

**Ministry of Information and Broadcasting
Government of India**

Dated: 19th January, 2024

CORRIGENDUM

Inviting comments on Guidelines of Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with hearing and visual impairment

In partial modification of Public Notice dated 8th January 2024 (copy enclosed), the Ministry of Information and Broadcasting **solicits comments by 31st January, 2024** on the draft guidelines of Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with hearing and visual impairment.

The comments may be submitted at the email address: armstrong.pame@nic.in. In exceptional cases, submissions by post may be sent to:

Director (Films)
Ministry of Information and Broadcasting
Room No. 655, 6th Floor 'A' Wing, Shastri Bhawan,
Dr Rajendra Prasad Road, New Delhi- 110001

**Ministry of Information and Broadcasting
Government of India**

Dated: 8th January, 2024

**Inviting comments on Guidelines of Accessibility Standards in the
Public Exhibition of Feature Films in Cinema Theatres for
Persons with hearing and visual impairment**

The Ministry of Information and Broadcasting proposes to introduce the following guidelines of Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with hearing and visual impairment.

MIB solicits comments from General Public by 8th February, 2024. The comments may be submitted at the email address: armstrong.pame@nic.in.

In exceptional cases, submissions by post may be sent to:

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**GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
Shastri Bhawan, New Delhi-110001**

Dated: 8th Jan, 2024

Guidelines of Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with Hearing and Visual Impairment

1. BACKGROUND & EFFECTIVE DATE OF IMPLEMENTATION

1.1 Section 29 and Section 42 of the Rights of Persons with Disabilities Act, 2016, mandate the appropriate Government to take measures to promote universal service and universal access in the information & communication sector, including access to films for persons with hearing and visual disabilities. Section 40 and 44 provide for mandatory observance of accessibility norms and creation of accessibility features approved under the building plans to all public buildings.

1.2 These guidelines lay down Accessibility Standards for public exhibition of feature films for persons with hearing and visual impairment. The Guidelines are applicable for those feature films that are certified by the Central Board of Film Certification (CBFC) for public exhibition in cinema halls/movie theatres for commercial purposes. The focus of these guidelines is not only on the content but also on the information and assistive devices needed by persons with disabilities to enjoy films in cinema theatres.

1.3 The effective date shall be the date of notification of the Guidelines.

2. DEFINITIONS

“**Act**” means the Rights of Persons with Disability (RPWD) Act, 2016.

“**Access service**” means a service such as, sub-titles, closed captioning, audio description and signing that improves the accessibility of a film for hearing and visually impaired persons.

“**Appropriate Government**” is as defined under the Rights of Persons with Disabilities (RPWD) Act, 2016.

“**Audio Description**” is the auditory narration of visual representations in a film for enhancing the film watching experience for visually impaired persons. During gaps in dialogue, it describes visual elements such as scenes, settings, actions and costumes.

“**Cinema**” means a place which is licensed under Part III of the Cinematograph Act, 1952 (37 of 1952), or under any other law for the time being in force in a State for the exhibition of a cinematograph film;

“**Cinematograph**” includes any apparatus for the representation of moving pictures or series of pictures.

“**Closed captioning**” is the means by which both the audio dialogue and sound representations of a film are made visible on demand by the user via on-screen text that is synchronized with the audio content.

“**Feature Films**” means fictionalized story film running not less than 72 minutes.

"Film Accessibility Indicator" means an indication of which film in the film schedule is accompanied by internationally recognized access service icons or upper-case letters. Audio-described is represented by "(AD)", Closed-captioning is represented with "(CC)" and Indian Sign language interpretation is represented with "(ISL)".

"Film Industry" comprises of the technological and commercial institutions of filmmaking.

"Film Promotions" is the practice of promotion specifically in the film industry, and usually occurs in coordination with the process of film distribution.

"Indian Sign Language Interpreter" is a certified interpreter who uses the Indian Sign Language to provide communication access to deaf and hard of hearing persons.

"Promotional Videos" include the teasers and trailers of the films used for promotional purposes that specifically refer to promotional films that are certified by the Central Board of Film Certification for public exhibition in cinemas for commercial purposes.

"Open Captioning" is captioning that is an integral part of the picture and cannot be turned off and the user does not have to do anything in order to see captions or subtitles.

"Signing (or Sign Language)" is communication using sign language. A sign language (also signed language) is a language which, instead of acoustically conveyed sound patterns, uses visually transmitted sign patterns (manual communication, body language) to convey meaning—simultaneously combining hand shapes, orientation and movement of the hands, arms or body, and facial expressions to fluidly express a speaker's thoughts.

"Sign Language Interpretation" are the translated version of the film audio (speech and other sounds) conveyed in sign language by the Indian Sign Language Interpreters for the viewers who are hearing impaired. Whenever reference is made to 'sign language' in the Indian context, it will refer to a variant of it called '**Indian Sign Language' (ISL)**.

3. OBJECTIVES

3.1 Accessibility to the physical, social, economic and cultural environment is essential to enable the persons with disabilities to avail health, education, human rights and fundamental freedoms entitled to all citizens. Films play an enabling role in the information and communication sector in this framework. The following principles underpin these guidelines:

- Non-discrimination;
- Full and effective participation and inclusion in society;
- Availability;
- Advocacy; and
- Affordability.

3.2 The objective of these guidelines is to provide an enabling framework to support the development of a culture and practice of accessibility of feature films for persons with hearing and visual impairment by adopting the following measures:

3.2.1 Defining the general principles for accessibility of feature films;

3.2.2 Identifying barriers to fully accessible feature films by determining relevant rules, requirements, standards and funding mechanisms to address such barriers;

3.2.3 Putting in place measures to ensure that persons with hearing and visual impairment have access, on an equal basis with others, to the public exhibition of feature films in cinema halls/movie theatres screened for commercial purposes;

3.2.4 Defining an institutional framework to ensure transparent oversight and impartial dispute resolution mechanism.

4. ACCESSIBILITY STANDARDS

4.1 **Guidelines for Audio Description:** The descriptions must be kept concise enough to fit into the allotted time in order to ensure that they enhance the original piece rather than distract from it.

4.2 Closed and Open Captioning Guidelines:

4.2.1 **Accurate:** Captions must match the spoken words in the dialogue. In addition, captions should convey background noises and other sounds. It is critical to include the non-speech auditory information also to provide the mood, the context of the scene and dialogue. For example, *a door bell ringing or the creak of the door closing.*

4.2.2 **Synchronized:** Captions must coincide with their corresponding spoken words and sounds to the greatest extent possible and must be displayed on the screen at a speed that can be read by viewers.

4.2.3 **Complete:** Captions must run from the beginning to the end of the programme to the fullest extent possible.

4.2.4 **Spelling and grammar:** Captions must use accurate spelling. Grammar must follow what is being said on screen. Use of proper grammar must be especially considered when writing non-verbal parts of a captioning text.

4.2.5 **Position of captioning:** Captions should not block other important visual content on the screen, overlap one another or run off the edge of the video screen.

4.2.6 **Case, italics and underlining:** Captions must use mixed case. Using all upper caps or all lower caps for captioning text should not be done unless it is critically required for understanding the video. For signifying emphasis, it is recommended to use italics instead of underlining text.

4.2.7 **Color:** Captions should appear as white text on a black background.

4.3 **Indian Sign Language Guidelines** Indian Sign Language interpretation by Interpreters must be provided in a picture-in-picture mode and it must be accurate, synchronized and convey clear message to the hearing impaired. Where Indian Sign Language Interpretation is provided, it should be in a manner that the viewer can see not only the hands but also the facial expressions of the interpreter. The image of the interpreter superimposed upon the original film should generally appear on the bottom-right hand side of the screen.

5. ACCESSIBILITY IN FEATURE FILMS

5.1. Accessibility in feature films that are certified by the CBFC for public exhibition in cinema halls for commercial purposes shall be provided by the producer of the films.

5.2 The producer would be required to deliver two sets of the films for certification to CBFC: the original one for the public view, and the second one with accessibility features, viz. audio description, open/closed captioning and Indian Sign Language Interpretation, at the time of applying for certification of films to the CBFC.

5.3. Cinemas should ensure that feature films being delivered for theatrical releases mandatorily have both the versions being certified by CBFC. CBFC will henceforth ensure certificate being issued accordingly, for feature films being delivered for theatrical releases.

5.4 The accessible features of the films being displayed in theatres may be deployed by licensees of the cinema theatre by means of –

- (i) **Dedicated show in the theatres** - Dedicated days and timing of the screenings of feature films with accessible services to be made for hearing-impaired/visually-impaired viewers.
- (ii) **Using the following separate equipment in theatres** (during the normal show) –
 - a. **Mirror Captions** – Inverted Captions of the movie are played at the back of the cinema. A mirror is provided that can be stored in the cup holder and of the seat, and can be adjusted in a way that enables one to see the captions in that mirror. As the movie is being watched, the Closed Captions (CC) are reflected the right way around in the mirror.
 - b. **Closed Captioning Smart Glasses** with wires, wherein captions are in display at the bottom of the glasses
 - c. **Closed Caption Stands** - A flexible long pole by the side of viewer that is attached to a small rectangular screen is provided to display the captions.
 - d. **Closed Caption display below the Screen** - A separate small screen immediately below the big screen with synchronized projection display of captions/subtitles.
 - e. **Headphones/Earphones for Audio Description (AD)** – Audio Description is provided through headphones or earphones attached to specific AD-enabled seats.
- (iii) **Using Mobile Apps (during the normal show)** – The film producers would strive to integrate the CC & AD for the film in any of the suitable software applications, to extend the accessibility feature in any usual screening of the film in the theatres, through the users may download for use on their personal device.
- (iv) **Using other technologies:** Use of any other technological inputs as supportive/assistive devices and software applications as available in the market.

5.5. To achieve the accessibility in feature films for the persons with hearing or visual disability, the film industry is required to collaborate/work with the organizations for persons with such disabilities.

5.6. The appropriate Government may consider mandatory funding of accessibility features in films financially supported by them. They may also make accessibility features mandatory in films to be eligible in the State awards and film festivals organised by them.

5.7 The appropriate Government may mandate the above accessibility measures through regulations, license conditions, accessibility targets and codes of good practice, and other relevant measures.

6. IMPLEMENTATION SCHEDULE

6.1 The applicants for certification of films for theatrical release shall arrange the access-service for their films as per the following schedule:

- a) All feature films that are dubbed in more than one language would be required to provide at least one accessibility feature each for the hearing impaired and visually impaired, i.e. CC/OC and AD, within 6 months from the effective date of implementation of these guidelines.
- b) Feature films submitted for consideration in the National Film Awards, in the Indian Panorama Section of the International Film Festival of India, Goa and Mumbai International Film Festival (MIFF) shall mandatorily include closed captioning and audio description with effect from 1st January, 2025.
- c) All other Feature Films being certified through CBFC and meant for theatrical release (digital feature films), would be required to mandatorily provide accessibility features for CC, OC & AD, from 3 years from the date of issue of these guidelines.

6.2 Accessibility through Mobile Apps: The Film producers would strive to integrate the CC/OC & AD for the feature film in any suitable software application to extend the accessibility feature in any usual screening of the film in the theatres, which can be used through the personal device of the user.

6.3 The producer shall prominently display the content descriptor for accessible content on every certified film including in teasers and trailers, for the benefit of viewers.

6.4 The cinema theatres shall provide accessible features as mentioned in para 5.4 within a period of three years of issue of these Guidelines.

7. ROLE OF EXHIBITORS

7.1 To promote inclusive viewing, the cinema theatres shall provide accessibility features in a regular show by making available at least 2 equipments per 200 seats or less, for both CC & AD.¹

7.2 The cinema shall also provide suitable accessibility features in regular film shows as mentioned in para 5.4 (i) and (ii).

7.3 The cinema theatres may consider holding special screenings of accessible films on demand.

7.4 Exhibitors are required to make annual action plans for the next three years. They shall develop a self-regulatory mechanism for providing the requisite number of seats with accessibility features within a period of three years. These action plans shall be prepared after undertaking local stakeholder consultation with relevant persons with disabilities. Some areas may have more persons with hearing impairment and some areas may have more visually impaired persons. Such consultations that shall be carried out before the preparation of the annual action plan, will educate the exhibitors about the needs of the persons with disabilities in the area as also the potential market for additional film viewers if the accessibility features are implemented.

¹In India, as per the Census 2011, 2.21% of the total population is 'disabled', of which 19% are with disability in seeing, and another 19% are with disability in hearing.

8. PUBLIC AWARENESS

8.1 The appropriate Government shall take steps for public awareness of films accessibility requirements and the measures that have been put in place to promote accessibility.

8.2 The film industry should consider the provision of accessibility features in films as a measure leading to increase in their audience and box office revenues, and therefore a justification for incurring the additional cost on accessibility features.

8.3 Film Industry Associations will take effective steps to publicize and create awareness among the public about the accessibility of feature films including through periodic announcements on their own and other platforms, highlighting accessible programmes on electronic programme guides, printed programme guides and providing information in publications aimed at persons likely to benefit from accessible films. They shall also create awareness amongst their members to increasingly make films more accessible to the persons with disabilities, thereby increasing their own audience.

8.4 Cinema owners in consultation with organizations for disabled persons (hearing and visual impairment) should train their customer service staff on how to serve customers with disabilities, including explaining how they can find information about access services, assist in booking of tickets, etc.

9. TARGETS AND REPORTING REQUIREMENTS:

9.1 The targets mentioned in the Implementation Scheduled in para 6 shall be monitored by the CBFC, the appropriate Government, film producers and licensees of cinema theatres, as applicable.

9.2 The appropriate Government shall collect the following information from the concerned on annual basis. The information so collected shall be published on the website of the concerned Department of the appropriate Government website:

- a. Steps taken by Film Industry and Cinema Theatres to publicize and create awareness about the accessibility of films.
- b. Consultation done by the Film Industry and licensees of Cinema Theatres with the organizations of persons with hearing impairment and/or visual impairment for the provision of audio description, open/closed captioning and Indian Sign Language Interpretation.

9.3 The CBFC shall collect the following information from the concerned on annual basis. The information so collected shall be published on the CBFC website:

- a. Different accessible services provided in the certified feature films.
- b. Quality of service standards for accuracy and synchronization of audio description, open/closed captioning and Indian Sign Language Interpretation.

10. GRIEVANCE REDRESSAL

10.1 Any person aggrieved by the non-availability of accessible features in the cinema theatres may file a complaint with the licensee of the cinema theatre. In case of unsatisfactory response or lack of response from the licensee, the complainant may file the complaint before the licensing authority after a period of 45 days.

11. MONITORING AND IMPLEMENTATION

11.1 The appropriate Governments are empowered with licensing and other related matters pertaining to exhibition of feature films under the Act. The licensing authorities shall monitor the places licensed for cinematograph exhibitions under their jurisdiction to ensure provision of seats that are accessible for people with hearing and visual disabilities. This shall be made mandatory after three years from the date of notification of the Guidelines.

11.2 The appropriate Government may monitor the implementation of these Accessibility Standards through the relevant Committee constituted to monitor the implementation of the Rights of Persons with Disability (RPWD) Act, 2016.

11.3 Ministry of Information & Broadcasting shall set up a Committee to monitor implementation of Accessibility Standards for Feature Films. The Committee shall consist of 50% members who are persons with hearing/visual impairment and representatives from the film industry.
