

## CINEMATOGRAPH FILMS RULES, 1948

### INTRODUCTION

These rules apply to the storage and transport of Nitro-cellulose based cinematograph films. The salient rules are detailed below –

#### CHAPTER – I (Preliminary)

1) Rule 3 – Definitions :

?? **“Cabinet”** means any shelved closet or cupboard constructed and equipped in accordance with the requirements of the rules for keeping film and according to a design approved by the Chief Inspector;

?? **“Chief Inspector”** means the Chief Inspector of Explosives in India;

?? **“District Authority”** means – (i) in a presidency town and the suburbs thereof (if any) which are for the time being situated within the local limits of the jurisdiction of the Commissioner of Police, the Commissioner of Police; (ii) in the cities of Hyderabad and Secunderabad –cum-Cantonment area, the Commissioner of City Police, Hyderabad; and (iii) elsewhere, the “District Magistrate.”

?? **“Examination Room”** means a room where film is examined, repaired cleaned, waxed, or rewound;

?? **“Film”** means motion picture or sound recording film having a nitrocellulose base whether in the form of exposed or unexposed film, positives, negatives, scraped or used film;

?? **“Storage shed”** means a building used for the storage of film in quantity not exceeding 1000 lbs;

?? **“Transport box”** means a box intended for packing prescribed containers of film, constructed according to specification laid down in Schedule II.

?? **“Vault”** means any premises constructed and equipped in accordance with the requirements of these rules for the storage of film in quantity exceeding 1000 lbs.

#### CHAPTER –II (Transport of film)

I) **Rule 9** : Transport of film contained in prescribed containers – (i) The prescribed containers containing film shall be packed in a “transport box”.

(ii) No transport box shall be taken into use unless its design is approved in writing by the Chief Inspector.

(iii) Where the approval of the Chief Inspector is sought to a type of a container three copies of a detailed drawing thereof drawn to scale shall be forwarded to him.

(iv) Nothing in sub-rules (i) to (iii) shall apply to the transport of unexposed film packed in original shipping containers, complying with the Board of Trade Regulations.

II) **Rule 10 :** transport of film in vehicles – Film may be transported in a vehicle, provided :-

- (i) No other highly inflammable goods are carried in the vehicle;
- (ii) No passengers are allowed to be carried in the vehicle;
- (iii) The consignment is attended by a responsible person; and
- (iv) The film during transit is deposited in a building fulfilling the requirements of conditions endorsed on licence form C,D or E, as the case may be according to the quantity of film carried.

III) **Rule 12 :** Prohibition to transport film in vehicles fitted with producer gas generators – Film shall not be carried in motor vehicles, fitted with producer-gas generators.

IV) **Rule 13 :** transport by railway – (1) Film while in custody of the railway administration for dispatch or delivery or while in transit shall not be stored except in a cool and shaded place away from other articles where it is not exposed to direct rays of the sun.

(2) Where film is conveyed by rail it shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the railway administration over whose line it is conveyed.

(3) All fires, lights and other means of ignition capable of igniting film shall be kept away from film stored as provided in sub-rule (1)

V) **Rule 15 :** Transport by water –(i) Film may be transported by water, provided it is towed on or under deck in a cool and accessible place, away from living quarters and galley fires.

(ii) Notwithstanding anything contained in sub-rule (i) Film may be transported coastwise provided it is packed and stowed in accordance with the regulations issued from time to time by the Board of Trade for regulating the carriage of dangerous goods and explosives in ships.

VI) **Rule 16** : restriction on delivery and dispatch of Film – (i) No person shall deliver any Film to any one in any State of India other than the holder of a storage licence or his authorized agent or a Port Authority or railway administration.

(ii) No person shall dispatch any Film to any one in any state of India other than the holder of a storage licence.

(iii) This rule shall not apply to the delivery or dispatch of Film in quantities which are permitted by these rules to be stored without licence.

VII) **Rule 17** : Exemption – Nothing in rules 10,11 and 16 shall apply to Film in possession of Indian Forces.

### **CHAPTER III (Storage of Film)**

I) **Rule 18** : Licence for storage – No person store any film except under a licence granted under these rules;

Provided that no license shall be required for the storage for film –

(a) in any quantity not exceeding 200 lbs. In any place licensed under the Cinematograph Act, 1918, for the giving of exhibition by means of a Cinematograph, or

(b) in any quantity not exceeding 20 lbs, if the film is kept in prescribed containers and in a well ventilated room which is not used as a living room.

Provided further that no licence shall be required for the temporary storage of films –

(i) within Port limits under such conditions as the Conservator of the port may specify; or

(ii) whilst the film is in custody of a Railway Administration or the Postal Department in its capacity as carrier; or

(iii) within the limits of any air-ports which in transit under such conditions as the Director-General of Civil Aviation may specify.

II) **Rule 20** : Exclusion of unauthorized persons – Adequate precautions shall be taken to prevent unauthorized persons from having access to any premises used for the storage or handling of Film.

III) **Rule 21** : supervision of operations within storage place and/or examination room – All operations within a vault storage shed or an examination room shall be conducted under the supervision of an experienced responsible agent or supervisor, authorized in this behalf by the licensed.

- IV) **Rule 24** : Restriction on storage of loose Film – Film shall always be kept in prescribed containers except when it is being examined, repaired, cleaned, waxed or rewound.
- V) **Rule 26** : Film Cement – Inflammable cement such as compounds of collodion, amyl acetate etc. shall not be kept in any vault, storage shed, or examination room in quantities greater than one quart at any one time.
- VI) **Rule 29** : Children – No person under the age of 15 years shall be employed in or allowed to enter any premises licensed under these rules.
- VII) **Rule 31** : Exemption – Nothing in rule 18 shall apply to Film in the possession of Indian Forces.

#### **CHAPTER IV (Licences)**

- I) **Rule 33** : Grant of licence – (i) Licences for storage may be granted by the licensing authorities set forth in Schedule III in the Forms prescribed for the purposes, and on payment of the fees, specified therein. Where the licensing authority is the Chief Inspector a copy of the licence shall be forwarded to the District Authority for his record.

(ii) Every licence granted or renewed under these rules shall remain in force until the 31<sup>st</sup> days of December of the year for which the licence is granted or renewed.

“Notwithstanding any thing contained in this rule the licensing authority where it is satisfied that a licence is required for a specified work or festival which is not likely to last upto the 31<sup>st</sup> day of December of the year for which the license is granted or renewed may grant or renew a license for such period as is actually necessary;

Provided that the date so specified does not extend beyond the 31<sup>st</sup> day of December, following the date on which the licence is granted or renewed.

(iii) Where the licensing authority is the Chief Inspector, an applicant for the new licence may apply to the District Authority for a certificate to the effect that there is no objection to the applicant receiving a licence for the site proposed and the District Authority shall, if he sees no objection, grant such certificate to the applicant who may forward it to the Chief Inspector with his application in Form B.

(iv) The Chief Inspector may refer an application not accompanied by a certificate granted under sub-rule (iii) to the District Authority for his observations.

- (v) If the District Authority, either on a reference being made to him or otherwise, intimates to the Chief Inspector that any licence which has been applied for should not in his opinion be granted, such licence shall not be issued without the sanction of the Central Government.
- (vi) In the case of a licence granted for storage one copy of the plan or plans of the storage premises signed in token of approval by the licensing authority shall be attached to the licence and one copy shall be filed for record in the office of the licensing authority.
- II) **Rule 36** : Amendment of licence – (1) Any licence granted under these rules may be amended by the authority granting such a licence; provided that the amendments shall not be inconsistent with any rule in this chapter.
- (2) A licensee who desires to have his licence amended shall submit it to the licensing authority with an application stating the nature of the amendment and the reasons therefore.
- (3) The fee for the amendment of a licence shall be two rupees plus the amount (if any) by which the fee that would have been issued in the amended form exceeds the fee originally paid for the licence.
- III) **Rule 37** : renewal of licence – (1) a licence may be renewed by the authority empowered to grant such a licence: provided that a licence which has been granted by the Chief Inspector may be renewed without alteration by an inspector of Explosives duly authorized by the Chief Inspector in this behalf.
- (2) Every application for the renewal of a licence shall be made so as to reach the licensing authority at least 30 days before the date on which the licence expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority renews the licence or until an intimation that the renewal of the licence is refused has been communicated to the applicant.
- (2A) Every application under sub-rule (2) shall be accompanied by the licence which is to be renewed together with the approved plans attached thereto, and the original treasury receipt showing the deposit of the renewal fee under the correct head of account.
- (3) The same fee shall be charged for the renewal of a licence as for the grant thereof;
- Provided that if the application for renewal is not received within the time specified in sub-rule (2), the licence shall be renewed only on payment of double the fee ordinarily payable for the licence.

- IV) **Rule 39** : Cancellation of licence – (1) Every licence granted under these rules shall be liable to be cancelled by order of the licensing authority for any contravention of the Act, or of any rule thereunder, or of any condition contained in such licence.
- (2) A licensing authority canceling a licence shall record his reasons for so doing in writing.
- (3) A copy of the order containing the reasons for the cancellation of a licence shall be given to the holder of the licence on payment of a fee of two rupees.
- V) **Rule 40** : appeals – (1) An appeal shall lie against any order refusing to grant amend or renew a licence or canceling a licence -
- a) to the Central Government where the order is passed by the chief Inspector, and
- b) to the immediate official superior to the District Authority if the order is passed by the District Authority.
- (2) Every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within 60 days of the order passed if preferred to the Central Government, and within 30 days in the other case.
- VI) **Rule 45** : Payment of fees – (1) Every application under this chapter shall be accompanied -
- (i) if in respect of a licence granted or to be granted by the District Authority, by the appropriate fee in cash or by cheque, and
- (ii) if in respect of any other licence, by a treasury receipt showing that the appropriate fee has been paid into the local treasury under the head of account XXXVI-Miscellaneous Departments (Central) Miscellaneous Explosives”.
- (2) If an application for the grant, renewal or amendment of a licence is rejected, the fee paid shall be refunded by the District Authority, or, if it has been paid into a treasury, by that treasury on the production of a signed order from the licensing authority directing such refund.
- VII) **Rule 48** : Procedure on reports of infringements – The District Authority shall inform the Chief Inspector of the action taken by him on any report of infringement of the Act or of these rules or of any condition, contained in a licence which the Chief Inspector may make to him.

### SCHEDULE III

### Licences [Vide Rule 33 (I)]

| Article No. | Form of licence See Schedule (IV) | Purpose for which granted   | Authority empowered to grant licence | Fee  |
|-------------|-----------------------------------|---|--------------------------------------|--|
| 1           | C                                 | To store film in quantity not exceeding 200 pounds at any one time.                           | The District Authority               | For Articles 1,2 & 3<br>When the quantity to be stored does not exceed 100 pounds Rs. 20   |
| 2           | D                                 | To store film in quantity exceeding 200 pounds but not exceeding 1,000 pounds at any one time | The Chief Inspector                  | When the quantity to be stored exceeds 100 pounds but does not exceed 1,000 pounds<br>not exceed 1,000 pounds<br>Rs. 20 for the first 100 lbs<br>+Rs. 10 for every addl. 100 lbs. or part thereof.     |
| 3           | E                                 | To store film in quantity exceeding 1,000 pounds at any one time                              | The Chief Inspector.                 | When the quantity to be stored exceeds 1,000 pounds but not exceeding 6,000 lbs.<br>Rs. 110 for the first 1,000 lbs. +Rs. 5 for every addl. 100 lbs. or part thereof subject to max. of<br><br>Rs. 350 |
| 4           | F                                 | To store film in cases not provided for in Articles 1,2 & 3                                   | The Chief Inspector                  | Such fee as the Licensing Authority may prescribe.   |

### APPENDIX

#### Specification for vaults

- (i) **Dimensions** - A vault shall not be less than 1,000 cubic feet in inside dimensions.

- (ii) **Walls** - The walls shall be of a thickness of not less than 18 inches of brick, or of 8 inches of reinforced cement concrete, and shall be plastered on both sides with cement plaster of a thickness of at least half an inch.
- (iii) **Floor** - The floor shall be paved or cemented or tiled and raised at least one foot above the ground level.
- (iv) **Roof** - The roof shall be of a thickness of not less than six inches of reinforced cement concrete and designed according to sound engineering practice.
- (v) **Exits** - The vault shall have at least one door opening which shall be provided with two fire doors, the inner door opening inwards and the outer door outwards. The former shall be of the automatic self-closing type either hinged or sliding and the latter shall be of 3/16 inch thick sheet iron, fitting close into a steel door frame properly fixed by suitable holdfasts into the door opening. The door shall be so constructed and installed that when closed it shall make closed joints with the frame and the sill. Door jambs of the vault shall be reinforced by fixing welded sheet iron channels.
- (vi) **Ventilation** - (a) The vault shall be adequately ventilated near the ground level and also near or in the roof. The ventilators shall have a minimum effective sectional area of 14 square feet and shall be so arranged as to prevent film in the vault from being ignited by the rays of the sun entering through them. A weather shade of incombustible materials shall be provided over each ventilator.  
  
(b) All ventilators shall be fitted with metal grids or similar suitable protection on the outside face of the wall and a layer of No. 16 mesh brass or other non-corroding metal wire gauze fitted in an angle iron frame on the inside face of the wall.  
  
(c) Ventilators shall not be obstructed by racks provided in the vault for keeping film.

**Requirements of Safety distances :**

1. For storage shed – A distance of not less than 25 feet shall be kept between -
  - i) One storage shed and another and
  - ii) A storage shed or the examination room and any dwelling house, or other buildings where persons assembles public thorough fare, public place or other licensed premises.

Provided that where the storage shed and the examination room are situated on the terrace of a building, the distance referred to above shall be maintained in the same plane between them and other structures in the vicinity.

2) **For Vault**

A distance of not less than 30 feet shall be kept clear between one vault and another and a distance of not less than 50 feet between a vault or an examination room and any dwelling house, other buildings where persons assemble, public thorough fare, public place or other licensed premises