

The Goa (Regulation of Film Shooting) Bill, 2021

(BILL No. 44 of 2021)

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BILL

5 *to regulate film shooting in the State of Goa and for matters connected therewith and incidental thereto.*

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:-

10 **1. Short title and commencement.**— (1) This Act may be called the Goa (Regulation of Film Shooting) Act, 2021.

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

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

20 (a) “Cinematograph” means the cinematograph as defined under clause (c) of section 2 of the Cinematograph Act, 1952 (Act 37 of 1957);

(b) “Competent Authority” means a Competent Authority as designated by the Government under sub-section (1) of section 3;

30 (c) “Central Government” means the Government of India;

(d) "film shooting" means making of a cinematographic film of motion pictures of a story, or an episode or a serial or an event recorded by a camera, for the purpose of showing by cinematograph in a cinema, or on television, or by other electronic media, whether for a commercial cinema venture, or purely artistic creation, or for publicity or advertisement, intended for public viewing or exhibition which would be governed by the Cinematograph Act 1952 (Act 37 of 1957) or any other law for the time being in force;

(e) "Government" means the Government of Goa;

(f) "heritage site" includes sites protected under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958) and under the Goa, Daman and Diu *Ancient Monuments and Archaeological Sites and Remains Act*, 1978 (Act 1 of 1979);

(g) "Official Gazette" means the Official Gazette of the Government;

(h) "prescribed" means prescribed by the rules made under this Act;

(i) "State" means the State of Goa;

(j) "tourist place" means place of interest where tourists visit, typically for its inherent or an exhibited natural or cultural value, historical significance, natural or built beauty, offering leisure and amusement.

3. Regulation of film shooting.— (1) Notwithstanding anything contained in any other

State law for the time being in force, no person shall undertake a film shooting in the State without obtaining a film shooting permission from the Competent Authority as may be designated
5 by the Government by a notification in the Official Gazette.

(2) Where the film shooting is proposed to be undertaken at a place owned or controlled by or vested in, the Central Government, the no
10 objection certificate of the Central Government for the same shall be produced along with the application for permission under sub-section (1).

(3) An application to be made under sub-section (1) shall be in such form,
15 accompanied by such fee and such undertaking, as may be prescribed.

(4) Upon receipt of application under sub-section (1) the Competent Authority may, after following the procedure as may be prescribed,
20 grant a film shooting permission to the applicant in such form and in such manner as may be prescribed or may reject the same by an order with the reasons to be recorded in writing.

(5) In case of contravention of the provisions of sub-section (1), the Competent Authority or such
25 other officer not below the rank of Deputy Collector as may be authorised by the Government by notification in the Official Gazette shall issue an order to stop such film shooting
30 and shall have power to seize the material used for film shooting by following such procedure as may be prescribed. He may take assistance of the police officer or any other officer for the purpose of execution of the order issued by him
35 under this sub-section.

4. Single Window Clearance System for Film Shooting.— (1) Notwithstanding anything contained in any other State law for the time being in force, once a film shooting permission is granted by the Competent Authority, the same shall be binding on all Departments of the State and local authorities and any Department or local authority who is deprived of fees on account of issue of such permission shall be compensated by the Government to such extent and in such manner as may be prescribed.

(2) It shall be the duty of all Departments of the State and local authorities to whom copies of permission are endorsed, to facilitate the activities of film shooting, render necessary assistance and instruct their administrative and subordinate staff to facilitate film shooting at the places specified in the permission.

5. Liability to pay restoration charges.— (1) Whoever in the course of film shooting by an act of omission or commission defaces, defiles, destroys or damages any structure or place including tourist place, or heritage site, he shall be liable to pay such amount as determined by the Competent Authority in consultation with the Public Works Department and the other experts in the field, as restoration charges.

(2) The Competent Authority shall pass an order for recovery of restoration charges and the same may be recovered as arrears of land revenue.

6. Appeal.— (1) Any person aggrieved by an order passed by the Competent Authority under sub-section (4) of sub-section 3 or sub-section (2) of section 5, may prefer an appeal to the

Government within a period of thirty days from the date of such order.

5 (2) The Government may after hearing the Appellant and the Competent Authority either set aside, modify or uphold the order passed by the Competent Authority.

10 **7. Penalties for offences against the Act, etc.**— Whoever contravenes any provisions of this Act or rules made thereunder shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to five lakh rupees or with both.

15 **8. Composition of offences.**— (1) The Competent Authority or such other officer not below the rank of Deputy Collector as may be designated by the Government by notification in the Official Gazette may compound any offence punishable under this Act or Rules made thereunder on payment by a person who is suspected to have committed such offence to the Government, such sum not less than rupees fifty
20 thousand and not exceeding rupees one lakh.

(2) On payment of such sum under sub-section (1) no further proceedings shall be taken against the offender.

25 **9. Court competent to take cognizance and try offences.**— No Court other than the Court of a Judicial Magistrate First Class shall take cognizance of, and try an offence under this Act.

30 **10. Protection of Action taken in good faith.**— No suit, prosecution or other legal proceedings shall lie against the Competent authority or any

person for anything which is in good faith done or intended to be done under this Act or rules made thereunder.

11. Power to make rules.— (1) The Government may by notification in the Official Gazette make rules to carry out the purposes of this Act. 5

(2) In particular and without prejudice to the generality of foregoing power, such rules may provide for,— 10

(a) form of application and fees under sub-section (3) of section 3;

(b) form of undertaking under sub-section (3) of section 3;

(c) form of film shooting permission under sub-section (3) of section 3; 15

(d) manner for granting of film shooting permission under sub-section (4) of section 3;

(e) procedure for seizure under sub-section (5) of section 3; 20

(f) extent and manner of payment of compensation by the Government under sub-section (1) of section 4;

(g) a sum for composition of offence under sub-section (1) of section 8; 25

(h) any other matter which is to be or may be prescribed.

12. Power to remove difficulty.— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette make such 30

provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

5 Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Statement of Objects and Reasons

The Goa Regulation of Film Shooting Bill, 2021 aims to regulate film shooting in the State of Goa and for matters connected therewith and incidental thereto. The Bill also seeks to inter alia provide for,

(a) Issue of permissions through a single window system and for compensating various authorities or local bodies who are deprived of fees on account of issue of such permissions.

(b) Levy of Penalty in the event that the film shooting is carried out without permissions and for compounding of such offences.

(c) Imposition of restoration charges if in the course of film shooting there is damage to any tourist place or heritage site.

This Bill seeks to achieve the above objects.

Financial Memorandum

The Bill will generate revenue on account of fees payable for issue of permissions for film shooting which cannot be quantified at this stage.

**Memorandum Regarding Delegated
Legislation**

Clause 1(2) of the Bill empowers the Government to issue notification for appointing a date for bringing the Act into force.

Clause 3(1) of the Bill empowers the Government to issue notification for designating the Competent Authority to issue permissions for film shooting.

Clause 3(3) of the Bill empowers the Government to frame rules to prescribe the form of application for film shooting, the fee to be paid for such application and form of undertaking to accompany such application for film shooting.

Clause 3(4) of the Bill empowers the Government to frame rules to prescribe the procedure to be followed for issue of film shooting permission and the form in which it is to be issued.

Clause 3(5) of the Bill empowers the Government to issue notification for designating the officer authorised to issue orders to stop unauthorised film shooting and the procedure to be followed for seizure of material used for such unauthorised film shooting.

Clause 4(1) of the Bill empowers the Government to frame rules to prescribe the manner and extent of payment of compensation to any Department or authority who is deprived of fees on account of issue of permission for film shooting through the single window clearance system.

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Clause 8(1) of the Bill empowers the Government to issue notification for designating the officer authorised to compound offences punishable under the Act.

Assembly Hall,
Porvorim, Goa.
____ July, 2021.

Dr. Pramod Sawant
Minister for Information
and Publicity

Assembly Hall,
Porvorim, Goa
____ July, 2021.

Namrata A. Ulman
Secretary to the
Legislative Assembly of Goa

**Governor's Recommendation under Article
207 of the Constitution of India**

In pursuance of Article 207 of the Constitution of India, I, P. S. Sreedharan Pillai, the Governor of Goa hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa (Regulation of Film Shooting) Bill, 2021.

Raj Bhavan
Date: /07/2021

P. S. SREEDHARAN PILLAI
Governor of Goa



LEGISLATIVE ASSEMBLY STATE OF GOA

**The Goa (Regulation of Film
Shooting) Bill, 2021**

(Bill No. 44 of 2021)

(To be introduced in the Legislative Assembly of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY COMPLEX, PORVORIM, GOA
JULY, 2021**

