

# **BANGLADESH FILM CENSOR BOARD**



## **BANGLADESH FILM CENSOR BOARD**

### **13.1 INTRODUCTION :**

The Censorship of Films Act, 1963 (as amended by President's Order No. 41 of 1972 and The Censorship of Films (Amendment) Act, 2006) provides for censorship of cinematograph films and for the decertification of certified films in the interest of law and order or in the interest of local film industry, or in any other national interest and matters incidental thereto or connected therewith.

The Government may, by notification in the Official Gazette, constitute a Board to be called Bangladesh Film Censor Board, which shall consist of a Chairman and such number of members, not exceeding fourteen, appointed by the Government for the purpose of examining and certifying films for public exhibition in Bangladesh. The Government shall appoint the Secretary, Ministry of Information to be the Chairman.

### **ALLOCATION OF FUNCTIONS :**

The functions allocated to the Board are given below:

- (a) To examine the locally produced films of all categories, all imported films for commercial purposes and non-commercial use.
- (b) To censor the films imported by the Foreign Missions through diplomatic channel.
- (c) To act as the registration authority of film clubs and societies and to regulate activities including granting permission for screening of films.
- (d) To check violations of Acts and Rules regarding film Censors and Film Club Acts.
- (e) To perform other works as assigned by the Government from time to time. These include examination and preview of films for foreign films festivals held in Bangladesh.
- (f) To give secretarial assistance and manage screening of films submitted for National Film Award.
- (g) To be responsible for screening of films examined by the Appellate Committee.

## **CHARTER OF DUTIES**

### **(1) CHAIRMAN**

1. Secretary, Ministry of Information is the ex-officio Chairman of the Board. He is:
2. To act as administrative head is responsible for overall administration of the department.
3. To act as an adviser to the administrative Ministry on technical matters and on formulation of policies concerning the Department.
4. To act as principal Accounting Officer of the Department within the Budget provision.
5. To be responsible for the administration and execution of function of the Department as per Acts, Ordinance, Rules and Regulations and directives issued by the Government from time to time.
6. To be responsible for proper functioning and discipline of the Department.
7. To provide executive and operational guidance to the field staff and exercise control and supervision over them.
8. To be responsible for appointing Class-II employees of the Department as per existing procedure.
9. To be responsible for issuing clear standing orders laying down the maximum extent of delegation of powers to the officers serving under him.
10. To control and supervise the work of the Department.
11. To represent the Department and where personal representation is not possible to select representative on his behalf.
12. To meet all officers under him located in the same station once in a month to review cases pending for disposal for over a month.
13. To inspect his office at least once in a month in addition to annual inspection.
14. To allocate duties of officers as and when required.
15. Ensure revenue collection where applicable and safe guard Government property under his charge.
16. To be responsible for maintaining proper security measures of the Department.
17. Any other duties assigned by the Government.
18. To execute powers and functions of the relevant provisions of the Censorship Act and Rules.
19. To preside over the meetings of the Board and approve the proceedings.

**(2) VICE-CHAIRMAN:**

1. The Vice-Chairman is appointed from amongst the members who are in service of the Republic. He exercises powers and authorities of the Chairman as and when delegated to him by the latter.
2. In the absence of Chairman Vice-Chairman performs the duties of the Chairman.
3. The Vice-Chairman looks after day-to-day functions of the Censor Board Office.
4. He represents the Board in other bodies constituted from time to time in connection with the national and international film festivals.

**(3) SECRETARY :**

1. To attend all meetings of the Board and assist the members in the examination of films and brings to their notice the directions issued by the Government from time to time and the principles laid down in those rules for the examination of films.
2. To keep the Government informed about the decision of the authority on the examination of films and sends reports to the Government.
3. To process the application of local produced film advertisement, trailers etc by examining synopsis, dialogue, shooting script and other relevant papers.
4. To process application of imported foreign films by examining import documents, bill of entry, Import license/Permit, letter of credit, source of origin of the film, contract and sub-contract of distribution rights Bank receipt of screening, press book etc.
5. To arrange to issue certificate of foreign revision's film for public exhibition.
6. To help organize International film Festival and assist to the Jury Committee of National Film Award.
7. To deal with cases relating to appointment and promotion of officers and staff.

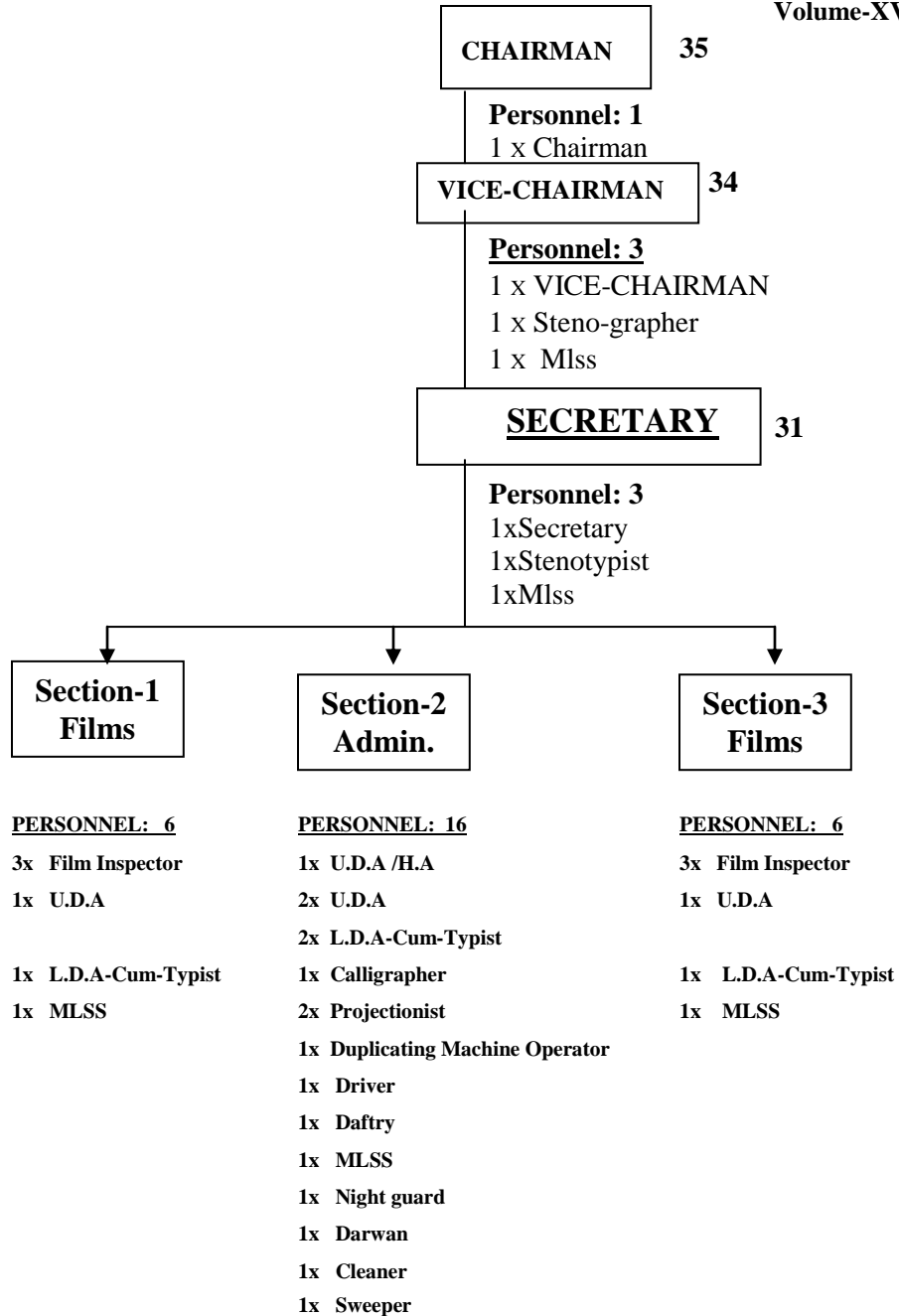
8. To maintain Service Books of non-Gazetted employees of the entire department.
9. To make arrangement for purchases of office equipment's and furniture for the department.
10. To make hiring of office accommodations for the office.
11. To make arrangement for supply of liveries to the Class-IV employees of the department.
12. To make and review recruitment rules of various posts of his department.
13. To maintain annual confidential reports of all officers and staff.
14. To receive all incoming letters and to issue all out-going desks.
15. To maintain accounts of service postage's stamps.
16. To submit activities report to the Ministry of Information.
17. To prepare pay bills of officers and staff of the department.
18. To prepare of contingent bills of the Department.
19. To maintain various recovery registers, G.P.F. advance registers, etc.
20. To collect checks from Audit office against the bills submitted by the department.
21. To encash cheques received from the Audit office and disbursement of the same to the parties concerned as drawing and disbursing officer of the department.

#### **4. FUNCTIONS OF FILMS INSPECTOR :**

The Film Inspector shall assist the Secretary in the performance of his duties and perform such other duties as are assigned to him by the Chairman, Vice-Chairman and Secretary.

**EXISTING ORGANISATION  
BANGLADESH FILM CENSOR BOARD  
MINISTRY OF INFORMATION**

Annexure-‘E’  
**Phase II,  
Volume-XVI**



<u>SUMMARY OF MANPOWER</u>				AUTHORISATION OF TRANSPORTS, MAJOR EQUIPMENT'S AND MISCELLANEOUS
SL.NO	Name of Post	Sanctioned	Existing	
<u>Class: I</u>				<b>01. Transport:</b> <b>i. The board is authorized:</b> (a).1x Car. Private use of Transports will be as per Government Instructions issued <b>02. Air conditioner/ Coolers:</b> The Board may retain 2 x air-conditioners. <b>03. Office Equipment:</b> The following office equipment's may be retained by the Board. <b>a.</b> 1 x Duplicating Machine. <b>b.</b> 4 x Typewriter. The ratio of Bengali and English Typewriter will be 60: 40 <b>c.</b> 1 x Photocopier Machine <b>d.</b> 2 x Projector Machine-35 m.m. <b>e.</b> 2 x Projector Machine-16 m.m. <b>f.</b> 3 x Computer. <b>g.</b> 1 x Color TV <b>h.</b> 1x Power Generator
01.	Chairman (Ex-officio)	1	1	
02.	Vice-Chairman	1	1	
03.	Secretary	1	1	
<u>Class: II</u>				
04.	Film Inspector	6	4	
<u>CLASS:-III</u>				
		17	15	
<u>Class: IV</u>				
		9	6	
<b>Grand Total:</b>		<b>35</b>	<b>28</b>	



## 13.2 THE CENSORSHIP OF FILMS ACT, 1963

Act No. XVIII of 1963

[As amended by President's Order No 41 of 1972]

AN ACT

*To provide for the censorship of cinematograph films and for the decertification of certified films on certain grounds.*

WHEREAS it is expedient to provide for the censorship of cinematograph films and for the decertification of certified films in the interest of law and order, or in the interest of local film industry, or in any other national interest and matters incidental thereto or connected therewith;

AND WHEREAS the national interest of in relation to planning and co-ordination and the achievement of uniformity as are referred to in paragraph (b) and (c) of clause (2) of Article 131 of the constitution requires Central legislation in the matter.

It is hereby enacted as follows:

### 1. Short title, extent and commencement :

- (1) This Act may be called the Censorship of Films Act, 1963.
- (2) It extends to the whole of <sup>1</sup>[Bangladesh].
- (3) It shall come into force at once.

### 2. Definitions :

In this Act, unless there is anything repugnant in the subject or context,□

- (a) <sup>2</sup>["Board" means the Board constituted under section 3;]
  - (b) "certificate" means a certificate granted under sub-section (2) of section 4;
  - (c) "certified film" means a film in respect of which a certificate is granted under sub-section (2) of section 4, or has, at anytime before the commencement of this Act, been granted under sub-section (2) of section 7 of the Cinematograph Act, 1918 (II of 1918);
- <sup>3</sup>[(cc) "Chairman" means Chairman of the Board;]
- <sup>4</sup>[(ccc) "Cinematograph" has the same meaning as assigned to it under section 2 of the Cinematograph Act, 1918 (II of 1918);]

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1. Substituted for the word 'Pakistan' by Article 2 of P.O.No 41 of 1972.
  2. Substituted for 'clause (a)' by article 2 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006)
  3. Inserted by article 2, ibid.
  4. Ditto.

<sup>5</sup>[(cccc)"Deputy Commissioner" includes any other officer of the district authorized by the Deputy Commissioner to exercise any power conferred, or to perform any duty imposed, on the Deputy Commissioner by or under this Act;"]

- (d) "film" means a cinematograph film;
- (e) "Government" means Government of the People's Republic of Bangladesh.

<sup>6</sup>[(ee) "member" means member of the Board;]

(f) "prescribed" means prescribed by rules made under section 10; and

<sup>7</sup>[(ff) "publicity materials" means publicity materials of a film as specified in sub-section(1) of section 6A.]

(g) "uncertified film" means a film in respect of which no certificate has been granted, and includes a film which is deemed to be uncertified film under any provision of this Act <sup>8</sup>[and rules made thereunder.]

### <sup>9</sup>[3. **Constitution of Board:**

The Government may, by notification in the Official Gazette, constitute a Board to be called Bangladesh Film Censor Board, which shall consist of a Chairman and such number of members, not exceeding fourteen, appointed by the Government for the purpose of examining and certifying films for public exhibition in Bangladesh.]

### <sup>10</sup>[4. **Certification of films:**

(1) A person may submit a film to the [Board], together with an application in the prescribed form, for granting a certificate that the film is suitable for public exhibition:

Provided that the <sup>11</sup>[Board] shall not accept any features film, not being a foreign film, for the purpose of examining its suitability for public exhibition if the total length thereof exceeds fourteen thousand feet, except where, on a request from the film producer, the Government has, for any special reason, previously agreed to relax the said limit, and]

(2) If the <sup>12</sup>[Board] after examination considers that a film is suitable for public exhibition, it shall grant a certificate to that effect to the person applying for the same and cause the film to be marked in such manner as may be prescribed.

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5. Ditto.

6. Ditto.

7. Ditto.

8. Ditto.

9. Substituted for Section 3 by article 3 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).

10. Substituted for sub-Section 1 of Section 4 by article 3 of The Censorship of Films (Amendment) Ordinance, 1982 ( Ordinance No. LVIII of 1982)

11. Substituted for the word 'authority' by article 4 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006)

12. Ditto.

- (3) A certificate granted under sub-section (2) shall subject to the provisions of this Act, be valid for the whole of Bangladesh for such period, if any, as may be specified in the certificate.
- (4) Where any period is specified under sub-section (2) the <sup>13</sup>[Board] may, on application in this behalf, extend such period, or the period so extended, or dispense with the period so specified or extended.

<sup>14</sup>[(5) If the Board, after examination under section 4A, considers that—

- (a) a film is not suitable as per Rules framed under this Act for public exhibition in Bangladesh, it shall refuse to grant the certificate of the film for public exhibition and shall inform the decision of refusal to the person applying for the certificate within fifteen days from the date of its decision;
- (b) a film is not suitable for such public exhibition but may be suitable—
  - (i) if made restricted to the members of any profession or any class of persons; or
  - (ii) only for a specific period; or
  - (iii) if a specified portion thereof is excised ;
 it shall inform the person applying for the certificate within fifteen days from the date of its decision.;

<sup>15</sup>[(6) ] \* \* \* \* \*

**4A.**

- (1) The <sup>16</sup>[Board] shall examine films in such manner as may be prescribed.
- (2) Where the <sup>17</sup>[Board] consists of more than one member, the examination of a film shall be made by such number of members as may be prescribed and such examination shall be deemed to be the examination by the Board.
- (3) In examining and certifying films for public exhibition the <sup>18</sup>[Board] shall follow such principles as may be prescribed.]

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13. Ditto.  
 14. Substituted for Sub-Section 5 of Section 4 by article 4 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).  
 15. Substituted for the word 'authority' by article 4 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).  
 16.  
 17. Omitted by article 4, ibid.  
 18. Substituted for the word 'authority' by article 5 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).

**<sup>19</sup>[4B. Appeal:**

- (1) Any person who is aggrieved by any decision of the Board under this Act may, within thirty days of the date of receipt of such decision, prefer an appeal to the Government.
- (2) An appeal preferred under sub-section (1) shall be disposed of in the prescribed manner.
- (3) If an appeal is preferred against the decision<sup>19</sup>
  - (a) under sub-section (4) of section 4, the Government shall direct, by order in writing, that the certificate granted under sub-section (2) of section 4 shall be valid only for the period specified therein, or for the period extended under sub-section (4) of section 4, or for such period as may be specified in the order;
  - (b) under clause (a) of sub-section (5) of section 4, and if the appeal is rejected, the Government shall, by notification in the Official Gazette, declare that the film to which the appeal relates shall be deemed to be an uncertified film in respect of the whole of Bangladesh;
  - (c) under clause (b) of sub-section (5) of section 4, and if the appeal is rejected, the Government shall inform the person applying for the certificate within seven days from the date of its decision.
- (4) No appeal under this section shall be disposed of without giving an opportunity to the appellant for representing his views in the matter.
- (5) The decision of the Government under this section shall be final.

**5. Suspension of Certificate :**

- (1) Notwithstanding anything contained in sub-section (3) of section 4, the <sup>20</sup>[Chairman may, if he is] of opinion that a certified film should not be publicly exhibited, by order, suspend, pending the orders of the Government under sub-section (4), the certificate in respect of that film.
- (2) If a <sup>21</sup>[Deputy Commissioner] is of the opinion that a certified film should not be publicly exhibited within his district, he may, by order, suspend, pending the orders of the Government under sub-section (4) the certificate in respect of that film.

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19. Inserted by article 6 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006)

20. Substituted for the word 'the authority may if it is' of Sub-Section 1 of Section 5 by article 7, *ibid*.

21. Substituted for the word 'District Magistrate' of sub-Section 1 of Section 5 by article 4 of The Censorship of Films (Amendment) Ordinance, 1982 ( Ordinance No. LVIII of 1982)

- (3) A certified film shall, during the period of suspension of its certificate under sub-section (1) or sub-section (2), be deemed to be an uncertified film in respect of the whole of Bangladesh or, as the case may be, the district concerned.
- (4) A copy of any order of suspension made under sub-section (1) or sub-section (2), together with a statement of the reasons therefore, shall forthwith be forwarded to the Government by the <sup>22</sup>[Chairman] or the <sup>23</sup> [Deputy Commissioner] making the order, and the Government may either discharge the order or, by notification in the official Gazette, direct that the film shall be deemed to be an uncertified film in respect of the whole of Bangladesh:

Provide that where the Government makes no order under this sub-section within the period of sixty days from the date of making of the order of suspension, the order of suspension shall on the expiry of such period be deemed to have been discharged.

**6. Exhibition of certified films, etc :**

- (1) Notwithstanding anything in the Cinematograph Act 1918 (II of 1918) or in any other law for the time being in force the Government shall prescribe the places or class of places licensed for the exhibition of cinematograph films where, and the period or periods for which, any certified films or class of certified films may be exhibited.
- (2) In respect of places prescribed under sub-section (1), the Government may by rules provide for the regulation of proper seating, sanitary booking and other arrangements.

<sup>24</sup>**[6A.Publicity Materials of Certified Films :**

- (1) Any publicity materials, such as still photographs, diagrams, sketches, posters, hand bills and Bangla translation of the names of films of foreign origin, shall not be displayed before a licensed place or on publicity boards or otherwise or advertised through print and electronic media unless such materials are approved in a manner prescribed by the Board.
- (2) Any person advertising a film certified for public exhibition restricted to members of any profession or any class of persons only or publicising such films by means of insertions in newspapers, posters or hand-bills shall, after the date of its certification, indicate in such insertions that the film has been certified for public exhibition restricted to the members of profession or class of persons only.

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22. Substituted for the word ' authority ' by article 7 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).

23. Substituted for the word 'District Magistrate' by article 4 of The Censorship of Films (Amendment) Ordinance, 1982 ( Ordinance No. LVIII of 1982).

24. Inserted by article 8 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).

- (3) The name and address of the producer and director of the film and the approval number of the Board shall be shown clearly on the publicity materials.
- (4) Notwithstanding anything contained in Cinematograph Act, 1918 (II of 1918), if an unapproved publicity material is exhibited or displayed in any licensed place, the license of the licensed place shall be liable to suspension or revocation.

**Explanation :** For the purpose of this section "licensed place" means a place licensed under section 3 of the Cinematograph Act, 1918 (II of 1918) for the exhibition of film.]

**7. Power to decertify certified films :**

Where the Government is of the opinion that a certified film, or class of certified films, should in the interest of law and order, or in the interest of local film industry, or in any other national interest, be decertified in respect of the whole or any part of Bangladesh, it may, of its own motion, by notification in the official Gazette, direct that such film or class of films shall be deemed to be uncertified film or films in respect of the whole of Bangladesh or such area or areas as may be specified in the notification.

<sup>25</sup>[7A."

- (1) Where the Board has reason to believe that a film or publicity materials are being exhibited in any place in contravention of any provision of this Act or any rule made thereunder, it may, by order in writing, authorize any police officer not below the rank of Sub-Inspector or any District Information Officer to search the place and seize the film and the publicity materials, if any, of that film.
- (2) A Police Officer or District Information Officer who has seized a film or any publicity materials under sub-section (1) shall forthwith forward it to the Court.;
- (3) On receipt of a <sup>26</sup>[film or any publicity materials under sub-section(2) the Board] shall take such action under the Act as it deems proper.

**8. Penalty : <sup>27</sup> [**

- (1) whoever
  - (a) exhibits or causes or permits to be exhibited in any place, or abets the exhibition of, an uncertified film, or a certified film which does not show the mark of the Board;

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25. Substituted for Sub-Section (1) & (2) of Section 7A by article 9, of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).

26. Substituted for the words ' film under sub-section (2) the authority ' of Sub-Section 3 of 7A by article 9, *ibid*.

27. Substituted for Sub-Section (1) of Section 8 by article 10, *ibid*.

- (b) without lawful authority alters or tampers with, in any way, any film after it has been certified or since such mark was affixed thereto;
- (c) exhibits an unapproved publicity materials;
- (d) without lawful authority alters or tampers with, in any way, any publicity materials after it has been approved;
- (e) contravenes any other provision of this Act or rules made there under;

shall be punishable with imprisonment for a term which may extend to three years, but shall not be less than one year, or with fine which may extend to taka ten thousand, or with both; and in case of continuing offence with a further fine which may extend to taka five thousand for each day during which the offence continues.;

- (2) Where a person is convicted of an offence punishable under subsection (1) in respect of any film<sup>28</sup>[or publicity materials] , the court passing the sentence may further direct that the film shall be forfeited to the Government.
- (3) Where a person is convicted of an offence punishable under subsection (1) in respect of a place licensed for the exhibition of cinematograph films , the court passing the sentenced may further direct that , notwithstanding anything in the license relating to such place, no cinematograph film shall be exhibited in that place for such period , not exceeding three months , as may be specified by the court,

**9. Procedure :** <sup>29</sup>[(1) ] \* \* \* \* \*

- (2) Where a person guilty of an offence punishable under this Act is a company or other body corporate, every managing director, director, manager, secretary or other officer or agent thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent its commission, be deemed to be guilty of such offence.<sup>30</sup>[(3) Notwithstanding anything contained in the Code of Criminal Procedure, 1898(Act V of 1898),
  - (a) the provisions of the said Code shall be applicable in the case of trial of an offence punishable under this Act;
  - (b) an offence punishable under this Act may be tried summarily in accordance with, as far as possible, the provisions laid down in Chapter XXII of the said Code.]

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28. Inserted by article 10, ibid  
 29. Omitted by article 7 of The Censorship of Films (Amendment) Ordinance, 1982 (Ordinance No. LVIII of 1982)  
 30. Inserted by article 11 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).

**10. Power to make rules :**

- (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, rules made under this section may provide for—
  - (a) the manner in which films in respect of which certificates are granted shall be marked;
  - (b) the manner in which appeals shall be disposed of;
  - (c) the procedure of the <sup>31</sup> [Board], and all matters ancillary thereto and the fees to be charged by them;
  - (d) the appointment of officers subordinate to the <sup>32</sup>[Board] and the regulation of the powers and duties of such officers; and
  - (e) any other matter which by this Act is to be prescribed.

**11. Power to exempt :**

The Government may, by order in writing, exempt, subject to such conditions and restrictions, if any, as it may impose, any film from all or any of the provisions of this Act.

**12. Delegation of powers :**

The Government may, by notification in the official Gazette, delegate all or any of the powers exercisable by it under this Act to such authority or other person as may be specified in the notification.

<sup>33</sup>[13. ] \* \* \* \* \*

<sup>34</sup>[14. ] \* \* \* \* \*

<sup>35</sup>[15. Bar to Legal Proceedings :

No suit, prosecution or other legal proceedings shall lie against the Government, Board, Chairman, Member and any other officer of the Board, as the case may be, in respect of anything which is done or intended to be done in good faith under this Act.

**16. No Order of Injunction, etc. without hearing the Board:**

Notwithstanding anything contained in any other law for the time being in force, no court shall grant an injunction or make any interim order in respect of any order passed under section 4, 5 or 7 without giving the Board an opportunity of being heard.]

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31. Substituted for the word ' authority ' of clause (c) of Sub-Section 2 of Section 10 by article 12,ibid.  
32. Substituted for the word ' authority ' of clause (d) of Sub-Section 2 of Section 10 by article 12,ibid.  
33. Omitted by article 16 of P.O. NO.41 of 1972.  
34. Omitted by article 17 of P.O. NO.41 of 1972.  
35. Inserted by article 12 of The Censorship of Films (Amendment) Act, 2006. (Act No I of 2006).



## 13.3 GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

### MINISTRY OF INFORMATION AND BROADCASTING

#### NOTIFICATION

**No. S R O 179-L/77.** In Exercise of the powers conferred by section 10 of the Censorship of Films Act, 1963 (XVIII of 1963), and in suppression of the Censorship of Films Rules, 1972, the Government is pleased to make the following rules, namely:—

#### **THE BANGLADESH CENSORSHIP OF FILMS RULES, 1977**

**1. Short title :**

These rules may be called the Bangladesh Censorship of Films Rules, 1977.

**2. Definitions :**

In these rules, unless there is anything repugnant in the subject of context,—

- (a) "Act" means the Censorship of Films Act, 1963 (XVIII of 1963) ;
- (b) "Applicant" means a person applying for a film to be certified for public exhibition;
- (c) "Board" means the Authority where it consists of a Board of two or more persons;
- (d) "Chairman" means the Chairman of the Board and includes the person for the time being performing the functions of the Chairman;
- (e) "Committee" means a Committee appointed under rule 9 for examination of films.
- (f) "Film Inspector" means a Film Inspector of the authority;
- (g) "Form" means a Form Annexed to these rules;
- (h) "Licensed place" means a place licensed under section 3 of the Cinematograph Act, 1918 (II of 1918), for the exhibition of cinematograph films;
- (i) "Member" means a member of the Board and includes the Chairman and the Vice-Chairman.
- (j) "Secretary" means the Secretary of the authority and included the person for the time being performing the functions of the Secretary;
- (k) "Section" means a section of the Act; and
- (l) "Vice-Chairman" means the Vice-Chairman of the Board and includes the person for the time being performing the functions of the Vice-Chairman.

**3. Directive to one-person authority:**

Where the authority, to be called Bangladesh Film Censor Board, consists of one member, such directives shall govern it as the Government may, from time to time, give for the due discharge of its functions.

**4. Term of the Board:**

The term of the Board constituted under section 3 shall be one year from the date on which it is constituted.

**5. Appointment and functions of Chairman, Vice-Chairman, Secretary, etc :**

- (1) The Board shall consist of the Secretary, <sup>1</sup>[Ministry of Information] and such member of other members as the Government may deem fit to appoint.
- (2) The Government shall appoint the Secretary, <sup>2</sup>[Ministry of Information] to be the Chairman.
- (3) The Government shall appoint a Vice-Chairman from amongst the members who are in the service of the Republic (hereinafter called the official members).
- (4) The Government shall appoint a Secretary and such number of Film Inspectors as it may deem fit to appoint and they shall work <sup>3</sup>[a secretariat of the Board] under the direct control and supervision of the Chairman and the Vice-Chairman.
- (5) The Chairman, Vice-Chairman, Secretary and Film Inspectors shall, in addition to the functions specified in these rules, exercise such powers and perform such functions as the Government may, from time to time, direct.
- (6) The Chairman may direct that any of his powers and functions under these rules shall, subject to such conditions, if any, as may be specified by him, be exercised or performed also by the Vice-Chairman.

**6. Headquarters :**

The office of the authority shall be at Dhaka.

**7. Absence of Chairman :**

The Vice-Chairman shall act as Chairman during the absence of the Chairman from the headquarters or whenever he is unable to exercise his power of perform his duties under these rules owing to illness or any other cause.

**8. Meeting of the Board :**

- (1) Subject to the provisions of sub-rule (4) of rule 16, no business of the Board shall be transacted except at a meeting of the Board at which not less than one-third of the total number of members are present.

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<sup>1</sup> Substituted for the words 'Ministry of Information and Broadcasting'.

<sup>2</sup> Ditto

<sup>3</sup> Inserted by article 1 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

- (2) Every meeting of the Board shall be presided over by the Chairman or in his absence, by the Vice-Chairman or, in the absence of both, by a member elected for the purpose by the members present from amongst the official members present.
- (3) All decisions of the Board shall be taken by a majority of the member present and voting, but the person presiding shall not vote except when there is an equality of votes in which case he shall have a casting vote.
- <sup>4</sup>[(4) The Board shall meet as frequently as required . ]
- (5) An extraordinary meeting may also be convened if the Chairman or the Vice-Chairman is requested to do so in writing by not less than one-third of the total member of members.
- (6) The Secretary shall give at least three day's clear notice of an ordinary meeting to each member:  
Provided that an extraordinary meeting may be called by giving one day's notice to the members.
- (7) The Chairman or the Vice-Chairman, in consultation with the Chairman, may co-opt any person in a particular meeting of the Board and the person so co-opted shall be entitled to participate in the deliberations of the Board at that meeting but shall have no right to vote.

**9. Committee for examination of films :**

- (1) For the purpose of examining and certifying films, the Board may be divided into Committees with such number of members as may be appointed by the Chairman:  
Provided that, no business of a committee should be transacted except at a meeting at which a quorum of three members is present.
- (2) All decisions of the Committees shall be taken by a majority of the members present and voting, but the person presiding shall not vote except when there is an equality of vote in which case he shall have a casting vote.
- (3) If, for any reason, the Chairman is unable to attend a meeting of a Committee of which he is a member, he may be represented by the Vice-Chairman.
- (4) For the meetings of a Committee, the Secretary shall give at least one day's clear notice to the members of the Committee:  
Provided that a meeting may be called even at a shorter notice if the Chairman or the Vice-Chairman is of opinion that any matter needs urgent consideration of the Committee.

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<sup>4</sup>. Substituted by article 2 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

- (5) The Chairman or the Vice-Chairman in consultation with the Chairman, may co-opt any person in any meeting of a Committee and such person shall be entitled to participate in the deliberations of the Committee but shall have no right to vote.
- (6) Subject to the provisions of sub-rule (7) of rule 8 and sub-rule (5) of this rule, no person other than a member shall be allowed to be present when a film is being examined by the Board or a Committee: Provided that a member may be accompanied by his spouse but such spouse shall have no right to take part in the deliberations.

**10. Record of Proceedings :**

The Board shall keep a record of the proceedings of meetings of the Board and Committees in such form as may be laid down by it with the approval of the Government.

**11. Remuneration of members and Secretary of the Board and members of Appellate Committee :**

The Secretary and every member of the Board and an Appellate Committee and a co-opted member, if any, attending a meeting of the Board or of a Committee of which he is a member or of the Appellate Committee shall be paid a <sup>5</sup> [remuneration of such an amount as may be fixed by the Government from time to time] and the expenditure involved shall be met from the sanctioned budget grant of the Board:<sup>6</sup> [ ]

**12. Accounts :**

The accounts of the authority shall be maintained and audited in such form as may be laid down by the Government.

**13. Principles to be followed in examination of films :**

The authority shall follow the following broad principles and shall also act in accordance with such instructions as may be issued from time to time by the Government in examining and certifying films for public exhibition:—

- (a) the film shall not impair or is not likely to impair the moral standards of the audience by extenuating vice or crime or by depreciating social values;
- (b) the story, incident or dialogue in the film shall not offend or is not likely to offend the sentiments of any section of the public;<sup>7</sup>[ ]
- (c) the effect of the story, incident or dialogue of the film on the Children under twelve years of age shall not be or is not likely to be harmful ;

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<sup>5</sup>. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-ক দ্বারা প্রতিস্থাপিত।

<sup>6</sup>. Omitted by article 3(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

<sup>7</sup>. Omitted by article 4(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

- <sup>8</sup> [“(d) the film shall not in any way impair the national ideology, namely, absolute trust and faith in the almighty Allah, nationalism, democracy and socialism meaning economic and social justice;
- (e) the Film is not a plagiarised one;
- (f) observe the third country rule so as to avoid impairing good relations between Bangladesh and other nations ]

**14. Application for certification of film for exhibition :**

- (1) Any person who desires a film to be certified as suitable for public exhibition shall submit an application, in writing, to that effect.
- (2) Every such application shall be made in Form I.
- (3) If any information or particular in the application submitted under sub-rule (1) is found to be incorrect or false, the Secretary shall report the matter to the Chairman, who shall give the applicant an opportunity of filing an explanation, and if, in his opinion, the explanation so filed is unsatisfactory or where no explanation is filed the Chairman<sup>9</sup>[in consultation with the member] may reject the application and may, by an order in writing, debar the applicant from filing any application under this rule for such period as he may specify.
- (4) Every application in respect of films shall be addressed to the Secretary.
- (5) Every application shall be accompanied by—
- <sup>10</sup>(a) A treasury challan of the examination fee deposited in the Bangladesh Bank under the head of Account of the Board at the rates laid down in the following table:-

Size of film	Length of film	Scale of fees
<b>I. 35 m. m (2-D,3-D, Cinemascope Vista-vision)</b>	(I) Where the length of the film does not exceed 500 feet.	Taka. 500
	(II) Where the length of the film does not exceed 3000 feet.	Taka 2,000
	(III) Where the length of the film exceeds 3,000 feet but does not exceed 13,000 feet.	Taka 2,000 plus Taka 800 per 1,000 feet or a fraction thereof exceeding 3,000 feet.

<sup>8</sup> Inserted by article 4(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

<sup>9</sup> Inserted by article 5(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

10. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-খ দ্বারা প্রতিস্থাপিত।

- (IV) Where the length of the film exceeds 13,000 feet. Taka 10,000 plus Taka 2,000 per 100 feet or a fraction thereof exceeding 13,000 feet. In case of foreign films Taka 10,000 plus Taka 1,000 per 100 feet or a fraction thereof exceeding 13,000 feet.
- II.16 m m (I) Where the length of the film does not exceed 1,200 feet. Taka 500 per 400 feet or a fraction thereof
- (II) Where the length of the film exceeds 1,200 feet. Taka 1,600 plus Taka 700 per 400 feet or a fraction thereof exceeding 1,200 feet.
- (b) A receipt of the screening fee deposited in a Scheduled bank or in the Bangladesh bank as advised by the Board at the following rates, if the film is to be examined at any particular projection hall of the Government. The screening fee represents the charge for service rendered by the projection hall by way of screening of films:—

Size of film	Length of film	Scale of fees
I. 35 m. m (2-D,3-D, Cinemascope Vista-vision)	Up to 2000 feet.	Taka 500
	Above 2000 feet.	Taka 3000
II. 16 m.m	Up to 2000 feet.	Taka 500
	Above 2000 feet.	Taka 1000

Provided that if one more licensed places are fixed by the Government for the purpose of screening of films, the applicant shall show the film in one such licensed place and pay to the owner of the licensed place an amount mutually agreed upon between the owner of the licensed place and the Government;]

- (c) (i) a copy of the dialogue or shooting script in respect of locally produced films;
- (ii) a copy of the press book in respect of the imported films.
- (iii) a copy of the press book or three typed or printed copies of the synopsis of the film together with full

text of songs, if any, in respect of the locally produced films;

- (iv) an affidavit in the form specified in **Form II** testifying to the originality in respect of a locally produced film:

Provided that, in the case of a newsreel, documentary or short film the Chairman may, if he is satisfied that the applicant is unable for reason beyond his control, to furnish the said documents together with the application direct that the document be furnished within such period after the examination of the film as he may specify, or that the submission of such documents be dispensed with;

- (d) import documents, that is to say, the Clearance Permit, Import License or Permit and Bill of Entry in respect of the imported film and an affidavit in the form specified in Form III to establish the legality of import of the imported film:

Provided that in the case of films of foreign missions in Bangladesh their mode of import may only be specified and no affidavit shall be necessary;

- (e) a print of the film.

- (6) When a film in respect of which an application has been made under this rule contains any portion of any other film in respect of which an appeal under sub-section (5) of section 4 was earlier rejected or which was earlier decertified by the Government the authority may require the applicant to submit the film to which the application relates along with such other film, and the applicant shall submit his film with a new name along with the print of the original film or, in the case of an imported film, along with the portions of the film excised there from.

- (7) If, after a film has been certified for public exhibition it is found at any time that any information or particular submitted under this rule is incorrect or false, the film shall be liable to suspension and the applicant shall also be liable to punishment under section 8.

**<sup>11</sup>[14A. Preservation of Video Cassette :**

- (1) The Authority shall preserve a Video Cassette of every film for the purpose of record with the cost of recording such film being borne by owner/proprietor of the film.
- (2) `Recording of such Video Cassette shall be arranged by the authority by its own equipments and manpower and the owner or proprietor of such film shall pay a sum of Taka one thousand as service charge through Treasury chalan to be deposited in Bangladesh Bank or in a scheduled Bank under the Head of Account of the authority.]

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<sup>11.</sup> এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-গ দ্বারা সংযোজিত।

**5. Fixation of time and place for examination of film :**

- (1) One receipt of an application under rule 14 and the fees laid down therein, the secretary shall, in consultation with the Chairman, fix the date, time and place for examination of the film and intimate the applicant accordingly.
- (2) The Secretary shall inform the members about the censorship programme.

**16. Procedure regarding certification of newsreels, feature films and trailers thereof :**

- (1) If a film is examined by the Board, the decision on the certification of the film shall be in accordance with the decision of the Board.
- (2) If a film is examined by a Committee, the Committee shall make a report thereon to the Chairman in such form as may be determined by the Government for the purpose.
- (3) The report shall be placed before the Chairman as early as may be practicable and the Chairman shall decide on the basis of the report whether—
  - (a) the film shall be certified as suitable for unrestricted public exhibition with or without excisions <sup>12</sup>[and such excision decided by the Chairman shall be made in the office of the Board ] or for public exhibition restricted to adults only with or without excision; or
  - (b) the film shall not be certified for public exhibition:

Provided that after considering the Committee's report and before coming to a decision, the Chairman may direct that the film be re-examined by any other Committee which has not examined it earlier or by the Board:

Provided further that, before the film is so re-examined the Chairman may give to the applicant an opportunity to represent his case before him and in the case of a foreign film, to excise or delete from it, in the office of the Board, the portions, the excision or deletion of which would, in his opinion, meet the objections raised by the Committee.

- (4) If the film is re-examined by a Committee, the Chairman shall, on the basis of the report of the Committee, refer the film to the <sup>13</sup>[full Board] in which not less than two-thirds of the total number of members shall be present for examination in the case of an unfavourable recommendation by the Committee re-examining the film, or in the case of a conflict between the findings of the two Committees.



12. Inserted by article 6(a) of the S.R.O NO-31-L/83,dated 27-01-1983.

13. Inserted by article 6(a) of the S.R.O NO-31-L/83,dated 27-01-1983.

- (5) If the Board finally decides that the film is not suitable for public exhibition the application for certification of the film shall be rejected and the applicant informed accordingly giving for the rejection.
- (6) If the Board or, as the case may be, the Chairman, on the basis of the report of a Committee, decides that the film is suitable for unrestricted public exhibition with or without excision, a "U" certificate signed by the Chairman or the Vice-Chairman or, in the absence of both, by the Secretary, shall forthwith be granted to the applicant in Form IV.
- (7) If the Board or, as the case may be, the Chairman, on the basis of the report of a Committee, decides that the film is suitable for public exhibition only to adults, that is to say, persons not below eighteen years of age, with or without excision, "A" certificate signed by the Chairman or the Vice-Chairman or in the absence of both, by the Secretary, shall forthwith be granted to the applicant in Form V.
- (8) If the Board decides that the film is unsuitable for public exhibition unless specified portion thereof is excised, the applicant shall be informed accordingly and, if he consents to such excision and forfeiture of the portion objected to, the portion so specified shall be excised and forfeited to the Government and a certificate shall, subject to the provisions of sub-rule (9), be granted which shall bear a clearly visible triangle drawn at the left-hand bottom corner of the certificate in respect of the rest of the film with an endorsement stating the description of the portion excised and forfeited together with their exact length.
- (9) Before a certificate sub-rule (8) is granted<sup>□</sup>
  - (a) The applicant shall be required to give a declaration in Form VI; and
  - (b) the Secretary or the Film Inspector shall examine at the expense of the applicant the particular reel or reels wherein the portion objected to occurs in order to satisfy itself that the required excision has been correctly and properly made.
- (10) The portion of the film and of all copies thereof surrendered under sub-rule (8) shall be preserved by the Board for a period of six months and destroyed thereafter.
- (11) If the applicant does not agree to the excision and forfeiture required under sub-rule (8) or does not give the declaration as required under sub-rule (9), the application for certification of the

film shall be rejected and the applicant shall be informed accordingly.

**17. Certification of films of foreign missions in Bangladesh :**

On receipt of an application under rule 14 from a foreign mission in Bangladesh for certification of a 16 mm or 35 mm print of newsreel, documentary or a feature film for screening at private gatherings, a Committee shall examine the film and in case of its being suitable for exhibit on shall issue a certificate in Form IV and in case of a newsreel, or documentary, there shall be put a rubber stamp to the effect that the film is for "non-commercial" exhibition by a diplomatic mission only and in the case of a feature film special certificate may be issued indicating the date and place of public exhibition of the film;

Provided that no examination fee and screening fee shall be charged in respect of such film.

<sup>14</sup> **[17A. Missions to obtain permission for holding film shows :**

- (1) Foreign Missions intending to hold film shows or film festivals in any place, other than their diplomatic premises. Information Centers or Culture Centers, on their own or in association with local film societies shall obtain prior permission from the Bangladesh Film Censor Board.
- (2) Foreign Missions shall not allow its films to be used for charity shows by any organization except with the prior permission of the Government.]

**18. Alteration in a certified film :**

- (1) If, after certification, a film is altered by excision, addition, dubbing or otherwise, it shall cease to be a certified film and shall not be exhibited unless it has been re-examined by the authority and a fresh certificate issued in respect thereof in accordance with these rules.
- (2) Application for such re-examination shall be submitted in Form VII.
- (3) On receipt of an application under sub-rule (2), the Chairman shall appoint a Committee to examine, at the expense of the applicant, the reel or reels in which the portion added or altered occurs;

Provided that, the Committee may re-examine the entire film.

Provided further that the examination fee chargeable in respect of a film altered as aforesaid shall, notwithstanding the fact that the entire film is re-examined, be calculated with reference only to the reel or reels in which the portion added or altered occurs:

Provided further that if, in case of addition or alteration in an already certified film the length limit of such film exceeds 13,000 feet, the fee for re-examination shall be charged at the rate laid down in sub-rule (5) of rule

<sup>14</sup> Inserted by article 7 of The S. R. O. No. 31-L/83, Dated 27th January 1983.

**19. Appeal to the Government :**

- (1) Every appeal to the Government under sub-section (5) of section 4 shall be in Form VIII.
- (2) Every film in respect of which an appeal is prepared referred shall be examined by an Appellate Committee consisting of such member of member to be appointed by the Government. The Committee shall be headed by the Secretary Ministry of Cabinet Affairs who shall be designated by it to be President thereof and the Chairman shall act as the Convenor of the Appellate Committee.
- (3) Immediately after the examination of the film the members of the Appellate Committee shall record their views stating clearly whether they agree with the vies of the Board or not and the report of the Appellate Committee shall be submitted to the Government.
- (4) In case the Appellate Committee disagree with the findings of the Board the reasons for such disagreement shall also be mentioned in the report made under sub-rule (3).
- (5) The decision of the Government taken on the basis of the report of the Appellate Committee shall be communicated in writing to the Board for compliance.

**20. Revised Version of uncertified films :**

After a film has been declared uncertified by the Government, the applicant may present a revised version of his film to the authority in Form IX .<sup>15</sup>[ ]

**21. Re-examination of certified films :**

- (1) If, in the case of a certified film, an order of suspension together with a statement of the reasons therefore is received from the authority or a Deputy Commissioner under section 5 or a representation is made any individual or group of individuals, it shall, at the direction of the Government, be examined by the authority.
- (2) Where the authority decides that a film be re-examined or where the Government directs the Board under sub-rule (1) to re-examine the film, the Secretary shall arrange for the re-examination of the film by the Board as soon as practicable:  
Provided that no examination fee and screening fee shall be charged in respect of a film so re-examined.
- (3) The original applicant or the person to whom the right of ownership on distribution in the film has passed shall, on receiving a written notice from the Secretary, arrange to deliver a print of the certified

film within such time as may be specified in the notice for re-examination of the film by the Board.

- (4) After examination of the film, the Board shall forward its opinion to the Government and the Government may pass such orders thereon as it deem fit.

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<sup>15</sup>. Omitted by article 8 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

- (5) No order under this rule shall be made to the prejudice of the applicant unless he has been given an opportunity of representing his case to the Government.

**22. Trailer of censor certificate to be affixed with firms, etc :**

- (1) When a certificate is granted under these rules, a film copy of the same, in the form of a trailer not less than fifteen feet or six feet in length according as the film is 35 mm and above or 16 mm, shall be affixed to the film and always exhibited with it.  
Provided that, in case of a film of a foreign mission in Bangladesh meant for non-commercial and non-theatrical exhibition, such trailer need not be affixed to the film but the mission shall show to the Secretary or the Film Inspector the original certificate on demand.
- (2) A true copy of the certificate shall be kept for purpose of inspection at the licensed place where the film is being exhibited.

**23. Prescribed mark of the Board :**

The mark specified by the Board shall be a film copy of the Board's Certificate annexed to a certified film.

**24. Fee for duplicate Certificate :**

No separate fee shall be charged for a certificate but a fee of <sup>16</sup>[ Taka One Hundred] to be deposited in the manner the examination fee is deposited, shall be charged for a copy thereof.

**25. Suspension, etc. of certificate :**

- (1) A certificate granted by the Board under these rules shall be liable to suspension <sup>17</sup>[ if a film] in respect of which the certificate is granted is exhibited in a form other than the one in which it is certified.
- (2) Where in exercise of the powers conferred by sub-section (4) of section 5, the Government, by notification in the official Gazette, directs that a certified film shall be deemed to be an uncertified film in respect of the whole of Bangladesh, the person to whom a certificate was granted in respect of that film or any other person to whom the right to exhibit the film for the time being belongs, shall

surrender the certificate and all copies thereof to the Board with in one month from the date of such notification.

Provided that the Chairman or the Vice-Chairman may, at the written request of any such person, extend the said period.

<sup>16.</sup> এস, আর, ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-ঘ দ্বারা প্রতিস্থাপিত।

<sup>17.</sup> Inserted by article 9 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

**26. Advertisement of certified films :**

- (1) All publicity materials, that is steel photographs, diagrams, sketches, posters and Bengali translation of the names of films of foreign origin shall not be displayed before a licenced place or on Publicity Boards or otherwise or advertised through newspaper unless such materials are approved by the <sup>18</sup>[Vice-Chairman] .
- (2) Any person advertising a film certified for public exhibition restricted to adults only of publicising such films by means of insertions in newspapers posters or hand-bills shall, after the date of it certification, indicate in such insertions that the film has been certified for public exhibition restricted to adults only.

**27. Educational films :**

If the authority, on an application made in this behalf, is of the opinion that the film is of a purely educational character, it shall grant a certificate to that effect and the examination fee deposited under these rules shall be refunded.

**28. Powers of Government to have a certified film examined :**

Notwithstanding anything contained in rule 21, the Government may, if it considers necessary for taking a decision whether a direction under sub-section (4), of section 5 shall be issued in respect of a certified films, require the person to whom the certificate in respect of that film was granted, or any other person to whom the right to exhibit the film for the time being belongs, to exhibit the film at such place and time as the Government may direct:

Provided that no examination fee and screening fee shall be charged in respect of a film so examined:

Provided further that no direction under sub-section (4) of section 5 shall be issued without giving the applicant an opportunity of representing his case.

**29. Functions of the Secretary :**

- (1) The Secretary shall—
  - (a) attend all meetings of the Board, Committees and Appellate Committee;
  - (b) assist the members in the examination of films and bring to their notice the directions issued by the Government from time to time and the principles laid down in those rules for the examination of films;

- (c) keep the Government fully informed about the decisions of the authority on the examination of films, and in particular, send reports to the Government about—
  - (i) the applications rejected by the authority;
  - (ii) the films which are certified for unrestricted public exhibition;
  - (iii) the films which are certified for public exhibition restricted to adult only;

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<sup>18</sup>. Inserted by article 10 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

- (iv) the films which are certified for public exhibition subject to excisions standing the specified portion or portions excised; and
- (v) all other allied matters; and
- (vi) keep the authority informed of the action taken in cases of breach of these rules.

**30. Functions of films Inspector :**

The Film Inspector shall assist the Secretary in the performance of his duties and perform such other duties as are assigned to him by the Chairman, Vice-Chairman and Secretary.

**31. Secretary shall maintain a register :**

The Secretary shall maintain a register in which the following particulars shall be entered, namely:—

- (a) date of receipt of application, the name, exact length and number of reels of every films examined under the Act;
- (b) the name of the person or firm applying for certification;
- (c) the name of the person or firm producing, importing or releasing the film;
- (d) the name of the country in which the film was originally produced;
- (e) the date or dates and place of examination of the film;
- (f) the names of the members who examined the film;
- (g) the result of the examination and of any further proceedings thereon;
- (h) the member and date of the certificate issued, if any, together with a copy of any endorsement made on the certificate.

**32. Playing time :**

- (1) The owner or proprietor of a licensed place shall exhibit films produced in Bangladesh not less than eighty percent of the playing time during a calendar year and may, during the rest of the period exhibit foreign films.

- (2) If the owner or proprietor of a licensed place intends to exhibit foreign films in excess of the playing time provided under sub-rule (1), he shall apply to the Government for permission and the Government may grant permission to such an applicant but the playing time allowed to an applicant shall not exceed sixty five percent of the playing time in a year:

Provided that permission, if any, granted under sub-rule (2) may be cancelled by the Government at any time in public interest or in case of breach of any of the provisions of the Act and the rules made thereunder.

- (3) The owner or proprietor of a licensed place shall submit the playing time returns on monthly basis to the authority in such form as may be specified by it.

Explanation : For the purposes of this rule,—

- (a) "foreign film" means a film not being a film produced locally;
- (b) "playing time" means the total time spent in exhibition of cinematograph films in a licensed place during a period of three hundred and sixty-five days; and
- (c) "film produced in Bangladesh" means a film produced locally by an individual, firm or a company registered in Bangladesh or in the territories now forming part of Bangladesh with the assistance of artistic and technical staff of whom the majority are Bangladeshi.

**33. Power of members and officers of the Board to enter licensed place :**

The members or any officials authorised by the Board or any other person authorised in writing by the Chairman in this behalf, may enter any license place for the discharge of their duties or for the purpose of satisfying themselves that the provisions of the Act and the rules made thereunder are being complied with.

**34. Members and officers of the Board to report breach of rules :**

<sup>19</sup> [(1)] In case of breach of any of the provisions of these rules, the members and officers of the board shall bring it to the notice of the Chairman or the Vice-Chairman for such action as may be considered necessary.

<sup>20</sup> [(2)] All the cinema halls and auditorium managements shall maintain Inspection books for recording of findings of the members and officers of the authority or any other officer or person authorized by it in this behalf.]

**35. Submission of annual reports to Government :**

The authority shall submit to the Government, in the month of January every year, an annual report on the working of the authority during the preceding year.

**36. Head of Account :**

All fees payable under these rules shall be deposited in the Treasury under the Head of Account "1-3371-0000-2681" of the Board.

**37. Power to exempt :**

The Government may, by order in writing, exempt subject to such conditions and restrictions, if any, as it may impose, any film from all or any of the provisions of these rules.

<sup>19.</sup> এস, আর, ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-৬ দ্বারা সংযোজিত।

<sup>20.</sup> এস, আর, ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-৬ দ্বারা সংযোজিত।

[SRO No. 179-L/77, Dated : 09-06- 1977]

**13.4 THE CODE FOR CENSORSHIP OF FILMS  
IN BANGLADESH, 1985**

**SRO No. 478-L/ 85.**—In exercise of the powers conferred by rule 13 of the Bangladesh Censorship of Films,1977, and in suppression of the Code for Censorship of Films in Bangladesh, the Government is pleased to issue the following instructions for the purpose of examining and certifying films for public exhibition, namely:—

**1. Application of general principles :—**

In the light of the broad principles, a film shall be regarded as unsuitable for public exhibition if it has the feature given below :-

**I. Security or Law and Order :**

- (a) Brings into contempt Bangladesh or its people, its tradition, culture, custom and dress.
- (b) Tends to undermine the integrity or solidarity of Bangladesh as an independent state.
- (c) Violates any instruction issued by the Government from time to time in the interest of preservation of Law and order and of the security aspects of the country.
- (d) Portrays sedition, anarchy or violence with political motive.
- (e) Reveals military or other official secrets likely to affect security of the state.
- (f) Leads to breach of Law and order or creates sympathy for violation of laws.
- (g) Ridicules or brings into contempt the Defense Forces, Police Force or any other Force responsible for maintenance of Law and order



in the country. Portrayal of any character falling in this category in a manner that might help to correct any corrupt element therein will be permissible.

- (h) Portrays the Defense Forces or Police Force in derogatory uniforms.
- (i) Gives a general impression of predominance of violence and lawlessness in the country and shows forces of law absent or inactive.
- (j) Has an inadequate story intended to cover-up sequences predominantly consisting of lawlessness, violence, crimes or spying likely to affect adversely the average audience.

**N.B.**□while invoking sub-clause (a), place and context should be taken into full consideration.

## **II. International Relations:**

- (a) Contains propaganda in favor of a foreign state having a bearing on any point of dispute between it and Bangladesh or against a friendly foreign state which is likely to impair good relations between it and Bangladesh.
- (b) Violates the third country principle, that is which adversely affects friendly relations with the other country or countries or wounds the susceptibilities of foreign nations.
- (c) Portrays maliciously incidents or sequences which are prejudicial to the prestige or history of any people, race or nation.
- (d) Distorts historical facts particularly maligning Bangladesh and its ideals and heroes.

## **III. Religious Susceptibilities:**

- (a) Ridicules, disparages or attacks any religion.
- (b) Causes hatred or strife among religious sects, castes or creeds.
- (c) Exploits religion to denounce or uphold controversial social issues.
- (d) Ridicules religious persuasions so as to offend its believers.

## **IV. Immorality or Obscenity:**

- (a) Condone or extenuates acts of immorality.
- (b) Over emphasizes, glamorizes or glorifies immoral life.
- (c) Enlists sympathy or admiration for vicious or immoral character.
- (d) Justifies achievement of a noble end through vile means.
- (e) Tends to lower the sanctity of institution of marriage.

- (f) Depicts actual act of sex, rape or passionate love scenes of immoral nature.
- (g) Contains dialogue, songs or speeches of indecent interpretation.
- (h) Exhibits the human form, actually or in shadow graphs-
  - (i) in a state of nudity;
  - (ii) indecorously or suggestively clothed;
  - (iii) indecorous or sensuous posture.
- (j) Indecently portrays national institutions, traditions, custom or culture.

(This covers kissing, hugging and embracing which should not be allowed in films of sub-continental origin. This violates accepted canons of culture of these countries . Kissing may ,however, be allowed in case of foreign films only. Hugging and embracing may be allowed in sub-continental films subject to the requirements of the story, provided that the same do not appear to be suggestive or of suggestive nature.)

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- N.B.**
- (1) Deception of attempts or indication to rape may be permissible on when it is intended to condemn it.
  - (2) Bikini or bathing costume scene may be permissible in case of foreign films
  - (3) Modern dress and suitable bathing costume in local production may be allowed in export quality films, provided these are of modest presentation.
  - (4) In case a picture creates such an impression on the audience as to encourage vice or immorality, even it shows that the vicious to the immoral has been punished for his/her wrong.

**V. Bestiality:**

- (a) Exhibits wanton cruelty to animals.
- (b) Shows exaggerated horror, torture or cruelty or suffering which creates severe adverse reaction among the spectators.
- (c) Depicts third degree methods unless otherwise it is for the betterment of the society.

**VI. Crime:**

- (a) Condone criminal acts.
- (b) Portrays the *modus operandi* of criminals which may help to introduce new methods of crime.
- (c) Makes heroes of criminals or elicits sympathy of audience on their behalf.

- (d) Maliciously ridicules or belittles public officers engaged in the prevention or detection of crime or punishment of criminals or entrusted with the dispensation of justice.
- (e) Suggests wrong-doings or criminal activities as profitable or as normal incidents of ordinary life.
- (f) Overemphasizes criminal activities in such away as to arouse sympathy.
- (g) Familiarizes the adolescents and young people with crime and acts of violence as normal incidents of ordinary life and not to be reprobated.
- (h) Shows science as a means of acquiring devilish powers by master criminals and highly equipped and most modern laboratory as his headquarter.
- (i) Upholds trafficking women, children, liquor, drugs, and smuggling of any kind.

#### **VII. Plagiarism :**

Plagiarism in any form from any old or under production foreign or Bangladeshi films.

- N.B.** (1) A plagiarized film is that which comes to near the original as to suggest the original in the mind of every person seeing it.
- (2) Plagiarism shall not, however, be deemed to prohibit exceptions being made in suitable cases in the local production of well-known classics of folk-tales or where a producer of an old film produces a better version of his film or he is legally authorized to remake or reproduce the original.

#### **VIII. Miscellaneous:**

**Displays dowry unless it is done to condemn it.**

2. It is not proposed that a film should be banned altogether if the deletion of a part or parts thereof can render it suitable for general exhibition. Outright banning of a film should be resorted to only in case of films, which, in the opinion of 'the' board, cannot be certified as suitable for adults only even with or without excisions in terms of these instructions.

**[SRO No. 478-L/ 85, Dated: 16-12-1985]**

## **13.5 FILM CLUBS (REGISTRATION AND REGULATION) ACT, 1980**

### **BANGLADESH PARLIAMENT**

Dacca, the 15<sup>th</sup> July, 1980

The following Act of Parliament received the assent of the President on the 14th July, 1980 and is hereby published for general information:-

#### **ACT NO. XXVII OF 1980**

*An Act to provide for the registration and regulation of film clubs.*

WHEREAS it is expedient to provide for the registration and regulation of film clubs and for matters ancillary thereto;

It is hereby enacted as follows:—

**1. Short title :**

This Act may be called the Film Clubs (Registration and Regulation) Act, 1980.

**2. Definitions :**

This Act, unless there is anything repugnant in the subject or context,—

- (a) "authority" means the authority constituted under section 3 of the Censorship of Films Act, 1963 (XVII of 1963);
- (b) "certified film" has the meaning assigned to it in the said Act;
- (c) "film" means a cinematograph film;

- (d) "film club" means any club, society, or organisation, by whatever name called, established for the purpose of exhibiting films to its members, and includes a federation or association of such film clubs;
- (e) "prescribed" means prescribed by rules made under this Act.

**3. No film club to function without registration :**

No film club shall function as such unless it is registered in accordance with the provisions of this Act.

**4. Registration of film clubs :**

- (1) A film club shall, before it commences its functions as such, make and application, in the prescribed form and on payment of prescribed fee, accompanied by a copy of its constitution, to the authority for its registration.
- (2) A film club shall not be entitled to registration under this Act, unless the constitution thereof provides for the following matters, namely:—
  - (a) the address of the head office of the club;
  - (b) the objects for which the club has been formed;
  - (c) the conditions of membership of the club;
  - (d) the conditions under which films shall be exhibited;
  - (e) the sources of income of the club;
  - (f) the custody of the fund of the club;
  - (g) the annual audit of the fund of the club and the manner of such audit.
- (3) If the authority is satisfied that the film club has complied with all the requirements of sub-sections (1) and (2), it shall register the film club in the prescribed register and issue a certificate of registration in the prescribed form.
- (4) If the authority finds that the film club has not complied with all the requirements of sub-sections (1) and (2), it shall, by an order in writing, reject the application.
- (5) A film club in existence immediately before the commencement of this Act shall not continue to function as such for more than three months from the date of such commencement unless, within thirty days of such commencement, an application for its registration has been made under sub-section (1).
- (6) If an application of an existing film club for registration is rejected, the club shall cease to function as such from the date on which the order of the authority rejecting the application is communicated to it.

**5. Reports, etc :**

- (1) Every registered film club shall furnish to the authority—
  - (a) within three months of the close of each year, a report on the activities of the club during that year together with its audited accounts;
  - (b) such statements, reports and records as the authority may require from time to time.
- (2) The authority, or any officer duly authorised by it in this behalf, may at all reasonable times inspect the books of accounts and other records of a film club.

**6. Period of validity of registration :**

- (1) a certificate of registration issued under section 4 shall remain valid for a period of two years from the date of issue.
- (2) A certificate of registration may be renewed for a period of two years at a time on payment of the prescribed fee.

**7. Exhibition of films :**

- (1) A registered film club shall, at least seven days before the exhibition of any film, inform in writing the authority and the Deputy Commissioner of the district where the film will be exhibited of the place, date and time of such exhibition.
- (2) A registered film club may exhibit a film supplied by any foreign diplomatic mission in Bangladesh only if the request for supplying such film has been made to the mission with the prior approval of the authority.

**8. Cancellation of registration :**

If, at any time, the authority has reason to believe that registered film club is acting in contravention of its constitution or has contravened any of the provisions of this Act or the rules made there under, then, without prejudice to the provisions of section 10, it may, after giving the club an opportunity of being heard, cancel its registration.

**9. Appeal :**

Any film club aggrieved by an order of the authority under section 4 or section 8 may, within thirty days from the date on which the order is communicated to it, prefer and an appeal to the Government, and the decision of the Government on such appeal shall be final.

**10. Penalty :**

- (1) If any film club contravenes any of the provisions of this Act or any rule made there under, every member or office nearer of the council,

committee or body, by whatever name called, to which, by the constitution of the club, its executive functions and the management of its affairs are entrusted shall, unless he proves that the contravention took place without his knowledge or consent, be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand taka, or with both.

- (2) No court shall take cognizance of an offence under this Act except upon a complaint in writing made by the authority or by any officer authorised by it in this behalf.

## 11. Rules :

The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

### ১৩.৬ ফিল্ম ক্লাবসমূহ (রেজিস্ট্রেশন ও নিয়ন্ত্রন) বিধি, ১৯৮০

নং এসআরও ৪০৬-এল/৮০-ফিল্ম ক্লাবসমূহ (রেজিস্ট্রিকরণ ও নিয়ন্ত্রণ) আইন, ১৯৮০ (১৯৮০ সনের ২৮নং আইন)-এর ১১ ধারায় প্রদত্ত ক্ষমতাবলে সরকার কর্তৃক নিম্নোক্ত বিধি প্রণয়ন করা গেল, যথাঃ—

#### ১। সংক্ষিপ্ত শিরোনাম :

এই বিধি ফিল্ম ক্লাবসমূহ (রেজিস্ট্রেশন ও নিয়ন্ত্রন) বিধি, ১৯৮০ নামে অভিহিত হইবে।

#### ২। সংজ্ঞা :

বিষয় বা প্রসংগের পরিপন্থী কোন কিছু না থাকিলে, এই বিধিতে, —

- (ক) “আইন” বলিতে ফিল্ম ক্লাবসমূহ (রেজিস্ট্রেশন ও নিয়ন্ত্রন) আইন, ১৯৮০ (১৯৮০ সনের ২৮নং আইন)-কে বুঝাইবে;
- (খ) “আবেদনকারী” বলিতে ফিল্ম ক্লাব রেজিস্ট্রেশনের জন্য আবেদনকারীকে বুঝাইবে;
- (গ) “কর্তৃপক্ষের প্রধান কার্যালয়” বলিতে বাংলাদেশ ফিল্ম সেন্সর বোর্ডের অফিসকে বুঝাইবে।
- (ঘ) “চেয়ারম্যান” বলিতে ফিল্ম সেন্সর বোর্ডের চেয়ারম্যানকে বুঝাইবে এবং সাময়িকভাবে চেয়ারম্যানের দায়িত্ব পালনকারী ব্যক্তিও এই সংজ্ঞার অন্তর্ভুক্ত হইবেন;
- (ঙ) “ভাইস চেয়ারম্যান” বলিতে ফিল্ম সেন্সর বোর্ডের ভাইস চেয়ারম্যানকে বুঝাইবে ;
- (চ) “বোর্ড” এবং “ফিল্ম সেন্সর বোর্ড” বলিতে বাংলাদেশ সেন্সরশিপ অব ফিল্মস বুল্ড, ১৯৭৭ এর ২ বিধিতে বর্ণিত বোর্ডকে বুঝাইবে;
- (ছ) “সেক্রেটারী” বলিতে বোর্ডের সেক্রেটারীকে বুঝাইবে;
- (জ) “ধারা” বলিতে আইনের ধারাকে বুঝাইবে;
- (ঝ) “ফরম” বলিতে এই বিধির সহিত সংযোজিত ফরমসমূহকে বুঝাইবে।

#### ৩। প্রধান কার্যালয় :

ফিল্ম ক্লাব রেজিস্ট্রেশন প্রদানকারী কর্তৃপক্ষের প্রধান কার্যালয় এবং বাংলাদেশ সেন্সরশিপ অব ফিল্মস ব্লুপ, ১৯৭৭ এর ৬ বিধিতে বর্ণিত প্রধান কার্যালয় একই হবে।

**৪। ভাইস চেয়ারম্যান কর্তৃক চেয়ারম্যানের দায়িত্ব পালন :**

চেয়ারম্যানের অনুপস্থিতিতে ভাইস চেয়ারম্যান দায়িত্ব পালন করিবেন।

**৫। ফিল্ম ক্লাবের রেজিস্ট্রেশনের ব্যাপারে কর্তৃপক্ষ যে সমস্ত বিষয় বিবেচনা করিবেন :** কর্তৃপক্ষ

ফিল্ম ক্লাবের রেজিস্ট্রেশনের সময় ফিল্ম ক্লাবটি আইনের ৪ ধারায় (২)

উপ-ধারায় বর্ণিত শর্তাবলী পূরণ করিয়াছে কি-না তা বিশেষভাবে বিবেচনা করিবেন।

**৬। ফিল্ম রেজিস্ট্রেশনের জন্য আবেদন :**

(১) সংশ্লিষ্ট ফিল্ম ক্লাবের গঠনতন্ত্রের আওতায় যে কোন একজন দায়িত্বপ্রাপ্ত ব্যক্তি এই বিধির সহিত সংযোজিত ‘ক’ ফরমে ফিল্ম ক্লাবটির রেজিস্ট্রেশনের জন্য সেক্রেটারীর বরাবরে দরখাস্ত করিবেন।

(২) প্রতিটি আবেদনপত্র নিম্নোক্ত কাগজপত্রসহ পেশ করিতে হইবে, যথা —

(ক) ১৯৭৭ সালের বাংলাদেশ ফিল্ম সেন্সরশিপ বিধির ৩৬ বিধিতে বর্ণিত রাজস্ব হিসাবের খাত “১-৩৩৭১-০০০০-২৬৮১”এ ট্রেজারী চালান মারফৎ বাংলাদেশ ব্যাংকে নির্ধারিত রেজিস্ট্রেশন ফি জমা দেওয়া চালানের মূল কপি’

(খ) ফিল্ম ক্লাবের সংগঠন ও উদ্দেশ্য সম্বলিত গঠনতন্ত্র; এবং

(গ) অন্যান্য আনুষংগিক কাগজপত্র।

(৩) রেজিস্ট্রেশন মঞ্জুরী ও নবায়ন ফিস প্রতি দুই বৎসর মেয়াদের জন্য নিম্নোক্ত হারে আদায় করিতে হইবে ঃ

(ক) ঢাকা, নারায়ণগঞ্জ, চিটাগাং, খুলনা, ও রাজশাহী সদরে অবস্থিত ফিল্ম ক্লাবের জন্য ৫০ (পঞ্চাশ) টাকা।

(খ) অন্যান্য স্থানের জন্য ৩০ টাকা (ত্রিশ টাকা)।

(৪) সমস্ত রেজিস্ট্রেশন সার্টিফিকেট বোর্ডের চেয়ারম্যানের স্বাক্ষরে ‘খ’ ফরমে ইস্যু করা হইবে, চেয়ারম্যানের অনুপস্থিতিতে ভাইস চেয়ারম্যান এবং উভয়ের অনুপস্থিতিতে বোর্ড কর্তৃক মনোনীত ব্যক্তির স্বাক্ষরে ইস্যু করা হইবে।

(৫) কোন আবেদনপত্র পরীক্ষা-নিরীক্ষার পর প্রস্তাবিত রেজিস্ট্রেশন মঞ্জুরীর উপযোগী নয় বলিয়া বিবেচিত হইলে বোর্ডের সিদ্ধান্ত আবেদনপত্র প্রাপ্তির ৩০ দিনের মধ্যে আবেদনকারীকে লিখিতভাবে জানাইতে হইবে কিন্তু আবেদনপত্র ফেরত দেওয়া হইবে নাঃ

তবে শর্ত থাকে যে, আবেদনপত্রের সংগে পূর্ণ তথ্য পরিবেশন না করা হইলে বা অন্য কোন ভুল প্রাপ্তির ক্ষেত্রে এর ব্যাখ্যা চাহিয়া আবেদনকারীকে তাহার মন্তব্য পেশ করার জন্য সংযোগ দেওয়া যাইতে পারে, যাহা সন্তোষজনক বিবেচিত হইলে প্রস্তাবিত রেজিস্ট্রেশন মঞ্জুরীর আবেদন বিবেচনা করা যাইতে পারে।

৭। ফিল্ম ক্লাবগুলিকে সম্পূর্ণ অবাণিজ্যিক ভিত্তিতে ছায়াছবি প্রদর্শন করিতে হইবে।

৮। ছায়াছবি প্রদর্শনের পূর্বে ‘গ’ ফরমে আইনের ৭ ধারায় উল্লিখিত সংশ্লিষ্ট সকলকে অবহিত করিতে হইবে।



৯। ফিল্ম ক্লাবের রেজিস্ট্রি সার্টিফিকেট নবায়ন, ইত্যাদিঃ

ফিল্ম ক্লাবটির পূর্ব প্রদত্ত রেজিস্ট্রেশনের মেয়াদ উত্তীর্ণ হওয়ার একমাস পূর্বে নির্ধারিত ফরম 'ঘ'—এ আইন ও বিধি মোতাবেক প্রয়োজনীয় তথ্যাদিসহ রেজিস্ট্রি সার্টিফিকেট নবায়নের জন্য আবেদন পেশ করিতে হইবে।

[এস, আর, ও নং ৪০৬-এল/৮০, তারিখ : ২৫-১১-১৯৮০]

**১৩.৭ THE CINEMATOGRAPH ACT, 1918**

**(ACT II OF 1918)**

**(As amended by the Cinematograph (Amendment) Ordinance, 1982)**

**AN ACT**

To make provision for regulating exhibitions by means of Cinematograph.

WHEREAS, it is expedient to make provision for regulating exhibitions by means of cinematograph; it is hereby enacted as follows:—

**1. Short title, extent and commencement :**

- (1) This Act may be called the Cinematograph Act, 1918.
- (2) It extends to whole of Bangladesh.
- (3) It shall come into force at once.

**<sup>1</sup>[2. Definitions :**

In this Act, unless there is anything repugnant in the subject. or context,—

- (a) "cassette" means a magazine or container of ferromagnetic recording tapes having the operating characteristic of being directly loaded into magnetic tape recording or reproducing machine;
- (b) "cinematograph" means a composite equipment including a video-cassette recorder used for production, projection and exhibition of motion picture film.
- (c) "film", in relation to a motion picture, means a thin flexible ribbon of transparent material having perforations along one or both edges and bearing a sensitized layer or other coating capable of producing photographic images; and includes unexposed film, exposed out unprocessed film and exposed processed film;

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<sup>1</sup> Substituted by article 2 of the Cinematograph (Amendment) Ordinance, 1982.

- (d) "place" includes a house, building, tent or vessel;
- (e) "prescribed" means prescribed by rules made under this Act; and
- (f) "Video-cassette recorder" means electromagnetic equipment for recording and reproducing motion picture and sound signals simultaneously on cassette tapes.]

**3. Cinematograph exhibition to be licensed :**

Save as otherwise provided in this Act, no person shall give 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.

<sup>2</sup> **[3A. Video-cassette recorder not to be used for public exhibition :**

No person shall give a public exhibition by means of a video-cassette recorder and no place shall be licensed under this Act or such exhibition. ]

<sup>3</sup> **[4. Licensing authority :**

The authority having power to grant licenses under this Act (hereinafter referred to as the "Licensing authority") shall be the Deputy Commissioner.]

**5. Restriction on power of licensing authority :**

- (1) The licensing authority shall not grant a license under this Act; unless it is satisfied that—
  - (a) the rules made under the Act have been substantially complied with; and
  - (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 exhibition.
- (2) A condition shall be inserted in every licence that the licensee will not exhibit, or permit to be exhibited, in such place any film other than a film which has been certified as suitable for public exhibition by the authority constituted under Censorship of Films Act, 1963, and which, when exhibited, displays the prescribed mark of that authority, and has not been altered or tampered with in any way since such mark was affixed thereto.

- (3) Subject to the foregoing provisions of this section and to the control of the Government, the licensing authority may grant license under this Act to such persons as it thinks fit, and on such terms and conditions, and subject to such restrictions as it may determine.

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<sup>2</sup>. Substituted by Article 3, *ibid.*

<sup>3</sup>. Substituted by article 2 of the Cinematograph (Amendment) Ordinance, 1976.

**<sup>4</sup>[6. Punishment for contravention of this Act and rules made thereunder :**

- (1) 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 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 imprisonment for a term which may extend to three years, or with fine which may extend to ten thousand taka. or with both; and this licence. if any, shall be liable to be revoked by the licensing authority.
- (2) If any person is convicted of an offence punishable under this Act committed by him in respect of any cinematograph, film or cassette, the convicting Court may further direct that the cinematograph, film of cassette shall be forfeited to Government. ]

**\*\* 7. \* \* \* \* \***  
**\* \* \***

**8. Power to make rules :**

- (1) The Government may make for the purpose of carrying into effect the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, rules under this section may provide for—
  - (a) the regulation of cinematograph exhibitions for securing the public safety; and
  - (b) the procedure of the authorities constituted for examining and certifying films as suitable for public exhibition, and all matters ancillary thereto and the fees to be levied by those authorities;
  - (c) any other matter which by this Act is to be prescribed.
- (3) All rules made under this Act shall be published in the official Gazette, and, on such publication shall have effect as if enacted in this Act.

**9. Power to exempt :**

The Government may by order in writing exempt, subject to such conditions and restrictions as it may impose any cinematograph exhibition or class of exhibitions from any of the provisions of this act or of any rule made thereunder.

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<sup>4</sup>. Substituted by article 4 of the Cinematograph (Amendment) Ordinance, 1982.

**13.8 THE CLASS II GAZETTED OFFICERS AND  
NON-GAZETTED EMPLOYEES (BANGLADESH FILM  
CENSOR BOARD) RECRUITMENT RULES, 1979.**

No. SRO 106-L/79. In exercise of the powers conferred by proviso to article 133 of the Constitution of the people's Republic of Bangladesh the President, after consultation with the Bangladesh Public Service Commission as required by clause (2) of article 140 of Constitution, is pleased to make the following rules, namely :—

**THE CLASS II GAZETTED OFFICERS AND NON-GAZETTED  
EMPLOYEES (BANGLADESH FILM CENSOR BOARD)  
RECRUITMENT RULES, 1979.**

**1. Short title :**

These rules may be called the class II Gazetted Officers and Non-Gazetted Employees (Bangladesh Film Censor Board) Recruitment Rules, 1979.

**2. Definitions :**

In these rules, unless there is anything repugnant in the subject or context,—

- (a) "appointing authority" means the Government and includes, in relation to any specified post or class of such post, any officer authorised by the Government to make appointment to such post or class of posts;
- (b) "Board" means the Bangladesh Film Censor Board;
- (c) "Commission" means the Bangladesh Public Service Commission;
- (d) "Probationer" means a person appointed on probation to specified post against a substantive vacancy;
- (e) "recognised university" means a university established by or under any law for the time being in force and includes any other university declared by the Government, after consultation with the Commission, to be a recognised university for the purposes of these rules;
- (f) "requisite qualification" in relation to a specified post, means the qualification laid down in the schedule in relation to the post;
- (g) "Schedule" means the Schedule annexed to these rules; and
- (h) "specified post" means a post specified in the Schedule.

**3. Procedure for recruitment :**

- (1) Subject to the provisions of the Schedule, appointment to a specified post shall be made—
  - (a) by direct recruitment; or
  - (b) by promotion.
- (2) No person shall be appointed to a specified post unless he has the requisite qualification and, in the case of direct recruitment, he is also within the age limit laid down in the Schedule for that post.

**4. Appointment by direct recruitment :**

- (1) No appointment to a specified post by direct recruitment shall be made except upon the recommendation of the Commission.
- (2) No person shall be eligible for appointment to a specified post by direct recruitment, if he
  - (a) is not a citizen of Bangladesh; or
  - (b) is married to, or has entered into a promise of marriage with, a person who is not a citizen of Bangladesh.
- (3) No appointment to a specified post by direct recruitment shall be made until—
  - (a) the person selected for appointment is certified by a medical officer competent to issue medical certificate in terms of rule 14 of the Service Rules, Part I, to be medically fit for such appointment and that he does not suffer from any such organic defect as is likely to interfere with the discharge of the duties of the specified post; and
  - (b) the antecedents of the person so selected have been verified through appropriate agencies and found to be such as do not render him unfit for appointment in the service of the Republic.

**5. Appointment by promotion :**

- (1) Appointment by promotion to a specified post within the same class shall be made on the recommendation of such Departmental Promotion Committee as the Government may constitute in this behalf and to that of higher class on the recommendation of the Commission.
- (2) A person shall not be eligible for appointment by promotion to a specified post if he has not been confirmed in the post from which he is to be promoted.

**6. Probation :**

- (1) Persons selected for appointment to a specified post against a substantive vacancy shall be appointed on probation,—
  - (a) in the case of direct recruitment, for a period of two years from the date of substantive appointment; and
  - (b) in the case of promotion, for a period of one year from the date of such appointment:

Provided that the appointing authority may, for reasons to be recorded in within extend the period of probation in the case of any person by a period or periods so that the extended period does not exceed two years in the aggregate.

- (2) Where, during the period of probation of a probationer, the appointing authority is of opinion that his conduct and work is unsatisfactory or that he is not likely to become efficient, it may, before the expiry of that period,—
  - (a) in the case of direct recruitment, terminate the service of the probationer; and
  - (b) in the case of promotion, revert him to the post from which he was promoted.
- (3) After the completion of the period of probation including the extended period, if any, the appointing authority,—
  - (a) if it is satisfied that the conduct and work of the probationer during his period of probation has been satisfactory shall, subject to the provisions of sub-rule (4), confirm him; and
  - (b) if it is of opinion that the conduct and work of the probationer during that period was not satisfactory, may,—
    - (i) in the case of direct recruitment, terminate his service; and
    - (ii) in the case of promotion, revert him to the post from which he was promoted.

- (4) A probationer shall not be confirmed in a specified post until he has passed such examination and undergone such training as the Government may, from time to time direct.

**SCHEDULE**

Serial No	Name of the specified post	Age limit for direct recruitment.	Method of recruitment	Qualification and experience.
1	2	3	4	5
01.	Superintendent	-----	By promotion from amongst the Assistants, Upper Division Assistants and Stenographers of the Board and if none of them is found suitable for promotion, by promotion from amongst these of other Departments under the Ministry of Information and Broadcasting.	At least 5 years satisfactory service as Assistant, Upper Division Assistants or Stenographer in the Board or, 7 years satisfactory service as such in any Department under the Ministry of Information and Broadcasting.
02.	Statistical Assistant	Between 20 and 25 years	By direct recruitment	Bachelor's Degree with statistics, Mathematics or Economics as one of the subjects from a recognised university.
03.	Calligrapher	Ditto	(a) 50% by promotion from amongst the Lower Division Assistants and Typists, and  (b) 50% by direct recruitment	(a) For Promotees: (i) Three years satisfactory service as Lower Division Assistant or Typist in the Board.; and  (ii) Ability to write a good and clear handwriting. (b) For direct recruits: (i) Higher Secondary Certificate Examination passed. (ii) Ability to write a good and clear handwriting.



1	2	3	4	5
04.	Projectionist	Between 20 and 30 years	1[By promotion from amongst the Daftry, Gestetner Machine Operator and MLSS if none is found suitable for promotion, by direct recruitment.";]	(a) For promotion:[] (i) At least seven years experience in a feeder post with three years experience in assisting a projectionist; (ii) Cinema Operatorship Licence ; and (iii) Licence to act as an Electrician from an authority recognised by the Government in this behalf. (b) For direct recruitment:[] (i) Secondary School Certificate from a recognised Board; (ii) Licence to act as an Electrician from an authority recognised by the Government in this behalf; (iii) Certificate from the Fire Service Authority; (iv) Cinema Operatorship Licence; and (v) At least 5 years experience as cinema operator in a cinema hall.

<sup>1</sup>. Inserted by Article No-4, 5 of S. R. O. No. 292-Act/2000, Dated 25th September 2000.

**[SRO No. 106-L/79, Dated: 23-04-1979]**

**৯৯.৯ THE GAZETTED OFFICERS (BANGLADESH FILM CENSOR BOARD) RECRUITMENT RULES, 1980**

**No. SRO 285-L/80/FS/4E-17/80.**—In exercise of the powers conferred by section 10 of the Censorship of Films Act, 1963 (XVIII of 1963), and suppression of the Film Inspectors (Bangladesh Film Censor Board) Recruitment Rules, 1977, the Government is pleased to make the following rules, after the Bangladesh Public Service Commission have been consulted by the President as required by clause (2) of article 140 of the Constitution, namely:—

**THE GAZETTED OFFICERS (BANGLADESH FILM CENSOR BOARD) RECRUITMENT RULES, 1980**

**1. Short title :**

These rules may be called the Gazetted Officers (Bangladesh Film Censor Board) Recruitment Rules, 1980.

**2. Definitions :**

In these rules, unless there is anything repugnant in the subject or Context,—

- (a) "appointing authority" means the Government and includes, in relation to any specified post or class of such posts, any officer authorised by the Government to make appointment to such post or class of posts ;
- (b) "Commission" means the Bangladesh Public Service Commission;
- (c) "Probationer" means a person appointed on probation to a specified post against a substantive vacancy;
- (d) "recognised university" means a university established by or under any law for the time being in force and includes any other university declared by the Government, after consultation with the Commission, to be a recognised university for the purposes of these rules;
- (e) "requisite Qualification" in relation to a specified post, means the qualification laid down in the schedule in relation to that post;
- (f) "schedule" means the schedule annexed to these rules; and
- (g) "specified post" means a post specified in the schedule.

**3. Procedure for recruitment :**

- (1) Subject to the provisions of the schedule, appointment to a specified post shall be made—
  - (a) by direct recruitment;
  - (b) by promotion; or
  - (c) by transfer on deputation.

- (2) no person shall be appointed to a specified post unless he has the requisite qualification and, in the case of direct recruitment, he is also within the age limit laid down the schedule for that post.

**4. Appointment by direct recruitment :**

- (1) No appointment to a specified post by direct recruitment shall be made except upon the recommendation of the Commission.
- (2) No person shall be eligible for appointment to a specified post by direct recruitment if he—
  - (a) is not a citizen of Bangladesh; or
  - (b) is married to, or has entered into a promise of marriage with a person who is not a citizen of Bangladesh.
- (3) No appointment to a specified post by direct recruitment shall made—
  - (a) the person selected for appointment is certified by a Medical Board set up for the purpose by the Director of Health Services to be medically fit for such appointment and that he does not suffer from any such organic defect as is likely to interfere with the discharge of the duties of the specified post; and
  - (b) the antecedents of the person so selected have been verified through appropriate agencies and found to be such as do not render him unfit for appointment in the service of the Republic.
- (4) No person shall be recommended for appointment to a specified post unless—
  - (a) he applied in such form, accompanied by such fee and before such date, as was notified by the commission while inviting applications for the specified post; and
  - (b) in the case of a person already in Government service or in the service of a local authority, he has applied through his official superior.

**5. Appointment by promotion :**

- (1) Appointment by promotion to a specified post shall be made after considering the recommendation of such Departmental promotion Committee as the Government may set up for the purpose and in consultation with the Commission.
- (2) A person shall not be eligible for appointment to a specified post if he has unsatisfactory records of service.

**6. Probation :**

- (1) Persons selected for appointment to a specified post, otherwise than by transfer on deputation, against a substantive vacancy shall be appointed on probation,—
- (a) in the case of direct recruitment, for a period of two years from the date of substantive appointment; and
  - (b) in the case of promotion, for a period of one year from the date of such appointment;

Provided that the appointing authority may, for reasons to be recorded in writing, extended the period of probation by a period or periods so that the extended period does not exceed two years in the aggregate.

- (2) Where, during the period of probation of a probationer the appointing authority is of opinion that the conduct and work of the probationer is unsatisfactory or that he is not likely to become efficient, if may, before the expiry of that period,—
- (a) in the case of direct recruitment, terminate his service; and
  - (b) in the case of promotion, revert him to the from which he was promoted.
- (3) After the completion of the period of probation including the extended period, if any, the appointing authority,—
- (a) if it is satisfied that the conduct and work of the probationer during his period of probation has been satisfactory, shall, subject to the provisions of sub-rule (4), confirm him, and
  - (b) if it is of opinion that the conduct and work of the probationer during that period was not satisfactory, may,—
    - (i) in the case of direct recruitment terminate his service;
    - (ii) in the case of promotion, revert him to the post form which he was promoted.

**Explanation :** The period of probation of a probationer shall be deemed to have been extended if no order under this sub-rule has been made.

- (4) A probationer shall not be confirmed in a specified post until he has passed such examination and undergone such training as the Government may, from time to time, prescribe by order.

### SCHEDULE

Serial No	Name of the specified post	Age limit for direct recruitment.	Method of recruitment	Qualification and experience.
01.	Secretary	..	By promotion from amongst the Film Inspectors and, if none is found suitable for promotion, by transfer on deputation.	(i) For promotees -8 years experience as Film Inspector. (ii) For transfer on deputation - Holding a post of equivalent rank and status in any Government Office.
02.	Film Inspector	Between 25 and 30 years.	(a) 50% by direct recruitment; and (b) 50% by promotion from amongst the Superintendents, Assistants, Stenographers, Upper Division Clerks and Steno-Typists.	(i) For direct recruits - (a) At least Second Class Bachelor's degree from a recognized university; (b) Command over Bengali and English languages ; and (c) Knowledge about film industry and cinema halls. Preference will be given to a candidate who has knowledge about prominent script and story writers. (ii) For promotees- (a) Bachelor's degree from a recognised university. (b) At least 5 years continuous service as Superintendent or 10 years continuous service as Assistant, Stenographer, Upper Division Clerk or Steno Typist.

**[SRO No. 285-L/80/FS/4E-17/80, Dated: 30-08-1980]**

[বাংলাদেশ গেজেট অতিরিক্ত, ফেব্রুয়ারি ২৪, ২০০৮ তারিখে প্রকাশিত]

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

তথ্য মন্ত্রণালয়

(চলচ্চিত্র শাখা)

প্রজ্ঞাপন

তারিখ, ৮ ফাল্গুন ১৪১৪ বঙ্গাব্দ/২০ ফেব্রুয়ারি ২০০৮ খ্রিস্টাব্দ

এস, আর, ও নং ৩৯-আইন/২০০৮ [The Censorship of Films Act, 1963 (XVIII of 1962) এর section 10 এ প্রদত্ত ক্ষমতাবলে সরকার, The Bangladesh Censorship of Films Rules, 1977 এর নিম্নরূপ অধিকতর সংশোধন করিল, যথাঃ]

উপরি-উক্ত Rules এর

(ক) rule-14 এর sub-rule (5) এর clauses (a) এবং (b) এর পরিবর্তে নিম্নরূপ clauses (a) এবং (b) প্রতিস্থাপিত হইবে, যথাঃ]

"(a) A teasury Chalan of the examination fee deposited in the Bangladesh Bank under the Head of Account of the Board at the rates laid in the following table:]"

Size of film	Length if film	Scale of fees
I. 35 m.m	(i) Where the length of the film does not exceed 500 feet.	Taka 1,000/-
	(ii) Where the length of the film does not exceed 3,000 feet.	Taka 4,000/-
	(iii) Where the length of the film does not exceed 300 feet but does not exceed 13,000 feet.	Taka 4,000/- plus taka 1,500/- per 1000 feet or a fraction thereof exceeding 3,000 feet.
	(iv) Where the length of the film exceed 13,000 feet.	Taka 19,000/- plus Taka 3,000/- per 100 feet or a fraction thereof exceeding 13,000 feet. In case of foreign films Taka 19,000/- plus. Taka 2,000/- fraction thereof exceeding 13,000 feet.
II. 16 m.m	(i) Where the length of the film does not exceed 1,200 feet.	Taka 1,000/- per 400 feet or a fraction thereof.
	(ii) Where the length of the film exceed 1,200 feet.	Taka 3,000/- plus Taka 1000/- per 400 feet or a fraction thereof exceeding 1,200 feet.
	(b) A receipt of the screening fee deposited in a scheduled bank or in the Bangladesh Bank, as advised by the Board, at the following rates, if the film is to be examined at any particular projection hall of the Government. The screening fee represents the charge for services rendered by the projection hall by way of screening of films :]"	

Size of film	Length if film	Scale of fees
I. 35 m.m	Upto 2000 feet	Taka 1,000/-
	Above 2000 feet	Taka 6,000/-
II. 16 m.m	Upto 2000 feet	Taka 1,000/-
	Above 2000 feet	Taka 2,000/-

(খ) rule 24 তে "Taka One hundred" শব্দগুলির পরিবর্তে "Taka Five hundred" শব্দগুলি প্রতিস্থাপিত হইবে।

রাষ্ট্রপতির আদেশক্রমে

জামিল ওসমান

ভারপ্রাপ্ত সচিব।

[বাংলাদেশ গেজেট অতিরিক্ত, ফেব্রুয়ারি ২৪, ২০০৮ তারিখে প্রকাশিত]

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

তথ্য মন্ত্রণালয়

(চলচ্চিত্র শাখা)

প্রজ্ঞাপন

তারিখ, ৮ ফাল্গুন ১৪১৪ বঙ্গাব্দ/২০ ফেব্রুয়ারি ২০০৮ খ্রিস্টাব্দ

এস, আর, ও নং ৪০-আইন/২০০৮ [The Film Clubs (Registration and Regulation) Act, 1980 (Act No. XXVIII of 1980) এর section 11 এ প্রদত্ত ক্ষমতাবলে সরকার, এস, আর, ও নং ৪০৬-এল/৮০, তারিখ ২৫ নভেম্বর, ১৯৮০ খ্রিস্টাব্দ মূলে প্রণীত ফিল্ম ক্লাবসমূহ (রেজিস্ট্রেশন ও নিয়ন্ত্রণ) বিধি, ১৯৮০ এর নিম্নরূপ সংশোধন করিল, যথাঃ]

উপরি-উক্ত বিধি এর]

(ক) প্রস্তাবনার পরিবর্তে নিম্নরূপ প্রস্তাবনা প্রতিস্থাপিত হইবে, যথাঃ]

"The Film Clubs (Registration and Regulation) Act, 1980 (Act No. XXVIII of 1980) এর section 11 এ প্রদত্ত ক্ষমতাবলে সরকার, নিম্নরূপ বিধিমালা প্রণয়ন করিল, যথাঃ]

(খ) বিধি ১ এর পরিবর্তে নিম্নরূপ বিধি ১ প্রতিস্থাপিত হইবে, যথাঃ ]

“১। সংক্ষিপ্ত শিরোনাম [এই বিধিমালা ফিল্ম ক্লাবসমূহ (রেজিস্ট্রেশন ও নিয়ন্ত্রণ) বিধিমালা, ১৯৮০ নামে অভিহিত হইবে।”

(গ) বিধি ৬ এর উপ-বিধি (৩) এর ]

(অ) দফা (ক) তে উল্লিখিত “৫০ টাকা (পঞ্চাশ টাকা)” শব্দগুলি এবং বন্ধনীর পরিবর্তে “১০০০ টাকা (এক হাজার টাকা)” সংখ্যা, শব্দগুলি এবং বন্ধনী প্রতিস্থাপিত হইবে; এবং

(আ) দফা (খ) তে উল্লিখিত “৩০ টাকা (ত্রিশ টাকা)” সংখ্যা, শব্দগুলি এবং বন্ধনীর পরিবর্তে “৭০০ টাকা (সাত শত টাকা)” সংখ্যা, শব্দগুলি এবং বন্ধনী প্রতিস্থাপিত হইবে।

রাষ্ট্রপতির আদেশক্রমে  
জামিল ওসমান

ভারপ্রাপ্ত সচিব।