

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

STARRED QUESTION NO:30

ANSWERED ON:26.02.2013

BANNING OF FILMS

Tagore Shri Manicka; Verma Smt. Usha

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the details of the films banned by various courts/State Governments after obtaining public screening certificate from the Central Board of Film Certification (CBFC) during each of the last three years and the current year;

(b) whether the Union Government has set up a committee to review the Cinematograph Act, 1952 and also to expand the ambit of Film Certification Appellate Tribunal to allow State Governments, individuals and organizations to approach it with objections regarding certification;

(c) if so, the terms of reference and composition of the committee; and

(d) the time by which the aforesaid committee is likely to submit its report to the Government ?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI MANISH TEWARI)

(a) to (d) : A Statement is laid on the Table of the House.

STATEMENT AS REFERRED TO IN REPLY TO PARTS (a) to (d) OF THE LOK SABHA STARRED QUESTION NO.30 FOR REPLY ON 26.02.2013

(a):

(i) The film 'Dam 999' was banned by Govt. of Tamil Nadu in November 2011.

(ii) The film 'Aarakshan' was banned by Governments of Punjab, Andhra Pradesh and Uttar Pradesh in the year 2011. However, the ban was lifted by the Govt. of Punjab and Andhra Pradesh. The Supreme Court of India vide order of August 19, 2011 set aside the decision of the State Government of Uttar Pradesh.

(iii) The film "Vishwaroopam" was disallowed for public screening in Tamil Nadu for a period of 15 days through an executive order. Hon'ble single Judge of Madras High Court quashed the executive order. While the appeal by State Government was pending before Division bench of Madras High Court, the concerns were addressed and the film was released in Tamil Nadu.

(b) to (d): Yes, Ministry of I&B vide its OM N. 2/12/2004-FCAT (Vol. IV) dated 04/02/2013 has constituted a Committee of Experts to examine issues of certification under Cinematograph Act, 1952. The Committee is headed by a retired Chief Justice of High Court and has seven other members. Its terms of reference are –

I) To review the mandate and functioning of CBFC and recommend measures including statutory changes to enable CBFC to deal with contemporary requirements of certification and increased transparency / efficiency. Such issues, inter alia, may include :

a) The process of certification under the Act and Rules, including the mechanism followed by Examining and Revising Committees;

b) Categories of certification, existing and proposed, under the Cinematograph (Amendment) Bill, 2013;

c) Requirement of special categories of certification for the purposes of broadcasting on television channels and radio stations.

II) To review the mandate and functioning of Film Certification Appellate Tribunal (FCAT) in order to make it a more efficacious appellate body;

III) Examine the role of Central Government regarding sanctioning of cinematograph films for exhibition under Entry 60, List I of the Seventh Schedule to the Constitution of India vis-à-vis Entry 33, List II of the Seventh Schedule to the Constitution of India;

IV) To suggest more effective legal remedies and penal provisions in the Act, particularly with reference to making unlawful copies, camcording in cinema halls, interpolation/insertion of clips after certification and such similar issues; and

V) Any other issues that the Committee may deem fit to deliberate upon.

The Committee shall submit its report in a time bound manner.