

C.No.L1/8056/2019

O/o the Additional Chief Secretary,
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.

Dated:29.05.2019.

CIRCULAR

Sub : Cinema – Planning permission by CMDA/DTCP authorities under Town and Country Planning Act, 1971 – Mandatory before issuance of No Objection Certificate(NOC) under Section 5-A(1) of Tamil Nadu Cinemas (Reg) Act, 1955 – Certain representations received – Circular to clear the ambiguities – Regarding.

- Ref : 1) This office circular in R.C.No.L2/3403/17, dated.25.05.2017.
2) This office circular in R.C.No.L1/24676/17, dated.10.05.2018.
3) Representation received from Sri Bagavathi Theatre, Poonamallee, dated.27.03.2019.

Under Section 5-A(1) of the Tamil Nadu Cinemas (Regulation) Act, 1955, it is mandatory to obtain planning permission from the CMDA/DTCP, as the case may be, before issuance of No Objection Certificate by Licensing Authorities. In this office reference first cited, detailed instructions were issued to all the District Collectors/Licensing Authorities and Commissioner of Police, Greater Chennai to follow the procedures laid down under Section 5-A(1) of the Tamil Nadu Cinemas (Regulation) Act, 1955 for permitting construction/re-construction/additional construction/alteration of buildings. In the reference 2nd cited, this office had again reiterated to all District Collectors and Commissioner of Police, Greater Chennai, to follow the procedure laid down under Section 5-A(1) of Tamil Nadu Cinemas (Regulation) Act, 1955 before issuance of No Objection Certificate strictly.

By Act-II of 1994, the Government of Tamil Nadu have amended the Section 5-A(1) of the Tamil Nadu Cinemas (Regulation) Act, 1955, removing exemption from taking CMDA/DTCP planning permission for construction, re-construction and additional construction of buildings for cinematic exhibitions.

1. Section 5-A of the Tamil Nadu Cinemas (Regulation) Act, 1955 mentions about any place, any site to “construct or reconstruct” any buildings for cinematograph exhibitions.

2. Act No-II of 1994 amended the section 5-A, wherein exemption from the provisions and Rules of DTCP Act was withdrawn, thereby mandating No Objection Certificate from CMDA/DTCP authorities.

3. This was reiterated by the circulars issued by this office, dated 25.05.2017 and 10.05.2018.

4. The intent of the circulars was to stress upon the Licensing Authorities that any construction/re-construction and addition in the form of New/Additional buildings to the existing buildings require NOC from CMDA/DTCP authorities.

5. This being so, it has been brought to the notice of this office that some Licensing Authorities quoted the word "alteration of buildings" in above mentioned circulars to insist the licensees to obtain planning permission from CMDA/DTCP even in cases involving alteration works inside the existing theatres like replacement of seats, flooring, Air-conditioning and false-ceiling etc.,

6. As per the Tamil Nadu Cinemas (Regulation) Act and Rules, such "internal alterations, additions and improvements" within the existing theatre need approval and Certification from PWD authorities/Chief Electrical Inspector, as the case may be. Hence, this Circular is hereby issued to reiterate that CMDA/DTCP NOC as per Section 5-A(1) of the Tamil Nadu Cinemas (Regulation) Act, 1955 is required only in cases of construction/reconstruction and additional construction of buildings for cinematograph exhibitions as mandated by the Act and not for internal alterations/additions/improvements to the amenities of the existing theatre.

7. The receipt of Circular instructions may be acknowledged by return of post.

Sd./- J.Meghanatha Reddy,
for Additional Chief Secretary/
Commissioner of Land Administration.

To

✓ All the District Collectors/
Licensing Authorities (Except Chennai)
(By Name Cover)

The Commissioner of Police,
(Licensing Authority, Chennai)
Greater Chennai police,
Vepery, Chennai – 7.
(By Name Cover)

//forwarded by order//

Superintendent

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3/6/19