediately before the commencement of this Act, shall continue in force and be deemed to be a ²[rule or order] made under this Act ;and all appointments made, licences granted conditions or restrictions imposed and directions issued under any such rule and order and in force immediately before such commencement, shall likewise continue in force and be deemed to be made, granted, imposed or issued in pursuance of this Act.</p> <hr/> <p>1. Substituted by U.P. Act No. 21 of 1986.</p> <p>2. Substituted by U.P. Act No. 21 of 1986.</p>

SEC 13	<p>(1) The State Government may, ¹[***] make rules for the purpose of carrying the provisions of this Act into effect.</p> <p>(2) In particular and without prejudice to the generality of the foregoing power, rule made under this Act may provide---</p> <p>(a) For the situation and regulation of the places at which and the conditions subject to which, ²[exhibitions by means of cinematograph or video] may be made or ³[video library] may be kept displayed;</p> <p>⁴[(aa) for the imposition of composition charges not exceeding ⁵[two lakhs rupees] on payment whereof exemption under Section 10 may be granted from the provisions of the rules relating to the site or building to be used for exhibition by means of ⁶[cinematography or video].]</p> <p>(b) for the fees to be levied for grant and renewal of licences for places under this Act;</p> <p>(c) for fees for inspection of places, electrical and other appliance and installations;</p> <p>(d) for the terms and conditions and restrictions subject to which licences may be granted;</p> <p>(e) for inspection of electric appliances and other installations;</p> <p>(f) for the period during which and the conditions subject to which an appeal under this Act may be preferred.</p> <p>(3) ⁷[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 official 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 any things previously done there under.]</p>
Section 13-A (Validation and Savings)	<p>⁸[The provisions of this Act as amended by the Uttar Pradesh Cinemas (Regulation) (Amendment) Act, 2017 shall also apply to the applications pending and approval given for construction of permanent building and license granted before the commencement of the said Act of 2017.]</p> <hr/> <p>1. Words "after previous publications" omitted by Act No. 27 of 1974.</p> <p>2. Substituted by U.P. Act No. 21 of 1986.</p> <p>3. Substituted by U.P. Act No. 7 of 2018.</p> <p>4. Inserted by U.P. Act No. 12 of 1989.</p> <p>5. Substituted by U.P. Act No. 7 of 2018.</p> <p>6. Substituted by U.P. Act No. 27 of 2009.</p> <p>7. Inserted by U.P. Act No. 27 of 1974.</p> <p>8. Inserted by U.P. Act No. 7 of 2018.</p>