GOVERNMENT OF PUNJAB
DEPARTMENT OF INDUSTRIES & COMMERCE

NOTIFICATION

DATED: 8.9.2003

No.5/58/2002/5IB/2725. whereas, with a view to facilitate the development of Industry in the State, Government of Punjab have notified the "Industrial Policy-2003" vide No. 5/58/2002/11B/968 dated 26.3.2003, which inter-alia provides for Grant of Concessions to Multiplex Complexes.

Now, therefore to implement the scheme of Development of Multiplex Complexes, Set out in the aforesaid policy, the Governor of Punjab is pleased to notify detailed scheme as under :-

I. DEFINITION

Multiplex complex shall mean an integrated entertainment and shopping centre/complex having atleast three cinema halls with total minimum seating capacity of 1,000 seats, set up in an area of 4,000 Sq Yards or above with minimum investment to the tune of Rs.20.00 crore including the cost of land, if owned by the developer. However, investment on items other than land would not be less than Rs. 15 crore. Apart from Cinema Halls the entertainment area may have restaurant, fast food outlet, video games parlors, pubs, bowling alleys, health spa/centers and other recreational activities. The shopping centre may have retail outlets, showrooms, shopping mall, pharmacy etc.

Existing cinema halls converting to multiplexes will be covered under this scheme, if they have a plot area of 4,000 Sq.yds. or more and the investment on modification is Rs.20.00 crores or more.

II LAND USE

Multiplexes will be permitted on land earmarked for commercial use or cinemas in any master plan or development plan prepared by the Punjab Urban Planning & Development Authority (PUDA) or any local body. They will also be permitted on land on which no land use restrictions are applicable under any law.

III PROCEDURE FOR APPROVALS

A developer intending to put up a multiplex will submit a composite application (10copies) in Annexure 1 alongwith the documents and fees mentioned there in to the General Manager, District Industries Centre with a copy of Chief Coordinator Udyog Sahayak. The General Manager will place the application within 15 days before the District Level Committee comprising of the following:-

1. Deputy Commissioner	Chairman
2. ACA, PUDA	Member
3. Superintending Engineer (PWD) Buildings	Member
4. Representative of Chief Electrical Inspector	Member
5. Commissioner Municipal Corporation /Executive Officer Municipal Committee/ Executive Officer Improvement Trust	Member

6. District Town Planner — Member
7. Chief Fire Officer — Member
8. General Manager District Industries Centre convenor

The committee will consider the proposal for granting in principal approval to the project enabling the applicant to start construction. This will include approval of site and building plan by the relevant Municipal body / Improvement Trust/ PUDA, as the case may be.

A copy of the approval of District Level Committee will be sent by the GM to Udyog Sahayak within 7 days of approval by the Committee. The Udyog Sahayak will place the proposal within 21 days before the Empowered Committee for Industrial Approvals for the grant of provisional eligibility certificate to the applicant.

Upon completion of the project the developer will submit Composite application for issue of eligibility certificate (10 copies) in Annexure II alongwith application for permission to occupy/ operate the multiplex, to the General Manager , District Industries Centre.

The General Manager will place the same within 15 days before the District Level Committee for grant of License under the Punjab Cinemas (Regulation) Rules, 1952 and permission to occupy the building.

Consequent upon the grant of license/ permission, the General Manager will send a copy of the application alongwith a copy of license/ permission within 7 days to Udyog Sahayak. The documents will be put up by Udyog Sahayak to the Principal Secretary Industries & Commerce within 10 days for conversion of provisional eligibility certificate into final eligibility certificate enabling the developer to take benefits mentioned hereunder in the scheme.

IV DEVELOPMENT CONTROLS

Development controls will be as per the bye laws of

(a) Municipal bodies within the Municipal area except in areas developed by PUDA or Improvement Trust.
(b) Improvement Trust with in the area developed by Improvement Trust.
(c) PUDA or any other Local Development Authority constituted under Punjab Regional and Town Planning & Development Act, 1995 in areas other than (a) and (b) above.

Provisions of the Punjab Cinemas (Regulations) Rules 1952 will also be strictly adhered to. It is however, clarified that rule 19 of the Punjab Cinema Regulations Rules 1952 will apply to the multiplex buildings as a whole and not the individual cinema halls within it. Rule 20 of these Rules shall be relaxed to allow activities mentioned in the definition of Multiplex as per Clause 1 to this notification.

V BENEFITS UNDER THE INDUSTRIAL POLICY

The following benefits will be available in respect of multiplexes for which a Certificate of Eligibility has been issued under the foregoing provisions:-

i) 100% exemption from entertainment tax for a period of five years from the date of issue of license under the Punjab Cinema (Regulations) Act 1952, as per notification No. S.O./P.A.8/54/S.6/Amd/2003 dated 1st April, 2003 issued by Department of Excise & Taxation, Punjab.
ii) Power tariff rates as applicable to industry will be applicable, subject to approval by Punjab State Electricity Regulatory Commission.

iii) No transfer fee except stamp duty shall be leviable on the first sale of shopping area by the developer of the multiplex. However, on subsequent sale transfer fee as applicable at that time shall be leviable.

iv) The owner of the multiplex be at liberty to fix ticket rates in relaxation of the Punjab Cinema (Regulation) Rules 1952.

VI APPLICABILITY

This Scheme is applicable to all multiplexes for which application under Clause III above is made after 1.4.2003.

S.C. Agrawal
Principal Secretary to Government, Punjab.
Department of Industries & Commerce.

ANNEXURE - I
COMPOSITE APPLICATION FOR GRANT OF PERMISSION TO CONSTRUCT NEW MULTIPLEX/ CONVERT EXISTING CINEMA IN TO MULTIPLEX.

To

The Chief Coordinator,
Udyog Sahayk ,
Directorate of Industries, Punjab,
Udyog Bhawan,
18 Himalaya Marg, Sector 17,
Chandigarh-160017 (India)

Tel: 0172-715270
FAX:-0172-776992

Sir,

I enclose, herewith my application for seeking requisite approval(s) for our project……..

1 hereby certify that the particulars given in this application and attached Annexure (s) are true and correct to the best of my knowledge and belief and that no material facts have been concealed.

Yours faithfully,

Date :

Signature……..
Name ……..

List of Enclosures:-

1. ……
2. ……
3. ……..
4. ……..
5. ……

APPLICATION FOR ISSUE OF PROVISIONAL ELIGIBILITY CERTIFICATE FOR MULTIPLEX

1. Name of Multiplex:
2. Location
3. Address for Correspondence
   Phone
   Fax
   E-mail
4. Details of Promoters
5. Total Area on which the multiplex is to be setup.
6. Percentage of covered area earmarked for entertainment
7. Mode of acquisition of land
8. Land cost
9. Trial Project Cost.
10. Means of Finance
11. Proposed date of commissioning of project.
12. No. of cinema halls proposed.
13. Seating capacity (Cinemawise)

Date: Authorised Signatory

List of documents to be attached:

1. Memorandum of Article of Association/certificate of in corporation of the Company or Certificate in Form-A issued by Registrar Firms alongwith partnership deed.
2. Attested copy of resolution of BOD/Power of Attorney in favour of Authorized Signatory.
3. Attested copy of conveyance deed/ Allotment letter/ lease deed of the land.
4. Project Report alongwith cost estimates certified by the Architect.
5. Letter from Bank/Financial Institution for in principle approval to finance the project, if applicable.

APPLICATION FOR PERMISSION TO CONSTRUCT BUILDING FOR MULTIPLEX.

From

_____
_____
_____

To

The Competent Authority,

_____
_____
_____

I/ We apply for permission to erect/ re-erect/add to / alter a building for multiplex in accordance with the plans submitted herewith on site at_____.

I/We attach herewith the following documents:

1. A site pan in triplicate showing the position of site proposed to be built.
2. Plans, elevation and sections of the proposed building.
3. Water supply, drainage plans structural stability certificate, scheme for the safety and fire-fighting system and equipment, electrical scheme and scheme for air conditioning and air cooling as required under rules ibid.
4. Name and address of Architect/Engineer who will supervise the construction of building.

Date: Authorised Signatory

APPLICATION FOR PERMISSION FOR THE GRANT OF TEMPORARY LICENCE UNDER THE PUNJAB CINEMA (REGULATION) RULES 1952

From

_____
_____
_____

To

The Competent Authority,

_____
_____
_____

I/we apply for permission for the grant of licence for the Cinema Halls in our multiplex located at_____.

I/We attach herewith the following documents:

1. full particulars regarding the ownership of, and all rights in, the premises and in the cinematograph apparatus to be used therein;
2. complete plans, elevations and sections in duplicate, of the premises and all erections or buildings there on drawn correctly to the scale of one-eighth of an inch to one foot and showing the width of all stairways and the number of steps in each, the width of corridors, gangways and doorways, the height of the cinematograph and of the plant for the generation for conversion of electrical energy;
3. a site plan in duplicate on a separate sheet drawn to the scale of one-fortieth of a inch to one foot showing the position of the premises in relation to any adjacent premises and to the public thorough-fares upon which the site of the premises abuts, and the arrangements proposed for the parking of motor cars and others vehicles;
4. Specifications of the various materials proposed to be used in the construction of the buildings.

Date Authorised Signatory

GOVERNMENT OF PUNJAB
DEPARTMENT OF INDUSTRIES & COMMERCE.
PROVISIONAL ELIGIBILITY CERTIFICATE FOR MULTIPLEX.

Reg. No._____ Date_____

M/s_____ are eligible for construction of new multiplex/conversion of existing cinema hall into multiplex at_____. The multiplex will be set up in an area of _____ with investment of Rs. _____ crore. The multiplex will have _____%area for entertainment and will have _____ Cinema halls with capacity_____ seats each. The likely date of completion of the project is _____.

This certificate is valid during the construction period only.

For Director of Industries & Commerce, Pb.

Endst No._____ Dated_____

A copy is sent to the following for information & necessary action:

i) M/s _____ with reference to their application dated_____.
ii) The Chief Administration PUDA/ Commissioner Municipal Corporation _____.
iii) The Deputy Commissioner_____.
iv) The General Manager, District Industries Center_____.
v) The Excise & Taxation Commissioner, Patiala

For Director of Industries & Commerce, Pb.

ANNEXURE II

COMPOSITE APPLICATION FOR ISSUE OF ELEGIBILITY

CERTIFICATE FOR MULTIPLEX

To

The Chief Coordinator,
Udyog Sahayak
Directorate of Industries, Punjab,
Udyog Bhawan,
18 Himalaya Marg, Sector 17,
Chandigarh-160017 (India)

Tel: 0172-715270
FAX:-0172-776992

Sir,

I enclose, herewith my application for seeking requisite approval(s) for our project……..

1 hereby certify that the particulars given in this application and attached Annexure (s) are true and correct to the best of my knowledge and belief and that no material facts have been concealed.

Yours faithfully,

Date :

Signature……..
Name ……..

List of Enclosures:-

1……
2……
3……..
4……
5……

APPLICATION FOR ELEGIBILITY CERTIFICATE BY INDUSTRIES DEPARTMENT

1. Name of Multiplex:
2. Location
3. Address for Correspondence
   Phone
   Fax
   E-mail
4. Total Area on which the multiplex has been setup.
5. Percentage of covered area earmarked for entertainment
6. Investment made
   - Land
   - Building
   - Machinery/Equipment.
7. Means of Finance
8. Date of completion of project.
9. No. of Cinema halls.
10. Seating capacity (Cinema wise)

Date: Authorised Signatory

List of documents to be attached:

1. Provisional Eligibility Certificate issued by Department of Industries.
2. Memorandum of Article of Association/ Certificate of in corporation of the Company or Certificate in Form-A issued by Registrar Firms alongwith partnership deed.
3. Attested copy of resolution of BOD/Power of Attorney in favour of Authorised Signatory.
4. Attested copy of conveyance deed/Allotment letter/lease deed of the land.
5. Project Report duly approved and appraised by the Bank/financial Institution.
6. Certificate of Architect / Engineer about actual cost of the project.
7. Statement of actual expenditure on implementation of the project certified by a Chartered Accountant.
8. Affidavit attested by Magistrate first class.

AFFIDAVIT

I/We _____do here solemnly affirm that I/we have are sole proprietor/partner/director of M/s._____ and that contents given in my/our application for grant of eligibility certificate are correct. I/We shall be liable to face penal action in case any information/past of information is found wrong/ incorrect at any stage.

I/We also undertake to abide by all the terms & conditions/rules/regulations mentioned under the scheme for the development of multiplex notified by the State Government.

Authorised Signatory.