

M-11012/1/2023-DO(FC)
Government of India
Ministry of Information and Broadcasting
'A' Wing, Shastri Bhawan, New Delhi-110001

Dated: 15th March, 2024

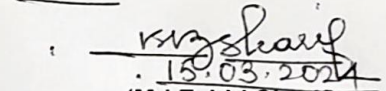
OFFICE MEMORANDUM

Subject: Guidelines for Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with Hearing and Visual Impairment - reg.

In line with the provisions made under the Rights of Persons with Disabilities (RPWD) Act 2016 and after detailed consultations with the film industry, associations of persons with disabilities for hearing and visual impairment, bodies and Departments(s) concerned of the Government of India and others, the "Guidelines for Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with Hearing and Visual Impairment" are issued (**copy enclosed**).

2. All concerned stakeholders to note and take immediate action to implement the Accessibility Standards as per timeline indicated therein.

Encl.: As Above


15.03.2024
(Md Zahid Sharif)
Under Secretary to the Government of India
Tel: 011-23382487

To

1. Chief Executive Officer, Central Board of Film Certification (CBFC), Mumbai – With the request to publish the enclosed guidelines on the website of the CBFC and also to give wider publicity through other means.
2. All concerned stakeholders.
3. PS to HMIB & Additional PS to HMSIB.
4. Senior PPS to Secretary, Senior PPS to Additional Secretary, PPS to Joint Secretary, M/o I&B.

**GUIDELINES OF ACCESSIBILITY STANDARDS
IN THE PUBLIC EXHIBITION OF FEATURE FILMS
IN CINEMA THEATRES FOR PERSONS WITH
HEARING AND VISUAL IMPAIRMENT**



सत्यमेव जयते

**Government of India
Ministry of Information and Broadcasting
Shastri Bhawan, New Delhi**

15th March, 2024

PREAMBLE

Whereas the Constitution of India guarantees various kinds of Fundamental Rights to all its citizens irrespective of their religion, race, caste, sex, or place of birth. Article 14 of the Constitution of India provides for Right to Equality before the law. It further states that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Whereas Persons with Disabilities also have similar and equal rights as any other citizen of the country in the eyes of the Constitution.

Whereas India is a signatory to the United Nations Convention on the Rights of Persons with Disabilities ("the UNCRPD" or "the Convention") which came into force in May, 2008. The Convention recognizes accessibility as a human right and requires signatories to adopt appropriate measures to ensure access by persons with disabilities to information and communication technology, emergency services and internet services on an equal basis with others.

Whereas in December 2015, the Government of India launched 'The Accessible India Campaign' also known as the 'Sugamya Bharat Abhiyan' to enable persons with disabilities to gain universal access, equal opportunity for development, independent living and participation in all aspects of life. The campaign seeks to enhance accessibility by making significant changes to the infrastructure, information and communication systems in the country.

Whereas the Government of India also enacted The Rights of Persons with Disabilities Act, 2016 (The Act), which is the principal and comprehensive legislation concerning the persons with disabilities. The Act defines the responsibilities of the Central and State governments with regard to the services for persons with disabilities. The Act also recommends creating a barrier-free environment by removing all type of discrimination against persons with disabilities whereby they can enjoy the benefits of development as any other citizen.

Whereas section 29 of The Act requires the appropriate Government and the local authorities to take measures to promote and protect the rights of all persons with disabilities to have a cultural life and to participate in recreational activities equally with others. Section 40 requires the Central Government to lay down the standards of accessibility for the physical environment, transportation, information and communications, including appropriate technologies and systems, and other facilities and services provided to the public in urban and rural areas. Section 42 requires the appropriate Government to take measures to ensure that persons with disabilities

have access to information and communication technology in a manner that all contents available in audio, print and electronic media are in accessible format; persons with disabilities have access to electronic media by providing audio description, sign language interpretation and close captioning; and all electronic goods and equipment which are meant for everyday use are available in universal design.

Whereas keeping in view the provisions of Rights of Persons with Disabilities Act, 2016, Ministry of Information & Broadcasting, on 27th September, 2017 constituted a Committee of Experts and Stakeholders to formulate Accessibility Standards for Persons with Disabilities. After deliberations, the Ministry has formulated Accessibility Standards for Persons with Disabilities in Television Programmes and issued the same on 11th September, 2019.

Whereas continuing its efforts to make the recreational and entertainment space accessible, the Ministry issued an Advisory to the film producer associations in the country on 1st October, 2019 to take measures to make cinema more accessible to persons with disabilities through audio description.

Whereas while continuing to engage with the film industry to make cinema accessible, the Ministry, on 14th January, 2021, asked the Central Board of Film Certification and National Film Development Corporation to facilitate the conduct of awareness and sensitization workshops with various stakeholders on accessibility standards for cinema viewing for persons with disabilities. Thereafter, on 6th April, 2023, the Ministry requested the Central Board of Film Certification to invite technology solutions on accessibility in films for persons with hearing and visual impairment from the open market through an Expression of Interest and after technical evaluation of these solutions, these may be disseminated to the film industry through workshops. An Expression of Interest was issued by Central Board of Film Certification on 16th May, 2023 inviting various agencies for providing advanced technology solutions for accessibility in films for persons with disabilities, including hearing and visual impairment. After the proposals were received and technically evaluated, consultations were carried out with the representatives of the exhibitors and the film industry in a Workshop held in Mumbai on 25th July, 2023.

Whereas taking into account the technological solutions and the concerns of the film industry received in the various consultations, the Ministry of Information & Broadcasting sought technical advice from the experts in the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Government of India; Chief Commissioner for Persons with Disabilities and the National Institutes for various disabilities under the

Department of Empowerment of Persons with Disabilities.

Based on the detailed exercise carried out by the Ministry of Information and Broadcasting in consultation with the film industry, associations of persons with disabilities for hearing and visual impairment, bodies and Departments of the Government of India and others, the Ministry has formulated the Guidelines for Accessibility Standards in the Public Exhibition of Feature Films in Cinema Theatres for Persons with Hearing and Visual Impairment.

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

Dated: 15th March, 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 as per the Harmonized Guidelines and Space Standards for barrier Free Built Environment for Persons with Disability and Elderly Persons issued by Ministry of Housing and Urban Affairs, Government of India.

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, assistive devices and other support needed by persons with disabilities to enjoy films in cinema theatres.

1.3 The effective date of implementation shall be the date of issue of the Guidelines.

2. DEFINITIONS

“Act” means the Rights of Persons with Disabilities (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 Film” means a 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 Promotion” 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 Video” includes 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” is 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 features 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 the film for certification to CBFC in the form of a digital cinema package containing all relevant files including the files with accessibility features, viz. audio description, closed captioning / Indian Sign Language Interpretation, at the time of applying for certification of film to the CBFC.

5.3. Cinemas should ensure that feature films being delivered for theatrical releases mandatorily have all relevant files including the files with accessibility features as 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 any of the following means:

- i. **Using the following separate equipment in theatres** (during the regular 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 displays 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.
- ii. **Using Mobile Apps (during the regular 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, which the users may download for use on their personal device.

iii. **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 and 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 organized or supported 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 to be certified 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 and in the Indian Panorama Section of the International Film Festival of India, Goa and other Film Festivals organized by Ministry of Information & Broadcasting shall mandatorily include closed captioning and audio description with effect from 1st January, 2025.
- c. All other Feature Films being certified through CBFC including the teasers and trailers and meant for theatrical release (digital feature films), would be required to mandatorily provide accessibility features for CC/OC & AD, from 2 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 two 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 to 5 equipment per 200 seats for both CC & AD.

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 two years. They shall develop a self-regulatory mechanism for providing the requisite number of seats with accessibility features within a period of two 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.

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) shall 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 Schedule in para 6 shall be monitored by the CBFC, the appropriate Government, film producers and licensees of cinema theatres, as applicable in consultation with the Committee setup under Clause 11.1 below.

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 in a period of 30 days, the complainant may file the complaint before the Committee setup under Clause 11.1 below. The Committee may get it addressed through the licensing authority in a period of 30 days.

11. MONITORING AND IMPLEMENTATION

11.1 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. The Committee shall hold its meetings every quarter and give directions for implementation of these Accessibility Standards.

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.
