

**WORKING OF CENTRAL BOARD OF FILM
CERTIFICATION (CBFC) AND ACADEMIC
ACTIVITIES OF SATYAJIT RAY FILM AND
TELEVISION INSTITUTE, KOLKATA FOR THE
PERIOD FROM 2010-11 to 2014-15**

**MINISTRY OF INFORMATION AND
BROADCASTING**

**PUBLIC ACCOUNTS COMMITTEE
(2017-18)**

NINETY-FOURTH REPORT

SIXTEENTH LOK SABHA



**LOK SABHA SECRETARIAT
NEW DELHI**

NINETY-FOURTH REPORT

PUBLIC ACCOUNTS COMMITTEE

(2017-18)

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FILM CERTIFICATION (CBFC) AND
ACADEMIC ACTIVITIES OF SATYAJIT
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KOLKATA FOR THE PERIOD FROM
2010-11 to 2014-15**

**MINISTRY OF INFORMATION AND
BROADCASTING**



सत्यमेव जयते

Presented to Lok Sabha on: 28.03.2018

Laid in Rajya Sabha on: 28.03.2018

**LOK SABHA SECRETARIAT
NEW DELHI**

MARCH, 2018 /CHAITRA, 1940 (Saka)

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* Not appended in the cyclostyled version

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE

(2017-18)

Shri Mallikarjun Kharge

-

Chairperson

MEMBERS

LOK SABHA

2. Shri Sudip Bandyopadhyay
3. Shri Subhash Chandra Baheria
4. Shri Prem Singh Chandumajra
5. Shri Nishikant Dubey
6. Shri Gajanan Chandrakant Kirtikar
7. Shri Bhartruhari Mahtab
8. Smt. Riti Pathak
9. Shri Neiphiu Rioh¹
10. Shri Abhishek Singh
11. Prof. Ram Shanker
12. Dr. Kirit Somaiya
13. Shri Anurag Singh Thakur
14. Shri Shivkumar C. Udasi
15. Dr. P. Venugopal

RAJYA SABHA

16. Shri Naresh Agrawal
17. Shri Satyavrat Chaturvedi
18. Shri Bhubaneswar Kalita
19. Shri Mohd. Ali Khan²
20. Shri Sukhendu Sekhar Roy³
21. Shri Ajay Sancheti
22. Shri Bhupender Yadav

SECRETARIAT

1. Shri A.K. Singh - Additional Secretary
2. Shri T. Jaya Kumar - Director
3. Smt. Bharti S. Tuteja - Deputy Secretary

¹ Ceased to be a Member of Committee consequent upon acceptance of his resignation from Lok Sabha w.e.f. 22 February, 2018.

² Elected w.e.f. 29 December, 2017 in lieu of vacancy caused due to retirement of Shri Shantaram Naik.

³ ceased to be a Member of Committee consequent upon his retirement from Rajya Sabha on 18 August, 2017 and re-elected w.e.f. 29 December, 2017.

COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE
(2016-17)

Prof. K.V. Thomas - Chairperson

MEMBERS

LOK SABHA

2. Shri Sudip Bandyopadhyay
3. Shri Prem Singh Chandumajra
4. Shri Nishikant Dubey
5. Prof. Richard Hay
6. Shri Gajanan Chandrakant Kirtikar
7. Shri Bhartruhari Mahtab
8. Smt. Riti Pathak
9. Shri Neiphiu Rio
10. Shri Janardan Singh Sigriwal
11. Shri Abhishek Singh
12. Dr. Kirit Somaiya
13. Shri Anurag Singh Thakur
14. Shri Shivkumar C. Udasi
15. Dr. P. Venugopal

RAJYA SABHA

16. Shri Naresh Agrawal
17. Shri Satyavrat Chaturvedi
18. * Shri Bhupender Yadav
19. Shri Bhubaneswar Kalita
20. Shri Shantaram Naik
21. Shri Sukhendu Sekhar Roy
22. Shri Ajay Sancheti

* Elected w.e.f. 09.08.2016 vice Shri Vijay Goel, MP appointed as Minister of State w.e.f. 05.07.2016.

INTRODUCTION

I, the Chairperson, Public Accounts Committee, having been authorised by the Committee, do present this Ninety-fourth Report (Sixteenth Lok Sabha) on "**WORKING OF CENTRAL BOARD OF FILM CERTIFICATION (CBFC)**" and "**ACADEMIC ACTIVITIES OF SATYAJIT RAY FILM AND TELEVISION INSTITUTE, KOLKATA FOR THE PERIOD FROM 2010-11 to 2014-15**" based on Para Nos. 11.1 and 11.2 respectively of the C&AG's Report No.11 of 2016 relating to Ministry of Information and Broadcasting.

2. The above-mentioned Report of the Comptroller & Auditor General of India was laid on the Table of the House on 02.08.2016.

3. The Public Accounts Committee (2016-17) took up the subject for detailed examination and report. The Committee took evidence of the representatives of the Ministry of Information and Broadcasting, Central Board of Film Certification (CBFC), Satyajit Ray Film and Television Institute (SRFTI), Kolkata, Indian Motion Pictures Producers' Association (IMPPA) and the Film and Television Producers Guild of India Ltd. (FTPGIL) on the subject at their Sitting held on 06.01.2016. The subject relating to Satyajit Ray Film and Television Institute (SRFTI) was also discussed by the PAC (2016-17) during its study visit to the Institution at Kolkata on 28.02.2017. However, due to paucity of time, the subject was carried forward to PAC (2017-18) and accordingly, a draft Report was prepared and thereafter the Committee considered and adopted the same at their Sitting held on 23.03.2018. The minutes of the Sittings are appended to the Report.

4. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in thick type and form Part- II of the Report.

5. The Committee would also like to express their thanks to the representatives of the Ministry of Information and Broadcasting, Central Board of Film Certification (CBFC), Satyajit Ray Film and Television Institute (SRFTI), Kolkata, Indian Motion Pictures Producers' Association (IMPPA) and the Film and Television Producers Guild of India Ltd. (FTPGIL) for tendering evidence before them and furnishing the requisite information to the Committee in connection with the examination of the subject.

6. The Committee place on record their appreciation of the assistance rendered to them in the matter by the Office of the Comptroller and Auditor General of India and the Committee Secretariat in preparation of the Report.

NEW DELHI;
23 March, 2018
02 Chaitra, 1940 (Saka)

MALLIKARJUN KHARGE
Chairperson
Public Accounts Committee

I. INTRODUCTORY

1. The Committee selected Chapter 11 of the C&AG's Report No.11 of 2016 relating to Ministry of Information and Broadcasting (MoI&B) for detailed examination and report. Para 11.1 relates to Working of Central Board of Film Certification (CBFC) while para 11.2 relates to Academic activities of Satyajit Ray Film and Television Institute, Kolkata for the period from 2010-11 to 2014-15.

2. Audit scrutiny of Para 11.1 of Chapter 11 of C&AG's Report No. 11 of 2016 revealed many systemic deficiencies in the working of Central Board of Film Certification such as unexplained delays in the film certification process, altering of order of films for examination, conversion of certified films from A to U/A category etc. Audit also evidenced lack of internal controls within the CBFC for tracking the records of film certification which carried a risk of issue of duplicate certificates for the same film to different individuals not holding copyrights. Further, scrutiny of Para 11.2 revealed that Satyajit Ray Film and Television Institute, Kolkata (SRFTI) had failed to introduce various courses as envisaged in its objectives even after 20 years of its establishment. The activities of the Institute was marred with delay in completion of courses, vacant seats in various courses, lesser teaching hours and gap in evaluation of performance of students.

3. Against this backdrop, the Committee obtained background note and requisite replies and some other clarifications from the MoI&B, CBFC and SRFTI. The PAC (2016-17) had visited Satyajit Ray Film and Television Institute on 28.02.2017 to understand the ground realities of the Institute and held informal discussions with its representatives. The Committee took oral evidence of the representatives of the MoI&B, CBFC and SRFTI on 06.01.2017 and obtained information on the subject. Based on the information gathered, the Committee proceeded with examination of the relevant issues in detail as outlined in the succeeding chapters.

Chapter - I

Working of Central Board of Film Certification

4. The Central Board of Film Certification (CBFC) setup under the Cinematograph Act, 1952 performs the statutory function of certifying films for public exhibition. All films, music videos and documentaries meant for public exhibition, irrespective of their length and media type (Celluloid, video, CD or DVD) are subjected to certification by CBFC. The CBFC performs the certification process in accordance with the Cinematograph Act, 1952 read along with the Cinematograph (Certification) Rules, 1983 and the Central Government guidelines of 1991.

5. Section 3(1) of the Cinematograph Act, 1952 constitutes the Board of Film Certification which shall consist of a Chairperson and not less than 12 and not more than 25 Members appointed by Central Government. At present there are 18 Board Members headed by a Chairperson.

6. The CBFC functions with its headquarters at Mumbai and has 9 Regional Offices at Delhi, Mumbai, Kolkata, Guwahati, Cuttack, Chennai, Bangalore, Hyderabad and Thiruvananthapuram. An Advisory Panel assists the CBFC in its various regional offices headed by Regional Officer (RO). The members of regional Advisory Panels are drawn from various walks of life, being persons who are qualified to judge the effect of films on the public.

7. Section 5B of the Act stipulates that a film shall not be certified if any part of it is against the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or involves defamation or contempt of court or is likely to incite commission of any offence. Section 5B(2) of the Act authorizes the Central Government to issue such directions as it may think fit, setting out the principles which shall guide the CBFC in sanctioning films for public exhibition. Accordingly, under Section 5B(2) of the Act, the Central Government issued Guidelines for certification of films for Public Exhibition in 1991. While certifying a film, the CBFC is guided by these guidelines.

8. The Cinematograph (Certification) Rules, 1983 lays down the procedure of film certification as follows:

- (i) The material for certification is required to be submitted to the Regional Officer of the concerned Regional center. In case of a dubbed film, it may be

submitted at the same Regional Office where the original film was certified and the same category certificate would be awarded.

(ii) On receipt of all the film materials, requisite fees (certification fees, screening fees and Cine-workers Welfare Cess) and written matter required under the rules, the Regional Officer will form an Examining Committee to view the film. The composition of this committee will be as follows:

a. In the case of a short film (less than 70 minutes in duration or less than 2000m in celluloid), it will consist of an officer of the CBFC and an advisory panel member one of whom shall be a woman.

b. In the case of a long film/feature film (other than short films), it will consist of an officer of the CBFC alongwith four advisory panel members, two of whom shall be women. If the Examining Officer (EO) is not present, 5 advisory panel members may also constitute the Examining Committee.

(iii) After the film has been previewed, each member gives his/her report in writing about the general theme of the film, deletions and/or modifications recommended in light of the applicable guidelines and the category of certificate the film should be given.

(iv) The Examining Officer then submits report to the Chairperson. If the Chairperson and the applicant agrees with the recommendations of the Examining Committee, the Chairperson directs the Regional Officer to initiate further procedures for issue of certificate, on behalf of the Board, in conformity with the recommendations of the Examining Committee made either unanimously or by majority.

(v) If required, the Chairman on his own motion or on the request of the applicant if he disagrees with the decision of EC, may refer a decision of Examining Committee to a Revising Committee. The appeal to the Revising Committee can be made by the producer within 14 days of the Examining Committee's recommendation.

(vi) A Revising Committee will consist of the Chairperson or in his absence, a member of the Board and not more than nine advisory panel members, provided none of them were on the Examining Committee that viewed the film earlier.

(vii) The Revising Committee will view the same film print shown to the Examining Committee without any changes. Each member will be required to record his verdict before leaving the theatre. Where the Chairperson disagrees with the decision of the majority committee, the Board can itself examine the film or cause the film to be examined again by another Revising Committee and that decision of the Board or the second Revising Committee, as the case maybe is regarded as final.

(viii) After the applicant is apprised of the decision of the Board, Examining Committee or the Revising Committee, he may submit a revised version to the regional officer for certification of the revised film. If the applicant is aggrieved by the order of the Board, an appeal can be made under section 5C of the 1952 Act to the Film Certification Appellate Tribunal (FCAT) which is at present headed by a Former Chief Justice of High Court as Chairperson.

9. The time limits set down for various processes of certification are as follows:-

| Process | Time Limit |
|---|------------|
| Scrutiny of Application | 7 days |
| Formation of Examination Committee (EC) | 15 days |
| Forwarding the EC report to Chairman | 10 days |
| Communication of the order to the applicant | 3 days |
| Surrender of cuts by the producer | 14 days |
| Examination of cuts | 14 days |
| Issue of Certificate | 5 days |
| Total Time Limit | 68 days |

II. AUDIT REVIEW

10. Audit test checked the procedures followed for certification of films in which multiple issues pointing towards gaps in internal control and certification process were observed:

(a) A scrutiny of 175 records from 17 April, 2013 revealed that CBFC has altered the order of some films for examination by Examination Committee without recording any reason by the Regional Officer for altering the order.

b) In some cases there was delay in issue of certificates even after approval of a clear certificate by the Examining Committee. No reason for delay was found on record.

c) CBFC has converted 172 A category films into 'UA' category and 166 films of UA category to U category from 2012 to 2015 without any supporting provision in the Act.

d) Sub-rule 6 of Rule 21 of the Cinematograph (Certification) Rules envisages that in the case of imported films, the applicant shall furnish the original or the certified copy of the import license together with the customs clearance permit. The scrutiny of Audit showed that CBFC issued certificates to the applicant for public exhibition of imported video films without obtaining the certified copy of the imported license and customs clearance permit.

e) CBFC had accepted films for which certificates were already issued earlier. CBFC could not verify whether a film was certified earlier by them or any other regional office and hence probability of two or more certificates being issued for the same film existed.

11. Against this backdrop, the PAC (2016-17) selected the subject as reported in Para 11.1 of the C&AG's Report No. 11 of 2016 for detailed examination and report. Subsequently, the Committee obtained background note and requisite replies and some other clarifications from the Ministry of Information & Broadcasting (Mol&B) and CBFC. The Committee took oral evidence of the representatives of the Mol&B and CBFC on 06.01.2017 and obtained information on the subject. However, due to paucity of time, the examination on the subject could not be completed during 2016-17 and the subject was carried forward to the successor Committee i.e. PAC (2017-18). Based on the information gathered, the Committee proceeded with examination of the relevant issues in detail as outlined in the succeeding paragraphs.

III. TIMELINESS IN ISSUE OF CERTIFICATES

12. Rule 41 of the Cinematograph Rules prescribe different time limits for the various stages of certification process totalling to 68 days if the applicant does not request the film to be seen by the Revising Committee.

13. All films should be certified on first come first serve basis. The RO has discretionary power to alter the order of examination of the film if a written request from

the applicant is received and the RO feels that there are grounds for an early examination which he would duly record.

14. However, Audit noted that in 57 films (32.57 per cent) which jumped the queue, letters from the applicant requesting for special consideration or RO's justification accepting the request were not found on records. A clear U/UA or a Clear A certification was done for 135 films. However, in 49 films (36 per cent) despite completion of certification process, time taken for issue of certificates ranged between 3 and 491 days and an average time of 26 days. No reasons for delay, after approval of clear certificate by EC, were found on record. Further, in 31 cases during the period 2013-14 and 2014-15, time taken to certify the film ranged between 75 days to 491 days and average of 169 days. The reasons for delay were not seen recorded on the file.

15. The Ministry in their written submission to the Committee stated that most of the films in this regard were the films for which certification was sought for theatrical release. The applicants approached the CBFC for certification after finalizing the release date. Non-certification of such films would have resulted in incurring heavy losses to the filmmakers. CBFC, in order to facilitate such films and help the filmmakers avoid incurring heavy losses due to non-release as per the schedule, enabled certification ahead of other applicants where there was no issue of urgency. However, CBFC has noted the point that such decisions should be placed on record and the certification process out of turn in the case of a particular film would be considered only based on submission of acceptable reasons for the same in writing from the applicants concerned.

16. During oral evidence, the representative of the Film & Television Producers' Guild of India Limited submitted as under:

"To start with, the Committee had mentioned the unexplained delays in the certification process. What I would like to say is that there might be various reasons for that. One might be the lack of staff at the CBFC; two, it could be the seasonal rush of movies that would tend to release around festivals etc. and therefore there might be more movies at that point of time that might be sent for submission. We would like to believe that the CBFC is transferring from manual to the online approach in terms of the application. So, we hope that in future the rush goes down. Secondly, as far as altering the order for films by the Committee is concerned, such instances do occur regularly. This mainly happens due to the immediate requirements of a production house due to the film release time lines. We think that the provision to introduce a fast track system would help. Under this provision, you pay additional fees if you want your

film to be fast-tracked in case you have not been able to complete it well in time for the release. We do believe the Shyam Benegal Committee report also mentioned the same thing. So, it would be useful if that could be set in place. But I think the finding of the Audit Committee that there is an alteration of the order is true and that does happen."

17. The Secretary, Mol&B, during oral evidence, submitted as under:

".....in all the cases where the films are jumping the queue at the time of certification, two things are being ensured now. Of course, it was not done in the past and that is a fact which cannot be denied. The new Chairman has ensured that, one, there is an application from the producer and he gives his reasons requesting for an early certification. Then there is an order passed in writing on the files that, yes, these are the reasons which are acceptable and we should do it out of turn. We are doing it."

18. The Committee wanted to know that in cases where the RO accepted jumping of queues by the film producers for getting early certification for their films and whether the ROs' justification had been maintained, the Ministry, in their reply stated that as per Rule 41(3) of Cinematograph Act, 1952 and Rules, 1983 there was a provision for out of turn examination under which the CBFC examined films meant for theatrical release. Rule 41(3) provided that the Regional Officer may on receipt of a written request from any applicant, if satisfied that there were grounds for an early examination, alter the order of examination of the film after recording the reasons in writing. However, in some cases, the reasons were not recorded. The reason for this lapse was due to drastic increase in workload over the years, owing to increase of number of films including short films/advertisements/documentaries, thus making it extremely difficult to record everything in a file. Presently every week at least 8 to 10 movies are getting released for public exhibition. All producers are in a hurry to release their movie on vacant dates. Though the movies are cleared before the stipulated time limit, the examination and issue of certification are done as per the guidelines and Act and the procedure laid down there under. At present it is being ensured that no film is being given out of turn allotment for screening unless specific request is received and reasons for acceptance of request are recorded.

19. The Committee observed that CBFC was biased towards big banners in the case of film certification wherein jumping queues and obtaining early certificates could clearly be seen and wanted the take of the Board on this, the Ministry, in their reply to the Committee stated that there was no partiality towards 'big banner' films from CBFC's side. However, it so happens that the really big budget films actually fix their release

before production of the film. In that scenario, once their dates are fixed and due to time overrun in their production, they may start the actual certification process very close to their release date. In such a scenario, the applicants approach CBFC for out of turn, early certification. Non-certification of such films would have resulted in incurring heavy losses to the filmmakers. CBFC, in order to facilitate such films and help the filmmakers avoid incurring heavy losses due to non-release as per the schedule, enabled certification ahead of other applicants where there was no such urgency expressed. However it is now being ensured that in all such cases, reasons are recorded for jumping the queue.

20. A clear U/UA or a Clear A certification was done for 135 films. However, in 49 films (36 per cent) despite completion of certification process, time taken for issue of certificates ranged between 3 and 491 days and an average time of 26 days. No reasons for delay, after approval of clear certificate by EC, were found on record. Further, in 31 cases during the period 2013-14 and 2014-15, time taken to certify the film ranged between 75 days to 491 days and average of 169 days. The reasons for delay were not seen recorded on the file.

21. During oral evidence, the representative of Indian Motion Picture Producers' Association submitted as under:

".....there is definitely a delay in certification which also has been suggested in the Audit report and the timeline which was there in the original Act were according to 1954 when communication was by courier or by mail. Now everything having changed, that much time is not required and films can be cleared in lesser time. I would like to explain this part. The delay is taking place because there are a number of films to be screened. Out of 1000 films, there are 100 films which are of big budget and 900 are small or medium budget films. They are the ones who are normally affected. If you go into the history of films which have taken 700 to 900 days to get cleared, they are small or medium budget films which have had to pay all kinds of impossible demands in terms of cuts, although the Act does not provide for any cut. The Act provides for certification. The Shyam Benegal Committee, the Mudgal Committee and several Committees were formed from time to time but the recommendations of all the Committees have been overlooked and the Chairman, CBFC has been given the power to decide what can remain in a film or not. That is why every Chairman who comes, changes the rules. The guidelines need to be revised."

22. The Committee wanted to know why there had been undue delay in the certification process of films despite its approval by the Examining Committee and wanted the details of all cases of delay in certification beyond 68 days provided in the

Cinematograph Rules, the Ministry, in their reply, stated that time taken for issue of certificates after Examination Committee date, was as follows :-

- a. Less than 3 days – 86
- b. 4-10 days - 27
- c. 11-100 days – 19
- d. 100 days plus – 3

The time limits in case of clear cases have to be computed in accordance with Rule 41(2), Rule 41(6) and Explanation to Rule 41 which lays down that "In calculating the periods specified in this rule working days alone shall be taken into account and Sundays and other Holidays shall be excluded". As can be seen from above, majority of the films, i.e. 113 clear films, were certified within 10 days. As for the balance 22 cases, there were sufficient reasons and majority of the delay was attributable to the non-compliance of further formalities by the Applicant /Producer. In accordance with the prescribed process, the Examining Committee after viewing a film recommends certification of a film for public exhibition under any of the prescribed categories with or without excisions/modifications. The producer is informed of this decision and if he agrees with the decision, is required to submit the final version of the film as cleared by the Examining Committee. Irrespective of a clear film or a film with cuts, the final version of any film needs to be viewed by the Examining Officer for the purpose of verifying at least the length of the film. The length of a film is of paramount importance as it is mentioned in the Certificate and without that data, no exhibitor would accept or distribute the film further for exhibition purposes. It may be noted that if the filmmaker is not in agreement with the certification recommended by the Examining Committee (with or without cuts/modifications), he has to approach the Revising Committee or the Film Certification Appellate Tribunal, as the case may be. Here also the filmmaker would need to submit the final version of the film as cleared by the Revising Committee or the Tribunal in DVD to the CBFC. Only on submission of the final version of the film in DVD, the certificate is issued. The Audit has simply calculated the time taken between the viewing by Examining Committee and the date of issue of certificate and opined that there is considerable delay in the issue of certificate in the case of some films. The delays occur due to non-observance of the procedure by the applicants.

23. Further, the Committee wanted to be apprised of the reasons of these delays, the Ministry replied that in most of these cases, reasons for delay had not been found recorded. The reason for this is huge increase in workload over the years making it extremely difficult to record everything in a file which may cause further delays. During the year 2005, a total of 7418 certificates were issued from the CBFC offices, while in the year 2015-16, the number of certificates issued increased to 17942. However, for improving the process of certification CBFC has developed an On-line application and process to avoid delay and improving transparency, using the latest trends in technology. CBFC is ensuring to issue certificates within the prescribed timeframe in the act. After the online certification goes live, the system itself is expected to take care of such delays. Even in cases where the delay is attributable to the applicant, the system will close the file after the expiry of prescribed time as given in the Rules.

IV. FILM CERTIFICATION PROCESS

24. Section 4 & 5A of the Act provides for examination of films wherein any person desiring to exhibit any film shall in the prescribed manner make an application to the Board for a certificate in respect thereof, and the Board may, after examining or having the film examined in the prescribed manner and grant the applicant U, U/A, A or S certificate as the case may be. Sub-section (3) of Section 5A of said Act provides that a certificate granted by the Board under this section shall be valid throughout India for a period of ten years. There is no provision in The Cinematograph Act, 1952 regarding the process of conversion of films from "A" to "UA"/"U". However, Audit noted that CBFC had converted 172 "A" category certified films into "UA" category films and 166 films of "UA" category to "U" category films during 2012-15 without any supporting law or provision in the Act.

25. The Ministry in their written submission to the Committee stated that CBFC receives application for change of category of certification of a film which has already been certified from an applicant after making voluntary changes. Such applications are received for screening of films on TV and satellite channels. CBFC entertains such requests, examines such films and certifies them in accordance with Rule 21, 22, 23, 24, 25 and 26. It is pointed out that the explanation under Rule 21 which concerns with the submission of application for examination of films clearly states that for the purpose of certification for public exhibition, every revised version or shorter version of a film shall be deemed to be a fresh film. The relevant application forms prescribed under

Rules provide for information on the category of certification of the film if it has already been certified and the category of certification which is now being sought. The CBFC after following the process as prescribed in the Rules either changes the certification category duly taking into consideration the content which was examined by them or rejects the request. CBFC did reject change of certification in some cases which were appealed before the Hon'ble Film Certification Appellate Tribunal and the Hon'ble Tribunal has disposed of such appeals by either allowing re-certification or upholding the decision of the CBFC. It is therefore submitted that the procedure being followed by CBFC in the case of re-certification of films is in accordance with the prescribed Rules and same has been upheld by the Appellate Tribunal.

26. During oral evidence, the representative of the Film & Television Producers' Guild of India Limited submitted as under:

"Cinematographic Bill that was introduced in 1952 did not really anticipate the fact the films would be widely seen on television. Because of that, there was no provision within the Act that really covers the recertification of films. With the introduction of television as a medium, most films today are watched on television and not in the cinema. The cinema being a closed environment, when there is a certification, then children are not permitted in and adults have the right to keep children away from that. On television, the understanding is that we would like all films on television to be UA or U. This practice of the conversion actually helps the producers to be able to re-certify their films from A to UA or U category and that has been in place for many years. I do believe the amendment Bill alongwith the recommendations of the Mudgal Committee and the Shyam Benegal Committee also cover the fact that this is something that should be put in place."

27. During oral evidence, the representative of Indian Motion Picture Producers' Association submitted as under:

"What I am saying is that the majority of films get stuck in censorship except a few controversial ones about which the CBFC says 'It cannot be censored; it is banned; it is a bad film.' But the Film Certification Appellate Tribunal finds that the film is fine and there is no need for a cut. But the producer has to suffer for six months. He makes films on borrowed money and he is paying heavy interest. Very few producers can come to FCAT. One reason for that is that FCAT is appointed by the Ministry at their own whims and fancies. There are periods when there is no Chairman there. Files are pending for six months for want of a chairman. In May 2016, the Chairman suddenly got up and said there is a new technology called DCP which is the only format in which we will view films. There is no rule allowing the Chairman to insist that the screening has to be done. When we asked him, he has quoted one rule. We told him it was wrong. Then he quoted another rule which was also wrong. He said, he wanted to see

the picture in the final format. That is a load on the producer. What happens is that after the certification, we go into the post-production where you are not in a position to cut a particular scene or beep a certain dialogue. Before that, if you want something deleted, it is okay but if you want to see my final production in DCP and then cut it, I have to do the whole process again. Earlier, the DVD was watched and you saw the same film. The definition as per the Act is 'runnable print' which is where you can see and hear the picture. This is the established practice."

28. Further, he added:

"Let the producer be responsible. Let the criminal case be filed against him. He should be more careful while screening a movie. The 'A' certificate and other movies should be given a separate time. Let them have night shows only on TV; or, they should have separate theatres for that. In America also, there are adult shows with separate theatres. The same thing can be done in India. I think, about twenty years ago, by some other Chairman, the same suggestion was given. I think, the producer or director or writer should be completely responsible and they should be given complete freedom. Shyam Benegal Committee also made it clear that there should be no cuts, the film should be certified as it is, and could be allotted screening times separately if they are adult films. An adult film is anything in which even one scene is found objectionable. If there is one gali they make it adult. They say 'either you cut it or we will not do it'. So, re-certification from 'A' to 'U' is because of that reason. The film has nothing else objectionable except a couple of scenes which are cut out and the film is certified. Sir, has asked a very relevant question about existence of such censorship boards in other countries. As far as I am aware, except Islamic countries Dubai, Pakistan or other Islamic countries, there is no censor board. There is only a Rating Board in UK, US and other countries. They rate whether a film is for 16 years or older or younger. There is no system of cutting. Cutting is only in Islamic countries. We have become champions in that. In some films all the dialogues are only mute, you can only hear beeps in the film."

29. Supplementing the above, the representative of the Film & Television Producers' Guild of India Limited, during oral evidence, submitted as under:

" I think it is quite correct that there are Film Certification Boards in other countries and not Censorship Board though our Board is also called the Central Board of Film Certification. Very often there are recommendations about what should be beeped out and so on and so forth. I think the Shyam Benegal Committee Report also recommends exactly the same thing that the film should not be touched. It should be given a certificate whatever you believe it is suitable to be viewed as, whether that be 'A'. They have suggested 'A' with caution. They have suggested the "UA' category be broken up into two separate categories; 'UA-12' and UA-15'. So, the 12 year old and above and 15 year old and above can therefore have that sort of distinction. And, then there is a 'U' category.

30. Further, during oral evidence, the representative of Indian Motion Picture Producers' Association submitted as under:

"The DCP that I was mentioning, a particular format, which is not needed and my small producers have to pay unnecessarily for it and it is a waste of money. That is being done only because it can be screened only in few theatres of his choice, where he has friends and because this system is not capable of being viewed everywhere, whereas a DVD can be seen in the office itself. No more than two to three films can be seen in a day. That is why the delay is. Everything is inter-connected. You expressed doubts about small films and big films. You look at the list of 791 films which have been delayed by 691 days and 90 per cent of them are small films. Films for children have to be certified. Films for adults it has to be certified. But it does not have to be because here we are issuing certificate for ticket buying audience. It is not for people who are gathering in Mohalla and watching a free presentation of a film. They are paying Rs. 100/-, Rs. 200/- or Rs. 250/- to buy a ticket and we are not allowed to show them what they want to see. They are paying the money because they want to see it. But they say you make only bhajan films. Who will watch it? As it is production is dead. Production sector is almost dead and over with. I am not joking."

31. Supplementing the above, the Secretary deposed as under:

"It is mentioned that the certificates of the 'A' category films have been changed to 'UA' or 'U' in certain cases or the certificate of 'UA' category have been changed to 'U' category. Basically, 'A' category is the film which contains adult content. It may be in terms of obscenity, nudity, violence and things which could have an adverse impact on the psyche of the minors or the other vulnerable groups of society. 'U' category film is allowed to be screened for universal screening for everybody and 'UA' is the category which says that it can be screened with parental guidance or supervision. In Western countries, it is called parental guidance or under supervision. So, these are the three categories that we have at the moment and the Ministry has already responded about this conversion of certificate category from one to the other. I would like to reach what Rule 21 says:

"For the purpose of certification for public exhibition, every revised version or a shorter version of a film shall be deemed to be a fresh film."

Essentially this problem arises because when a film is screened in a cinema hall, that is the usual mode of screening and there the entry is restricted. For example, if it is an 'A' category film, it is incumbent upon the exhibitor, that is the cinema hall owner, to ensure that no child below whatever is the age prescribed enters the cinema hall. So, there is some kind of a control mechanism there. This requirement for certification for open public exhibition mainly came into play when we started talking in terms of television because television is right inside our homes and it is very difficult or at least till very recently, it was almost impossible to control as to who watches television. So, children can watch, adults can watch and they can watch together also. So, where does the need for re-certification arise? If a film which is otherwise classified as 'Adult Only' film, if it is to be screened on television, it cannot be allowed to be screened with that certification."

32. He further added:

"Once we accept that a case being brought for television or for digital screening of a film is to be treated as a separate film for which there is a specific mention in the rules, then a higher authority question may not arise because the higher authority will look at it if an appeal is filed. So it is not a case of an appeal. This would be treated then as a case of fresh application for re-certification. So, the same Board will do it. If there is a need of an appeal, then that matter goes to the appellate mechanism that is already created under the Act which is in the name of the Film Certification Appellate Tribunal. So, if need be, the appeals go to that particular authority if we consider that this is a case of re-certification. So, the same film can exist in two different formats, one format where it is screened in the cinema halls and where it is given 'A' certification and the same film, in a modified version, in a toned down version can be screened for television or cable where it will be given 'U' or 'UA' certification. 'A' certified films cannot be allowed to be screened on television."

33. He also explained:

"An important development has taken place in the whole sector of film certification. There have been a number of controversies; some of them may have continued for some time. I would just like to state that CBFC is not the final authority. There is a Film Certification Appellate Tribunal (FCAT) which is created under the very Act, which creates the CBFC. The F-CAT tribunal is headed by a person not less than a serving or a retired judge of at least High Court. We have the F-CAT now in position. So, considering the amount of work that comes before CBFC, the number of cases going before the F-CAT is a very, very small. It is less than one per cent cases going before the F-CAT. So, F-CAT is the first channel of relief if somebody disagrees with the Board. Then, after F-CAT, the judicial system of this country is very strong. The High Courts and Supreme Court are also there and people in the past have gone before these courts. It is the individuals, who are sitting in the screening committees or the revising committees. But by and large people have got a relief and, if not at the hands of the CBFC, other bodies like F-CAT, High Courts and the Supreme Court are also there. So, the legal system or the system that is created by the hon. Parliament in the Act, we feel, is working satisfactorily as far as the end result is concerned. In between in the CBFC if there are problems, we are committed to addressing those."

34. When the Committee wanted to know the reasons for the conversion of the film certifications, the Ministry replied that the Cable TV Networks Act provide that only films having a U or a UA certificate can be telecast on Television/Doordarshan. Thus if the movie has an A category classification from CBFC, it would not be possible to telecast such films on cable. Therefore, the filmmakers attempt to tone down the content of the film themselves and edit content in such a manner that it can then be considered for certification as a U or UA category much after it has been released in Cinema Halls.

35. The Committee wanted to know whether there was a need to amend the Act keeping in view the changing dynamics of film industry and also the societal values. The Ministry stated that the present Cinematograph Act was enacted in the year 1952 and there have been many changes in the field of cinema with the proliferation of TV channels, Cable network throughout the country, advent of new digital technology making all kinds of content accessible to all and above all, a change in societal values, all of which require that the Cinematograph Act or the Cinematograph (Certification) Rules, 1983 or the Guidelines 1991 are revisited from time to time.

V. CERTIFICATION OF IMPORTED FILMS

36. Rule 21 of the Cinematography (Certification) Rules, 1983 provides that every application to certify a film for public exhibition shall be made in writing in Form prescribed on the basis set out in the Second schedule. Sub-rule 3(d) of Rule-21 further provides that if the application is made by the person other than the producer or copyright holder of the film, an authorization in writing on a stamped paper of appropriate value to be notified by the Chairman from the producer or copyright holder of the film. Sub-rule 6 of Rule-21 envisages that in case of films which are imported, the applicant shall furnish the original or a certified copy of the imported license together with Customs clearance permit and with the Customs clearance papers, and such film shall not be examined by the Board for certification for public exhibition in India unless the Board is satisfied that the film is validly imported in accordance with the import policy of the Government. For the purpose of certification for public exhibition every revised version or shorter version of a film shall be deemed to be a fresh film.

37. However, Audit highlighted that CBFC issued certificates to the applicants for public exhibition of Video Films imported into India without obtaining the certified copy of the imported license and Customs clearance permit and had accepted films for which certificates were already issued earlier April, 2015. CBFC could not verify whether a film was certified earlier by them or any other regional office and hence probability of two or more certificates being issued for the same films existed.

38. In its Background Note furnished to the Committee, the Ministry stated that the Ministry of Commerce and Industry, Department of Commerce vide its Public Notice No. 64/1997-2002 dated 29th January, 2002 had exempted from import license for the import of cinematograph feature films and other films (including film on video tape,

compact video disc, laser video disc or digital video disc). Accordingly, CBFC was not required to ask for import license for a film. However, CBFC at the time of accepting applications for certification of such films, did ask for copies of agreement between the copyright holder/producer of the film and the person who imports the film and seeks certification, copy of shipping/airway bill or copy of digital download document [in the case of transfer of the content online].

VI. VALIDITY OF CERTIFICATES

39. As per Rule 29 of the Cinematograph Rules 1983, a certificate granted by the Board under sub-section(1)of section 5A in respect of a film shall be valid for a period of 10 years from the date on which the certificate is granted wherein relation to the certificate of a film the period has expired, a fresh certificate in forms set out in Schedule II as the case may be, issued on an application made in this behalf and the same shall be dealt with as if it were an original application; provided that a regional officer may, with the prior approval of the Chairman, dispense with examination of the film,, if the application is for the issue of certificate in the same form in which it was issued earlier.

40. Audit noted instances of revalidation of certificates which were valid for 10 years only on the basis of application received from copyright holders. It was found that, neither the examinations of such films were conducted nor the Chairman's approval to dispense with the examination had been obtained. Also, verification of original rights of the movie was not done and a flat rate of ₹ 1020/- was levied irrespective of the duration of the movie.

41. The Ministry submitted that earlier CBFC did not have the facility to verify whether a film was certified earlier or not unless declared by the applicant. However, following digitization of records of all Regional Offices, the probability of issue of such certificates has greatly diminished. With the implementation of the second phase of computerization of certification process of CBFC, any duplication would be identified at the application stage itself and this problem would be completely removed.

42. During oral evidence, the representative of Indian Motion Picture Producers' Association submitted as under:

"Titles are also registered with us. There is a concern in the Report over issue of duplicate film titles to the same film to different copyright owners. I am talking about that happens because for imported films you do not insist on a title or clearance certificate from the Indian Association. On the basis of exporters and importers association you issue certificate to any and every. So, the objection found is very genuine. But if they are brought under the ambit of the Indian Association there will be some control and we will know. So, the present system of controlling in the film industry is non-duplication, making sure that certificate once issued is not issued again and disputes of which sometime go to court and sorted out."

43. The Committee wanted to know when there was no need to revalidate film certificates, why did the CBFC continue to accept films for revalidation of certificates and charged fees on it, the Ministry replied that revalidation of certification was done by the CBFC as per the provisions of Rule 29 of Cinematograph Act. The revalidation of films had been done as per Rule 29(1), 29(2), and 29(3) before 25.9.1984. As per the notification issued by Mol&B dated 25.9.1984 the validity of certificate is perpetual. Therefore the practice of recertification was stopped. For the period mentioned in the Audit Report, few cases were received for Re-verification. These films were those who had received certification valid for only 10 years (prior to 25/9/1984). It may be seen that all such cases referred to the period 1954 to 1963. The verification fees applicable at the lowest slab (Rs.1020 per application) were charged by CBFC. The Certificates were issued after obtaining the approval of the then CEO (Head of the Department). After Audit raised the query, the practice has been stopped.

44. The Committee wanted to be apprised about the mechanism through which it was being ensured that the duplication of certificates was not taking place, the Ministry replied that earlier there was no facility to keep check on whether the film was certified or not but due to digitalization of some records in the 11th Five year plan, the probability of such certificates has greatly diminished. However, with the implementation of 2nd phase of computerization of CBFC, this minor possibility would also be eliminated altogether as various field related to each film would be resident in the consolidated database of all the nine Regional Offices. Consequently, any duplicity would be identified at the application stage itself and the possibility of any duplicate certificates for the same film would cease to exist.

45. When the Committee wanted to know what were the loopholes which resulted in the generation of fake/duplicate film certificates, the Ministry replied that fake certificates have been noticed to be issued as there is no security feature embedded in the certificates presently. As for duplicate certificates, the Certificates are issued on the basis of Office address submitted by producers. If the address lies within the specified jurisdictional area of the Regional Office, the application is accepted in that particular Regional Office. Instances have come to notice where the applicants have taken another address to try to submit the application in another regional office where they do not know the language of the film, for a perceived better category decision. Another way in which duplicate certification used to happen was in case of imported films wherein the local importer of any film entered into a contract with the foreign producer. This copyright license was given only for a few years, say 4-5 years. The local importer then applied for and got the certificate made for that film, which he could use only during the term of the contract. Subsequently, after the expiry of the old contract, another local importer would enter into a new contract with the foreign producer for a few years. During this period, the new importer will seek a fresh certificate for the same film as the certificate carries the name of the applicant.

46. The Committee wanted to know what measures CBFC had taken to curb the availability of fake/duplicate film certificates, the Ministry stated that in the second phase of computerization involving Online certification, it is envisaged that the new certificates would also carry a QR code which would have the details about certification embedded in it. A mere scanning of the QR code with any smart phone would take the person to the CBFC website and all details would then be seen. It will instantly point out any fake certificate. By digitizing all existing records and having them available on a single consolidated database, the Ministry be able to identify any instance in which films which have already been issued certificates, have come up again for certification etc.

47. When asked about the rationale for prescribing 12 to 25 members rather than a fixed number of members to the CBFC, the Ministry replied as under:

"Appointment of Chairperson and Members of the CBFC is in accordance with Section 3(1) of the Cinematograph Act, 1952 read with rule 3 of the Cinematograph (Certification) Rules, 1983. A medium like films with rich diversity, 12 to 25 Members would be more representative. This will cover the

gaps at times of unavoidable vacancies. It is felt that each State should be represented by at least one or two Board Members as there are different dialects around the country".

48. On being asked about the criteria followed by the Ministry in appointing Members and the Chairman of the CBFC, the Ministry submitted as under:

"Appointment of Chairperson and Members of the CBFC is in accordance with Section 3(1) of the Cinematograph Act, 1952 read with rule 3 of the Cinematograph (Certification) Rules, 1983. As per Section 3(1) of the Cinematograph Act, 1952,

"For the purpose of sanctioning films for public exhibition, the Central Government may, by notification in the Official Gazette, constitute a Board to be called the Board of Film Certification which shall consist of a chairman and not less than twelve and not more than twenty-five other members appointed by the Central Government."

49. On a query relating to the number of members in the advisory panels in each of the regional centres in the country and the criteria adopted to appoint the members of advisory panels, the Ministry stated as under:

"Advisory Panel members are appointed in accordance with Section 5 of the Cinematograph Act, 1952 read with Rules 7 and 8 of the Cinematograph (Certification) Rules, 1983. Advisory Panel shall consist of such number of persons, being persons qualified in the opinion of the Central Government to judge the effect of films on the public as the Central Government may think fit to appoint thereto.

Sub-rule (2) under Rule 7 states that *"an advisory panel shall consist of such number of members as the Central Government may, after consultation with the Board, determine"*. Desired strength of the advisory panel members in respect of each Regional Office of CBFC is worked out after carrying out a detailed analysis of work load in each of the regional offices based on the number of feature films, video films and short films certified".

50. When asked about the procedure of appointing, powers and duties of regional officers, the number of regional centres and the Regional Officers in each of these centres, the Ministry replied as under:

Regional Officers are appointed in accordance with the Recruitment Rules framed for the purpose. As per Recruitment Rules (the method of recruitment to the post of

Regional Officer is to be filled by "33 1/3% by promotion, failing which by transfer on deputation and failing both by direct recruitment; 66 2/3 by transfer on deputation, failing which by direct recruitment. The tenure of deputation period is 4 years according to the RRs.

There are nine Regional Offices of CBFC located at Mumbai, Delhi, Chennai, Bengaluru, Hyderabad, Thiruvananthapuram, Cuttack, Kolkata and Guwahati.

As per sub-section (2) of Rule 9 of Cinematograph (Certification) Rules the Regional Officers, Additional Regional Officers, Assistant Regional Officers and other officers appointed shall perform the such duties as may be assigned under these rules, or by the Chairman / Chief Executive Officers or by the Board.

The following are important functions of Regional Officers:

- To supervise the work of scrutiny on behalf of the CBFC of applications from producers of Cinematograph films or their representatives in respect of all films.
- Appoints an Examining Committee in respect of each application.
- Associate himself as a member of the Committee for examining the film in accordance with the guiding principles laid down in the Cinematograph Act.
- Sign on behalf of the Chairperson the certificates authorizing the public exhibition

For the purpose of enabling the Board to perform its function under the Act, the central government in accordance with Rule 9 of the Cinematograph (Certification) Rules, 1983 appoints Chief Executive Officer, Regional Officers, Additional Regional Officers, Assistant Regional Officers and such other officers at the headquarters and at each of the regional offices of the Board. Regional Officers, Additional Regional Officers, Assistant Regional Officers and other officers appointed shall perform the such duties as may be assigned under these rules, or by the Chairman/Chief Executive Officers or by the Board. The Chairperson/Chief executive Officer may grant leave to or suspend or remove from service any officer appointed by him under the powers delegated to him.

The new online system includes development robust MIS system to track and monitor the performance of CBFC and its Regional Officers.

51. On being asked about the number of meetings of the CBFC have been held in each of the last five years and the agenda of these meetings, the Ministry replied as under:

" The details of Board Meetings held during the last 5 years are as follows –

| Year | No. of Board Meetings |
|---------|-----------------------|
| 2012-13 | 6 |
| 2013-14 | 3 |
| 2014-15 | 1 |
| 2015-16 | 1 |
| 2016-17 | 4 |

52. When asked about the number of workshops for Advisory Panel Members that have been conducted in each of the last five years for each regional centre, the Ministry submitted as under:

" During the last five years, 3 workshops have been held at Delhi, Chennai and Hyderabad. "

53. Regarding number of cases that have been detected and reported for violation of category classification in the theatres during last 10 years, the Ministry replied as under:

" No such cases have been reported to CBFC during the last 10 years."

54. As for number of cases that have been detected and reported for not screening the certification before the film is actually screened and not carrying out the cuts as prescribed by the CBFC while screening of the films in theatres, the Ministry submitted as under:

"No complaints/cases detected or reported for not screening certification before the film is actually screened or for not carrying out the cuts as prescribed by the CBFC."

55. On being asked about how does the Ministry propose to regulate content shown over the internet and the new concept called web-series, the Ministry stated as under:

"The content available over the internet is regulated under the Information Technology Act, 2000 and the Rules framed thereunder. Under Section 79(3)(2) of the rules framed under the IT Act, 2000, intermediaries must observe due diligence as prescribed under Rule 3 in the Information Technology (Intermediaries guidelines) Rules, 2011. Section 79(3) of the Information Technology Act, 2000 provides for removing or disabling access to the material which is being used to commit unlawful acts. "

56. When asked about the present status of the computerization project relating to issue of film certification by the CBFC which was to be completed by March, 2017, the Ministry replied as under:

"Online certification system 'e-cinepramaan' and the new website cbcindia.gov.in were launched by then Hon'ble Minister of I&B on 27-3-2017. The application has been working smoothly since then and all certification process including payments for certification fees are being done online only."

Academic activities of Satyajit Ray Film and Television Institute, Kolkata for the period from 2010-11 to 2014-15

I. INTRODUCTORY

57. Satyajit Ray Film & Television Institute (SRFTI), Kolkata was established in 1995 by the Government of India as an autonomous academic institution under the Ministry of Information and Broadcasting (MoI&B). The Institute is registered under the West Bengal Societies Registration Act, 1961. The Institute provides higher and professional education and technical expertise in the art and technique of film-making and television production. It has been constructed on a sprawling campus of 39.36 acres of land located at the Eastern Metropolitan Bypass Road in Kolkata.

Management & Organisational Framework:

58. The institute is run by a Society constituted by the Government of India. As per Clause 3(i) of the SRFTI's Regulations, the composition of the society is a combination of officials (who are ex-officio members) and non-officials who are selected from different walks of life by the Central Government. A President heads the Society who is also nominated by the Central Government.

Official members:

- i. Joint Secretary (Films), Ministry of I&B;
- ii. Chief Executive Officer, Prasar Bharati or his/her nominee not below the rank of Deputy Director General;
- iii. AS&FA, M/o I&B or his/her nominee not below the rank of Deputy Secretary;
- iv. Managing Director, National Film Development Corporation;
- v. Director, Film & Television Institute of India, Pune; and
- vi. Director, SRFTI.

The official members remain members of the Institute as long as they retain the office or status by virtue of which they became members of the Institute.

Non-official members:

- i. The President to be nominated by the Central Government;

- ii. Three Experts to be nominated by the Central Government in their individual capacity to represent the activities of the Central Government in the fields of Education, Cultural, External Affairs, Science and Technology or Electronics;
- iii. Five persons of eminence connected with the Films, Television, Education, Journalism, Literature, Fine Arts, Dramatics, Performing Arts etc. to be nominated by the Central Government;
- iv. Three persons from among the alumni of the Institute or the former Institute to be nominated by the Central Government; and
- v. Such other person as may be nominated by the Central Government or as may be co-opted by the Institute in accordance with prior directions of the Central Government for such period as the Central Government may prescribe.

59. The tenure of the non-official members is of three years. Out of the members of the Society, a Governing Council (GC) is formed whose non official members are elected by the members of the Society. It is the apex decision making body of the Institute which is headed by the President of the Society who acts as the Chairperson of the Governing Council. GC is responsible for overall superintendence and management of the Institute. Academic Council (AC), constituted by GC, consists of 6 domain specialists in addition to Dean and six HODs of the institute and representatives of students and alumni. AC is mandated to oversee all the academic and pedagogy-related issues. Director, the chief executive officer of the institute, acts under the guidance and directions of GC and is assisted by Dean and Registrar for academic and administrative functions respectively.

Courses Offered:

60. SRFTI offers 3-year post-graduate diploma courses in six specializations:

- i. Direction & Screenplay Writing;
- ii. Cinematography;
- iii. Editing;
- iv. Sound Recording & Design;
- v. Producing for Film & Television; and
- vi. Animation Cinema

61. The intake for each course is 12 students and in each course (for Animation Cinema intake is 10 at present), 2 seats are reserved for foreign nationals nominated by ICCR. The Institute is shortly going to start PG Diploma courses for television and a

short certificate programme for the 12+ students of North Eastern region at Itanagar, Arunachal Pradesh.

Admission Method to PG Diploma Course conducted by the Institute:

62. SRFTI conducts competitive entrance examination on all India basis for taking admission. The entrance examination consists of a written test followed by an interactive orientation session and viva-voce for short-listed candidates. Admission advertisement appears in major newspapers all over India. While the written test is held at multiple centers all over the country; the interactive orientation session and viva-voce are held at the Institute premises in Kolkata. The written examination consists of a common paper on Creative Aptitude and Mental Aptitude and another paper on Specific Area Aptitude in the discipline of choice.

Faculty:

63. The Institute has a core faculty of 20 teachers, which includes five Professors, six Associate Professors and nine Assistant Professors. The members of the existing faculty are persons of standing in their respective fields and are either film/design school graduates or professionals of repute. The Institute adopts the system of drawing from working professionals from the industry as Guest Faculty for taking classes and practical on special subjects. Apart from this, the Institute also invites eminent professionals/experts in cinema and television to conduct workshops.

Student Scholarship:

64. SRFTI awards students' scholarship to top 12 meritorious students on the basis of admission test for the first year and thereafter top 02 students from each stream receives the scholarship for second and third year. The amount of internal scholarship per annum is equal to 50% of the annual tuition fee.

New Initiative – Film & Television Institute In Arunachal Pradesh:

65. As part of Government's initiatives for overall development of North Eastern Region of the country and to encourage talent among youngsters of the North East in the sector of Film and Television, it was proposed to establish a Film and Television Institute in any one of the North Eastern States on similar line to that of Film & Television Institute (FTII), Pune & Satyajit Ray Film & Television Institute (SRFTI), Kolkata. SRFTI, Kolkata was assigned the task of conducting a study on the feasibility of setting up of an institute in any of the North Eastern State by visiting the States as well as interacting with the State Governments.

66. As enshrined in the Budget Speech 2015-16 of Hon'ble Finance Minister of India, SRFTI prepared Detailed Project Report for establishing the proposed Institute in Arunachal Pradesh. State Government of Arunachal Pradesh has formally handed over the allotted land of 52.2 acres to Ministry of I&B on 25.08.2016. The project, at the estimated cost of ₹ 204.32 crore, is likely to be completed by 2020. As the setting up of permanent campus of Film Institute at Arunachal Pradesh would require 3-4 years, the Ministry has planned to start courses from March, 2017 from a temporary campus where 06 months foundation courses would be offered to the students belonging to North Eastern region.

Proposal to upgrade the status of SRFTI:

67. A Cabinet proposal to frame "National Institute of Film, Television and Allied Studies Act" was prepared with an objective to grant SRFTI & Film & Television Institute, Pune, the status of Institutions of National Importance. The draft Cabinet Note was submitted to Cabinet for its approval on 5th December 2014. The main objective of the proposed bill was to provide statutory backing to these institutions so that the Diplomas awarded by them would get due recognition. In context of number of such proposals submitted by different Ministries to declare their institutes as "Institutions of National Importance" through an Act of Parliament, the Ministry of Human Resource Development was to consider having a single comprehensive enactment for all such institutions of higher education. Consequently, the matter was considered in detail afresh in consultation with the Ministry of HRD and other concerned where it was suggested that rather than going in for multiplicity of legislations to create these University level institutions, the Ministry will explore alternate routes to achieve the stated objectives. Accordingly, it has now been decided that the Ministry would initiate a proposal of creating an overarching University through "Deemed University" route for all existing & proposed Institutions under its administrative control.

II. AUDIT REVIEW

68. SRFTI was audited under Section 14 (1) of the Comptroller and Auditor General's (DPC) Act 1971. An audit was conducted on the academic activities of the SRFTI covering the period 2010-11 to 2014-15.

69. During audit it was found that SRFTI had failed to introduce various courses as envisaged in its objectives even after 20 years of its establishment. The activities of the Institute was marred with delay in completion of courses, vacant seats, lesser teaching hours and gap in evaluation of performance of students.

70. Against this backdrop, the PAC (2016-17) selected the subject as reported in Para 11.2 of C&AG's Report No. 11 of 2016 (Compliance Audit) for detailed examination and report. Accordingly, PAC (2016-17) had visited SRFTI, Kolkata on 28.02.2017 to understand the ground realities of the Institute and held informal discussions with its representatives. Subsequently, the Committee obtained background note and requisite replies and some other clarifications from the Ministry of Information & Broadcasting and SRFTI. The Committee took oral evidence of the representatives of the Mol&B and SRFTI on 06.01.2017 and obtained further information on the subject. However, due to paucity of time, the examination on the subject could not be completed during 2016-17 and the subject was carried forward to the successor Committee *i.e.* PAC (2017-18). Based on the information gathered, the Committee proceeded with examination of the relevant issues in detail as outlined in the succeeding paragraphs.

III. STUDENT ADMISSIONS

71. Audit pointed out that SRFTI conducts three year post graduate courses in five disciplines. It skipped enrolment for academic session 2010-13 and 2014-17 to revise curricular design and syllabi. SRFTI instead of continuing with the old syllabi decided to skip the full batch for two years until revision of syllabi. Due to non-enrolment of students for two years, SRFTI suffered loss of revenue of ₹ 1.84 crore towards tuition fees, hostel rent, internet charges and library fees. Also, students were deprived opportunity to learn the art and craft of film making for cinema and television.

72. In their written submission to the Committee, SRFTI stated that with a view to teach contemporary contents and for shifting to digital domain, the syllabus was revised in 2010-13 for implementing the modular structure (a University standard across the world). The syllabus was again restructured in 2014-17 and therefore it was decided to skip enrolment for those academic sessions. The domain shift required a certain kind of equipment, which reached gradually. With the fast changing technology of film making, it would not be prudent to continue with old syllabus and impart educations on out-dated skills. Skipping academic session also helped in clearing backlogs.

73. Also, SRFTI submitted that the curriculum taught to the students in 2009 was considered to be faced with the following difficulties –

- a) There was a major shift in audio-video technology from analog to digital;
- b) Basic method of teaching in SRFTI was celluloid film that was analog based;

- c) Challenges faced due to non-availability of celluloid film stock;
- d) Celluloid Film labs were shutting down their operation; and
- e) Distribution and Screening of films in theaters were going through a change from traditional celluloid projection systems to Digital Cinema Package system).

This necessitated a change in syllabus with an aim to:

- a) introduce proper Digital medium to replace the celluloid film technology;
- b) rationalize the core input in the syllabus in major departments to cope with the technology as well as completing the course in time; and
- c) set up of new guidelines for the projects in respect of digital domain.

74. SRFTI further submitted that the 10th batch of students started on 25.11.2011 instead of March 2011 as the course was deferred by seven months because during the 45th meeting of the Governing Council of SRFTI held on 13th August 2010, the members decided that the 10th batch of students would be covered by the revised syllabus. The syllabus was again restructured in 2014-17 with the main aim of avoiding delay in course completion. The introduction of two new programs - Producing for Films and Television in 2012 and Animation Cinema in 2015 also required a fresh look into the academic programme schedule.

75. When the Committed enquired as to who all were assigned the task of framing the new syllabi, SRFTI furnished that it had assigned the task of framing new syllabus to a Syllabus Committee comprising of Director (SRFTI), Sh. Jahnu Barua, two eminent film directors who are ex-students of FTII, Dean, SRFTI, Dean, FTII, all HODs of SRFTI, and two academicians/experts. The deadline given to the Committee was 15.09.2010. Similarly during 2014, the task of restructuring the syllabus was assigned to a Committee consisting of Shri Nilotpal Majumdar, Dean, Shri Sankalp Meshram, outside expert, Ms. Miriam Joseph, outside expert, Shri Hitesh Chaurasia, ex-student, Shri Ashoke Viswanathan, outside expert, Prof. Suresh Chhabria, Ex-Prof, FTII, and Prof. Ira Bhaskar. The deadline given to this Committee was 31.10.2014.

76. The Committee wanted to know whether any financial calculations were assessed before deciding to discontinue the full batch for two years leading to a loss of ₹ 1.84 crore and why was this issue not taken up after completion of one academic session (2010-13) taking into account while depriving the students opportunity to learn the art and craft of filmmaking. SRFTI submitted that continuing with outdated syllabus

based on fast fading analog technology would have meant more injustice producing only obsolete skills and would have been of no use to the students and therefore it was imperative that the syllabus be revised and keeping this in mind, financial calculations were not undertaken. The complete domain shift of filmmaking from analogue to digital required immediate intervention and no further delay. Therefore, students were admitted only after the syllabus was revised and introduced with advanced technology based equipment to give them the opportunity to learn the art and craft of contemporary film making.

77. Audit highlighted that there were 13 vacant seats under foreign quota pertaining to the session 2011-14, 2012-15 and 2013-16. But SRFTI did not consider enrolling Indian students against such vacant seats although it had enrolled Indian students against the vacant foreign quota seats for the session 2008-11 and 2009-12. Thus, non-enrolment of 13 Indian students resulted in loss of revenue of ₹ 18.04 lakh towards student fees apart from underutilization of resources.

78. SRFTI stated that due to lack of foreign applicants which are routed through Indian Council for Cultural Relations (ICCR), the full quota of 2 students in each specialization, was not filled up. Often foreign candidates join the Institute as late as two months after the commencement of academic session and therefore, it was not possible to assess vacant seats on time. In some cases, although there were applicants for enrolment, seats couldn't be allotted as specialization choice had been mismatching with specialization offered. Also seats could not be filled up due to non-availability of qualified students. Besides, Indian candidates meeting minimum benchmark are not always available. Now, in line with the recommendation of CAG, the Institute has started filling up the vacant seats under foreign quota from the Indian applicants on and from the academic session 2016-19.

79. To a query of the Committee whether any issues were noticed during the enrolment of Indian students against the vacant foreign quota seats for the session 2008-11, SRFTI replied that a total of 40 students were admitted against 40 seats [10 seats X 4 Departments = 40; Indian Seats were 32 (4X8) and Foreign seats 8(4X2)]. No Foreign student was referred by ICCR in that year and all the seats including the one reserved for Foreign Students were filled in by Indian students. However, considering the trend of non-availability of foreign students, the Institute increased the seats in each

department from 10 to 12 by increasing the number of seats of Indian students from 8 to 10 to ensure that the uncertainty involved in the recommendations from the ICCR could be tackled and resources available with SRFTI could be optimally utilized.

80. Audit also highlighted that there were also 14 vacant seats under reserved category during the years 2011-12, 2012-13 and 2013-14 and noted that SRFTI followed three stages of assessment for admission of students and out of total passed students in written examination, limited numbers of students in the merit list were called for the next level of assessment. Final merit list was prepared on the basis of marks obtained in all stages of assessment. Scrutiny of records related to admission for the year 2013-14 revealed that out of 566 passed students, SRFTI had called only 142 students for next stage of assessment but still there were four vacant seats in reserved category. To avoid vacancies, SRFTI had not considered second/third merit lists as done in other educational institutes for filling up the vacant seats.

81. SRFTI submitted that the admission process starts with the formation of an admission committee which consists of two external experts besides insiders. The selection methodology includes deciding weightage of marks, cut off marks, ratio in which the prospective students will be called for interview, for each stage of selection process is determined by the admission committee to ensure a benchmark of quality of the prospective students. Based on the benchmark, students are called for orientation and interview in 1:2 ratio against the number of vacancies in each discipline. But even after calling sufficient number of candidates and publication of successive merit lists - 1st, 2nd merit list & waiting list, seats could not be filled up due to non-availability of qualified candidates. However, the Institute has taken a note of the entire issue and 67 out of 70 seats were filled up for the academic session 2016-2019. 3 seats in Producing for Film & Television could not be filled up because of non-availability of qualified candidates, even after taking special drive by offering option of choosing these disciplines amongst candidates from other disciplines who missed the opportunity to get admission in their respective choice.

82. When the Committee enquired about the ratio of number of vacancies to the number of candidates shortlisted after written examination, SRFTI furnished that the ratio of vacancies and shortlisted candidates (Indian national) called for Orientation Course and Interview during past years were:

| Year | No. of Vacancies for Indian candidate | Called for Interview | Ratio |
|-----------|---------------------------------------|----------------------|-------|
| 2011 – 12 | 40 | 123 | 1:3.1 |
| 2012 – 13 | 50 | 132 | 1:2.6 |
| 2013 – 14 | 50 | 142 | 1:2.8 |
| 2015 - 16 | 68 | 123 | 1:1.8 |
| 2016 - 17 | 70 | 129 | 1:1.8 |

The total number of shortlisted candidates varied in different years as SRFTI called all candidates for interviews having equal score based on the cut off number.

83. When the Committee ascertained the reasons as to why the second/third lists were not considered to avoid the vacancies, SRFTI submitted that the second/third merit list from the shortlisted candidates to fill the vacancies are always considered. In 2013, the first merit list was published on 30.10.2013 & second list (as well as waiting list i.e. 3rd list) was published on 12.11.2013. The course started on 25.11.2013. All these dates were prescheduled.

IV. COURSE IMPLEMENTATION

84. The Audit scrutiny revealed that even though the objectives of SRFTI include conducting under-graduate diploma courses on Television and Film but SRFTI stated that it did not conduct any such courses due to inadequacy of infrastructure and manpower. SRFTI offered only three years post-graduate diploma course with specialization in five disciplines of film making viz. Direction & Screenplay writing, Cinematography, Sound Recording & Design, Editing and Producing for film & television. Each course involved theory as well as practical classes and projects involving short/diploma film making. SRFTI also organized workshops as a part of the course implementation.

85. SRFTI submitted that in accordance with the resources available, SRFTI has made efforts to induct new courses and it may be noted that two post graduate diploma courses have been inducted very recently - Producing for Film & Television, commenced from 2012 & Animation Cinema, commenced from 2015. SRFTI is in the process of expanding its activities. The construction work of Center of Television and New media is near completion and the first batch is expected to be commenced by end of next year. SRFTI has proposed to conduct a 2 year PG Diploma program with

specialization with a student intake of 10 students per specialization in the following disciplines:

1. Writing for Television and Radio.
2. News and Entertainment Production for Television and Radio.
3. Production Management for Television and Radio.

SRFTI is also working on setting up its extended campus in Itanagar, Arunachal Pradesh that is expected to come up by 2020. In the meantime, it has planned to start six months foundation course in Film & Television from March, 2017 from a temporary campus for the students belonging to North Eastern region.

86. SRFTI apprised the Committee about its efforts to remove the inadequate infrastructure and man-power causing hindrance in course completion by furnishing that the Government had provided ₹ 55 crores during the current plan period for infrastructure development by:

- a) creation of additional infrastructure and up-gradation of existing infrastructure including girls hostel, class room theatre, seminar room, work station, common storage facility, TV center, building for editing department etc.
- b) replacement of old equipments, procurement of new equipments and software for newly created animation and production management departments as well as procurement of modern equipments to address the technological changes in the industry including HD technology.

Further to address the issue of inadequate manpower, the Institute adopts the system of drawing working professionals from the industry as Guest Faculty for taking classes and practical sessions on special subjects. Apart from this, the Institute also invites eminent professionals/experts in cinema and television to conduct workshops. For project works and other specialized jobs also, SRFTI hires trained professionals on need basis.

87. The Committee wanted to be apprised of the details about any cost benefit analysis being conducted for Undergraduate Diploma courses, whether the objectives of SRFTI were modified in accordance with the non-conduct of the same and further wanted to know as to who was responsible for taking the decision regarding the conduct of the courses. SRFTI furnished that the cost benefit analysis of undertaking UG diploma program had not been undertaken at any point till date. The PG diploma offered by SRFTI is not recognized by UGC. Therefore, commencement of a full time Under

Graduate programme not recognized by UGC will not be beneficial to the students as he or she will not have any other career options after completing the programme. A full-fledged undergraduate programme along with establishment of research department could be taken up only when SRFTI was able to confer degrees instead of diplomas. However, the option of starting UG Courses was still not closed as the Institute would consider to commence these courses once non recognition of its degree/diploma got resolved. Hence, the objectives were not modified. Also, Academic Council constituted on the directives of the Governing Council of SRFTI was responsible for recommending decisions regarding academic matters. The Governing Council in turn vets the decisions of the Academic Council. The finance related matters are approved by the Standing Finance Committee as per Bye-Laws of the Institute.

V. DELAY IN COURSE COMPLETION

88. Audit scrutiny revealed that there had been a delay of more than 2 to 6 years in course completion. Although, SRFTI diagnosed the causes of delay in course completion as infrastructure issues, delay on medical ground and synergy between crew members etc., it did not take any measure to eliminate the causes of delay.

| Batch/Academic Year | Date of commencement of course | Date of final assessment | Period of delay beyond course duration of three years (in Years and Months) |
|---------------------------|--------------------------------|--------------------------|---|
| 3 rd (2001-04) | August 2001 | September 2010 | 6 years |
| 4 th (2002-05) | June 2002 | October 2010 | 5 years 3 months |
| 5 th (2003-06) | August 2003 | February 2011 | 4 years 5 months |
| 6 th (2005-08) | June 2005 | April 2012 | 3 years 9 months |
| 7 th (2007-10) | August 2007 | May 2013 | 2 years 8 months |
| 8 th (2008-11) | November 2008 | May 2014 | 2 years 5 months |

89. SRFTI submitted before the Committee that time taken to complete all the Diploma films of particular batch could never be contained within three years. However, the academic inputs and activities were carried without substantial delay and the delays arose from the projects which started from the end of second year in the three year course. The major projects which are a part and parcel of 3 years course at SRFTI are Short Film, Documentary, Playback and Diploma film. All these projects, except the Documentary, entail manpower, equipment and shooting floors. So, the delay in completion of the course was primarily because of these projects and the delay in

completion of the projects were primarily due to the lack of trained manpower needed for shoots, lack of adequate infrastructure and failure on the part of students to stick to their time schedule. Academic Administrative support was progressively strengthened to optimize full capacity utilization for intake of students and timely completion of courses. SRFTI managed to significantly tighten its schedule through continuous updation of syllabus and presently was also in the process of restricting the execution of the final dissertation project to ensure timely completion of projects. The average time spent by a student in the Institute came down to about 3.5 years and the Institute is trying to bring down the same.

90. To a query of the Committee as to why did the MoI&B remained a mute spectator towards the callous attitude of SRFTI in delaying of completion of the final assessment by more than 2 to 6 years causing irreparable damage to the future of the students and loss to the exchequer. SRFTI replied that the time taken to complete all the Diploma films of particular batch could not be contained within three years. However, other academic activities such as theory, practical and workshops were carried out without substantial delay and the delay occurred due to the projects which started from the end of second year in the three year course and shortage of manpower. The delay in completion of the course was primarily because of these projects and the delay in completion of the projects was mainly due to above reasons and also due to lack of efforts on the part of students to stick to their time schedule. While the Ministry was assisting SRFTI by providing adequate funds to upgrade its infrastructure, equipment, etc., SRFTI was actively pursuing the following in order to reduce delay in course completion:

- i. playback project batch has been normalized for the curriculum of the thirteenth batch and onwards.
- ii. to ensure parallel productions for reducing time under the supervision of the Dean and HoDs, the Producing for Film & TV (PFT) course has been entrusted with the job of outsourcing the final year dissertation film.

91. The Committee wanted to know who was responsible for ensuring that the course completion was not delayed and why was no follow up done despite delay in every session, SRFTI furnished that appointment of permanent skilled manpower for project works could not be justified due to lesser workload associated with the job and SRFTI was facing difficulty in hiring on need basis as the available trained manpower

preferred their primary professional assignments first leaving a very narrow window of their availability. Infrastructure development was a gradual process and SRFTI has always been strengthening its infrastructure with the help of financial assistance provided by the Ministry. However, such investments were made prudently considering various factors in mind. Similarly, procurement of additional equipment was risky due to factors like high costs, obsolescence, expenditure on maintenance, etc. and therefore, taking such equipment on hire on need basis was more feasible proposition given the cost versus the workload. But, this approach sometimes lead to non-availability of equipment on time which also contributed towards delay.

VI. NO RESEARCH CONDUCTED

92. Audit noticed that as per objectives, SRFTI had to undertake research in film and television but did not establish a Research Department. It had appointed one Film Research Officer in May 2011 but his services were being utilized for other works.

93. SRFTI, in its written submission to the Committee stated that it had organised national seminars, academic conference, master classes under the research wing. There also had been publications associated with it. SRFTI had also encouraged fostering various interfaces among academia, researchers and professionals nationally and internationally in advancing the dialogue on forms and techniques. The Institute had started one independent Research Fellowship Programme under its research wing. In the year 2016-17, three fellowships had been awarded for research in Indian Cinema. The programme was also aimed at making a database of research material on Indian Cinema.

94. The Committee wanted to know as to who was responsible for establishment of the research department and whether any follow up was done to ensure the setting up of the same. SRFTI submitted that it conducted three year Post Graduate Diploma courses in Cinema and the Diploma which were not recognized by UGC as SRFTI was not authorized to award master degrees at present and as such there was no proposal for setting up a Research Department at present.

95. Further, the Committee wanted to be apprised of about the research work carried out by the Film Research Officer and why were his services utilized in other departments despite being appointed for conducting research. SRFTI replied that the job description of Film Research Officer did not entail any research work as such and

his services were being utilized according to the responsibilities associated with the said post. The Film Research Officer reported to the Dean of the Institute.

96. When the Committee wanted to know whether any corrective measures were taken to address the issues hindering the research activity. SRFTI replied that it may consider establishment of research department once the issue of non-recognition of degrees/diplomas awarded by the Institute got resolved. However, it had started working in this direction and three Research Fellowships had been awarded in November 2016. The research material created by the research fellows would be used as a database for further research when full-fledged research will be conducted.

VII. SHORT TERM COURSES

97. As per their objectives, SRFTI had to organise short term/refreshers/in-services training courses. However, Audit noted that SRFTI had not offered any regular short term course and stated that introduction of short term courses might disrupt the regular PG courses due to insufficient manpower and infrastructure. Audit also observed that the Academic Council, in August 2012, decided to communicate the constraints of conducting such courses to the Ministry for addressing the issues. Further, Audit highlighted the fact that SRFTI, did not take up the matter with the Ministry till January 2016. Thus, absence of effective action on the part of SRFTI resulted in failure to introduce regular short term courses and diploma courses on acting. On the other hand, FTII, Pune had conducted five regular short term courses.

98. SRFTI submitted that it has been conducting short term film appreciation courses for National School of Drama (NSD) & Bharatendu Natya Academy (BNA) on regular basis which are as follows:

| <i>BNA</i> | | | <i>NSD</i> | | |
|-------------|-------------------------------------|--|-------------|-------------------------------------|---|
| <i>Year</i> | <i>No. Of Students participated</i> | <i>Duration of the Course</i> | <i>Year</i> | <i>No. Of Students participated</i> | <i>Duration of the course</i> |
| 2014 | 14 | 4 th August to 26 th September | 2014 | 19 | 4 th June - 26 th September |
| 2015 | 18 | 13 th July to | 2015 | 25 | 21 st July - 1 st August |

| | | | | | |
|------|----|---|------|----|---|
| | | 06 th September | | | |
| 2016 | 15 | 01 st June to 23 rd July | 2016 | 25 | 27 th July - 06 th August |

SRFTI further submitted that FTII was better equipped to conduct regular short term courses with their better infrastructural and manpower base compared to them as there were only 27 sanctioned teacher posts at SRFTI against 52 such sanctioned strength at FTII.

VIII. POST GRADUATE COURSE IN TELEVISION

99. In April 2012, SRFTI had sought from the MoI&B, a lump sum amount of ₹ 23.66 crore to set up a Centre for excellence in Television for offering two year post graduate diploma in six disciplines. SRFTI had projected 31 March 2015 as the likely date of completion of the Centre. The MoI&B, in November 2012, approved the proposal with a sanctioned amount of ₹ 8.64 crore only on lump sum basis. However, in April 2014 only, SRFTI prepared a master plan for the Centre and gave a list of building requirement to Civil Construction Works (CCW), All India Radio (AIR), MoI&B to present the estimates. In September 2014, CCW presented an estimate of ₹ 57.69 crore towards the total construction cost. As the estimate was much higher than the sanctioned grant, SRFTI decided in October 2014 to construct one small TV studio and three academic departments for running three courses instead of six. However, Audit noted that both the works had not been started till October 2015. In December 2015, SRFTI stated that after the completion of the construction and availability of infrastructure, faculty and other resources, full-fledged Television course could be started.

100. In July 2016, an expert committee prepared an outline of three courses to be inducted in the Television Centre. The Governing Council, SRFTI had given its in-principal approval to begin the courses from next year. SRFTI had planned to conduct 2 year PG Diploma program with specialization with intake of 10 students per specialization in the following disciplines:

1. Writing for Television and Radio.
2. News and Entertainment Production for Television and Radio.
3. Production Management for Television and Radio.

The studio is expected to be completed by March 2017, while the academic building is expected to be completed in 2018. However, the classes of the first batch will start only in 2017.

101. When the Committee enquired as to why the master plan was not prepared before the submission of proposal to the Ministry, SRFTI replied that the estimates for construction was prepared so that the fund requirement would be assessed at the time of formulation of plan scheme and subsequently the plan was modified and tailored according to the fund actually sanctioned and allocated to the Institute. Further, to the questions of the Committee about the estimated amount higher than the sanctioned grant and whether SRFTI had informed the Ministry about its plans to set up a TV studio in place of the sanctioned centre of Excellence to reduce the number of courses from six to three, SRFTI stated that there were adequate representations at Joint Secretary, Additional Secretary & Financial Advisor level in the Governing Council of the Institute so that the Ministry was well aware of developments occurring in the Institute and participate in decision making process without compromising on the autonomy granted to the Institute.

IX. CAPTIVE TV PROJECT

102. With the objective to provide training to the students on online telecasting, SRFTI, in March 2005, engaged Broadcast Engineering Consultants India Private Limited for setting up Captive TV. However, SRFTI failed to provide dedicated TV studio required for Captive TV project and consequently, equipments of Captive TV, for which an expenditure of ₹ 55.04 lakh had been incurred, was being utilized for showing movies till the year 2011 and later on was used for making programme and hands-on training of students. Thus it did not fulfill its intended purpose. In December 2015, SRFTI stated that the Captive TV equipments were used for academic project development and training as well. But the fact remained that the Captive TV project could not be utilized for intended purpose of online telecasting.

103. SRFTI submitted that keeping abreast with the latest technology available, the Institute was being connected with National Knowledge Network (NKN- a state-of-the-art Pan-India Gigabit network on which thousands of Institutes are connected) for intended purpose of online telecasting and the same facility was being extended to hostels and other academic areas. The students would now have options of viewing HD streaming of many television channels through various popular streaming sites (e.g.

Netflix, Crackle, Hulu, TubiTv). In addition to that, Institute's student's films were being made available in an on-campus deployed digital repository (Dspace). The equipment procured for Captive TV project were used by academic departments to strengthen the infrastructure though majority of the equipment procured had reached end of their life.

104. The Committee wanted to know why did SRFTI fail to provide a dedicated TV studio for setting up Captive TV and whether any monitoring of the Captive TV project was done. Also, in view of the failure of the Captive TV project, the Committee sought whether any alternative means were adopted to provide online telecasting to students. SRFTI furnished that the overall administrative and academic activities of the Institute including the Captive TV project were monitored by its Governing Council. However, as the entire Captive TV project got delayed due to curtailment of the budget. Moreover, the concept of Captive TV lost its relevance with availability of various online broadcasting platforms in cyberspace.

X. INADEQUATE TEACHING

105. As per the Bye-laws, academic load of lectures/tutorials/practicals of Assistant Professor and Lecturer per week was not less than 8 and 16 hours respectively. In July 2011, SRFTI re-designated the post of Lecturer and Assistant Professor as Assistant Professor and Associate Professor respectively. Audit scrutiny revealed that most of the Assistant Professors and Associate Professors did not achieve the core load per week as stipulated in the Bye-laws. During the period from November 2012 to March 2013, the average classes taken by eight out of ten Assistant Professors ranged between 0.93 and 14.9 hours per week while that by one out of four Associate Professors was 6.4 hours per week while rest of Assistant Professors and Associate Professors fulfilled minimum requirement of teaching hours. During the period from November 2013 to May 2014, the average classes taken by all the Assistant Professors ranged between 0.5 and 7.08 hours per week while that by three out of four Associate Professors was between 0.07 and 1.94 hours per week while one Associate Professor fulfilled minimum requirement of teaching hours. During the period from December 2014 to July 2015, one Assistant Professor and one Associate Professor did not take any class. The average classes taken by the remaining 10 Assistant Professors ranged between 2.68 and 10.90 hours per week while that by remaining three Associate Professors was between 5.20 and 5.76 hours per week.

106. SRFTI submitted that it had a curriculum of projects besides theoretical and practical classes. These projects were associated with extensive mentoring by teachers on one-to-one basis that started from the conception to end with projection on the screen. Considering the number of projects in curriculum, a substantial part of the teachers' time was spent on mentoring for projects which could be logged as it took place on a continuous fashion. In addition, the teachers of SRFTI were engaged in additional activities like conducting festivals, holding additional charge of Dean & Director, attending meetings, holding enquiries etc. and these activities were also not logged thereby apparently reflecting erroneous figures of inadequate teaching hours indicating half scenario and not in totality. Mechanism for monitoring of teaching hours of faculty had been incorporated in the modular pattern of the academic programme that had come into effect from August, 2015.

XI. ADHOCISM IN EVALUATION

107. As per Bye-laws, a student was eligible for promotion to the next higher level on scoring a minimum of 40 per cent and above in written examination and minimum 50 percent and above in each practical exercise/assignment/session. However, Audit scrutiny revealed that students scoring less than the stipulated minimum passing marks had been promoted in contravention of Bye-laws. In some cases, more marks had been recorded in the mark sheets than that was awarded by Department. Also, below satisfactory grading of diploma films made by a number of students indicate that the teaching process in SRFTI need to be reviewed. An incidence of loss of papers has also been pointed out by the Audit.

108. In this regard, the Ministry stated as follows:

As per Academic Rule 4.4.1.3 of Academic By-laws of the Institute a student failed to submit his/her assignment in time had to appeal for a Make-up examination/submission and on recommendation of the HoD and further approval of Dean, concerned students may be granted permission for the same. Rule 4.6.7 of the Academic By-laws states that students wilfully not appearing/and or not completing theory/written examinations of current session and/or not completing projects/exercises of current session and/or not submitting requisite sessional shall not be promoted. The decision therein of the Dean shall be final and binding. Audit pointed out that the students were promoted with approval of the Dean, after considering the overall performance of the students in the respective semester. It may also be mentioned here that SRFTI had earned

the rare distinction of its students' films having been selected in Cannes Film festival (Cine Foundation Category) for four times. For the last three years, SRFTI had been invited by Normal University of China with full hospitality for a collaborative cinema workshop due to high standards of storytelling by students of SRFTI. The Institute was periodically monitoring the curriculum and reviewing the evaluation and assessment pattern. With the introduction of revised syllabus with modular structure, module-wise student evaluation mechanism came into existence that clearly avoid adhocacy. Audit pointed out that incorrect recording of the marks had already been corrected. The incidence such as loss of papers of Cinematography Students from the custody of an Assistant Professor was viewed seriously by the Institute and necessary action was taken. However, the decision of taking into consideration of the preliminary assessment result was taken by the Department in consultation with Dean, otherwise the entire result of the Department would get withheld.

109. The Committee, while highlighting Audit findings about evaluation of performance of students indicating that the teaching process in SRFTI needed to be reviewed, wanted to know whether any system was in place to review the performance of the teachers and what steps were taken to establish the same, SRFTI submitted that it was governed by Government Rules unless otherwise specified in its Bye-laws and the performance of faculty were assessed as per APAR system as existing in other Government set up. However, teachers of SRFTI were open to evaluation by students by virtue of a decision taken in the Academic Council on 1st January 2016, the details of which were again discussed in the meeting of the Academic Council held on 8th August 2016. Teacher Performance Feedback Form to be filled up by students was available on the website of the Institute. The structured format for the evaluation of teachers under the directive of the Governing Council was already under process.

PART II
OBSERVATIONS AND RECOMMENDATIONS
Working of Central Board of Film Certification

1. Introductory: The Committee while scrutinizing the Audit Report on the working of Central Board of Film certification noted many systemic deficiencies such as unjustifiable delays beyond prescribed period in certification process; altering of order of films for examination; conversion of certified films from 'A' to 'UA/A' category etc.. Also, they noticed lack of internal controls within the CBFC for tracking the records of film certification which carried a risk of issue of duplicate certificates for the same film to different individuals not holding copyrights. The scrutiny of the subject by the PAC (2016-17) and PAC (2017-18) further revealed various other short comings. The observations/recommendations of the Committee have been detailed in the succeeding paragraphs.

2. The Committee note that the Cinematograph (Certification) Rules, 1983 prescribe different time limits for various stages of certification process, totalling to 68 days and all the films are required to be certified on "first come first served" basis. The Regional Officers (ROs) have been given the discretionary powers to alter the order of examination of films, if a written request from the applicant is received and the RO concerned feels that there are grounds for an early examination, which are to be recorded in file. However, inspection of 175 records by the Audit from 1st April 2013 revealed that in 57 films (32.57 per cent) which had jumped the queue, letters from the applicant requesting for special consideration/RO's justification accepting the request were not found on records and further note that a clear 'U/UA' or a clear 'A' certification was done for 135 films. Further, in 49 films (36 per cent) despite completion of certification process, time taken for issue of certificates ranged between 3 to 491 days after recommendation for grant of certificate by Examining Committee (EC). The Committee could not find any tenable reason for not issuing the certificate for months together even after clearance by the EC and desire that in light of a case study by Audit relating to fabrication of documents and favouritism by Secretary to Chairperson, detailed inquiry into the cases of inordinate delay may be conducted and the Committee may be apprised of the findings thereof. The Committee are further concerned that while this discrepancy could not be

detected by the system it came to light when a complaint was received by the Central Vigilance Commission and, therefore, desire that the Ministry may look into the matter and streamline the system by establishing a control mechanism under which the decisions involving relaxations made by Committee/RO are subjected to review by the Board to ensure transparency in the working of CBFC. The Committee further desire to be apprised of the cases pointed out by the Vigilance wing in the Ministry/CBFC during the last 10 years and punitive action taken against those found guilty.

3. The Committee are dismayed to note that CBFC, in order to help big filmmakers who had applied for certification very close to release date, granted certificates to their films ahead of other applicants even when there was no such urgency expressed. The Committee exhort the Ministry/CBFC to ensure a transparent and disciplined regime by certifying films on first come first serve basis with no favouritism and by encouraging big and small banners alike to apply well before the release date. With regard to out-of-turn preference for the certification of certain films, it is necessary that there should be some sound reasons to justify the exercise of discretionary powers by the RO and which should be recorded in the file. The Ministry/CBFC may prescribe the guidelines under which order of certification may be altered. The power of Regional Officer (RO) to alter order of examination of the film be exercised only in those cases covered under the guidelines and the reasons may invariably be recorded in each case of deviation. Further, the Committee observe that CBFC has submitted a proposal for enhancement of certification fee for introduction of "Tatkal charges". The Committee desire the priority to applicants paying Tatkal charges be given while ensuring that other applicants get certificates within the stipulated period.

(i). The Committee further note that CBFC had issued certificates to films without verifying whether the film was certified earlier by them or any other Regional Office and hence probability of two or more certificates being issued for the same films existed. The Committee understand from the reply of the Ministry/ CBFC that ever increasing workload, manpower constraints and when the cuts submitted were contested etc. led to delays in film certification and further dates were given depending on the availability of the Examining Officer and one member who had originally watched the film. The Committee feel that non

maintenance of systematic records, absence of manpower planning, non adherence to prescribed timelines, non-existence of internal control framework and lackadaisical attitude led to issue of multiple certificates to the films, delays etc..The Ministry/CBFC cannot take umbrage of shortage of manpower for the mistakes of issuing certificate twice to same films by CBFC. They should have increased manpower as per requirement from time to time. The Committee, therefore, desire the Ministry/CBFC to augment its manpower urgently in line with the increasing workload and submit a proposal for recruiting personnel after taking into account the present and future manpower requirements under intimation to the Committee. The Committee are of the view that all existing records be digitized centrally within a prescribed timeframe to avoid any further instance of issuance of duplicate certificate and efforts made to identify films where duplicate certificates were issued and appropriate action taken to rectify the mistake in each such case.

(ii) The Committee note that the computerization project envisages automation of the entire process of certification including filing of online application, secured online fee payment, integration of relevant data, scheduling of examination, intimation thereof to all concerned, formation of Examination Committees, reporting, intimation for cuts, intimations for certificate and identification of any duplicity at the application stage itself. They, therefore, are of the view that timeframes be revised/ shortened for every stage taking into account computerization of whole process be scrupulously followed and delays duly accounted for. Further, all producers, copy right holders or those applying for certification of imported films and titles be mandatorily registered and all details regarding applications received, cleared, pending etc be made available online so as to ensure transparency and efficiency in the system.

(iii) The CBFC should develop a robust internal control mechanism followed by regular internal audit of the system to ensure that the same is working properly and effectively.

4. The Committee find that there is no provision in Cinematograph Act 1952 to convert films from "A" to "UA"/"U" category , however, CBFC had converted 172 "A" category certified films into "UA" category films and 166 of "UA" to "U"

category during the period 2012-2015. The Committee observe from the reply of the Ministry that there is no specific provision which prohibits recertification of films already certified and the practice being followed by CBFC as the competent certifying authority appears to be in accordance with Rule 21, 33 and 35 made under the Cinematograph Act. The Committee find that the Rules 21,33 and 35 as quoted by Ministry do not empower CBFC to re-certify the films. The Committee observe from the reply of the Ministry that in order to get a U,UA certificate required to telecast films on Cable TV, the filmmakers edit content of the film themselves and apply for recertification. The Committee desire that Cinematograph Act be suitably amended to make provisions for recertification of films to telecast on Television and a formal procedure be framed to enable conversion of films a transparent exercise and more specific categorization of films into 'UA12+' and 'UA15+' etc. The Committee exhort that such conversion be reflected clearly on the website of CBFC/Ministry.

5. The Committee note that as per notification issued by Mol&B in September 1984, the validity of certificates was perpetual instead of 10 years as per earlier provisions. However, the CBFC continued to accept films for revalidation of certificates which points to the clear failure of the Ministry in enforcing its own orders.

Further, as per Sub-rule 6 of Rule 21 of the Cinematograph Rules, 1983, the applicant has to furnish the original or a certified copy of the import license together with custom clearance permit for public exhibition of video films imported in India but in many cases as pointed out by the Audit, CBFC did not obtain the same. The Ministry submitted that since the Department of Commerce vide public notice dated 29th January 2002 had allowed import of cinematograph feature films and other films (including films on video tape, compact video disc, laser video disc or digital video disc) without a license, the condition could not be complied with.

In view of the above discrepancies, the Committee adjure the Ministry/CBFC to bring out a manual of rules/guidelines incorporating all the relevant notifications and latest instructions issued in connection with certification of films at one place to avoid recurrence of such instances.

6(i). The Committee note that the Cinematograph Act prescribes constitution of a Board to be called the Board of Film Certification consisting of a Chairman and not less than twelve and not more than twenty-five other members to be appointed by the Central Government. As per reply of the Ministry, each state should be represented by at least one or two Board Members as there are different dialects around the country. The Committee hope that the Government while constituting the CBFC ensure that one or two representatives from each state is/are appointed there. The Committee are unhappy that proper records about the agenda of the Board meetings have not been kept and that in 2014-15 and 2015-16, the Board met only once a year. The Committee are unable to comprehend the need for a high profile Board when they are not even inclined to meet frequently and discuss the film certification process and its impact on the public at large. The Committee exhort that the Board be more proactive and a guiding spirit in the healthy working of the institution. The Committee are of the view that the number of members of the CBFC be fixed so that each State/region gets represented in the Board and one/two Board member/s be attached to every Regional Office to ensure its transparency. The Committee further enjoin that tenure of the members of the Board and the Advisory Panels should only be renewed/extended after analyzing their contribution in the film certification process . The Committee while noting from the reply of the Ministry that desired strength of the advisory panel members in respect of each Regional Office of CBFC is worked out after carrying out a detailed analysis of work load in each of the Regional Offices based on the number of feature films, video films and short films to be certified desire that an analysis of the involvement/ performance of the panel members may be made at the end of tenure to ensure that such numbers as appointed were actually required. The Committee while noting that only three workshops for Advisory Panel Members were conducted during last five years are of the considered opinion that the workshops should be a regular feature to enlighten and update the Panel Members about the latest issues involved in the examination of the films and to implement the guidelines issued by the CBFC, from time to time. Further, the Committee are amazed to note that not even a single case has been detected and reported for violation of category classification or for not screening certification before the film is actually screened or for not carrying out the cuts as prescribed by the CBFC. The Committee while

noting from the reply of the Ministry that since Cinemas is a State subject (as per Entry 33 of the List-II, subject to the provisions of Entry 60 of List I), the responsibility for enforcement of category classification on the ground lies primarily with the State Government desire that requisite information be collected from the States and furnished to the Committee.

(ii) The Committee observe that since 1952 when the Cinematograph Act was enacted , there have been many changes/ developments in the field of cinema with the proliferation of TV channels, cable network, you tube and advent of new digital technology making various kinds of contents accessible to all. Further, the CBFC established under the provisions of the Act has been steadily losing its credibility/ significance and non-controversial character. The Committee note that the CBFC has been taking discretionary decisions in absence of any specific rules/ provisions. With the advent of new technology in the cinema field and emergence of media as a powerful medium to discuss and form opinions, CBFC needs to keep abreast of latest developments in the field and control its Regional Offices in an effective manner so as to ensure complete transparency in the working of the CBFC. The Committee are also concerned to note lack of control of CBFC over contents available on internet. The Committee, therefore, desire that the Act may be reviewed and amended suitably keeping in view the changing dynamics of film industry and the change in societal values.

(iii) The Committee also desire that the film makers be enabled to certify their films themselves and for being eligible for self certification under specific categories, the CBFC may prescribe detailed parameters keeping in view the ethos and traditions of the country to guide the film producers to align with the requirements for certification under that category. In case the CBFC/Examining Committee does not agree with the category under which certification has been applied for, the film may be referred to 'Film Certification Jury' comprising of retired Judges, eminent lawyers, film makers, eminent actors, writers and acclaimed artists for a matured view .

7. The Committee note that Indian film industry is the largest in the world with nearly one thousand feature films and fifteen hundred short films being made every year. The Committee observe that films are one of the most appreciated art forms where the viewers receive knowledge, understanding of the lives and traditions of the people and these films influence their own ideas consciously or sub consciously, their way of life and their relationships. The Committee further observe that the film makers put their own insights into their films to find the most effective form to engage the viewers. The Committee note the judgment given by the Hon'ble Supreme Court in 1989 in which it had observed that "...the movie has unique capacity to disturb and arouse feelings. It has as much potential for evil as it has for good. It has an equal potential to instill or cultivate violent or good behavior. With these qualities and since it caters for mass audience who are generally not selective about what they watch, the movie cannot be equated with other modes of communication.". Since India is a diverse and heterogeneous country, the Committee are of the opinion that filmmakers should maintain a certain level of propriety with respect to contents of their films. The Committee find that recent controversies have given rise to numerous debates on extent of freedom of expression vis-à-vis censorship and public feelings. The Committee opine that wide reach and deep impact of films make intervention by the Government desirable as the public opinion tends to be divided between those arguing for freedom of expression, those for restrictions and others who argue for balanced approach. The Committee are of the considered view that though control by Government is needed to check divisive influences, in order not to offend any particular group, the events must be depicted in a manner that no one suffers at the expense of others. The Committee expect the film makers to exercise self restraint with respect to religion, historical facts, culture, ethos, tradition and profession so that people do not get exposed to damaging content and their moral and cultural heritage is effectively safeguarded. The Committee also desire that the cinema should be the guiding, binding and enlightening medium.

Academic activities of Satyajit Ray Film and Television Institute, Kolkata(SRFTI)
for the period 2010-11 to 2014-15

Introductory: The C&AG carried out an audit of the academic activities of Satyajit Ray Film and Television Institute, Kolkata (SRFTI) for the period from 2010-11 to 2014-15 and highlighted that SRFTI had failed to achieve their stated objectives as it could not introduce various courses viz. undergraduate course for film and television, post graduate diploma courses in television and regular short term courses in films even after 20 years of its establishment. Further, students were not enrolled for two years and a number of seats remained vacant/ unutilized due to improper planning. Also, the Institute did not execute academic activities properly as none of the batches were completed in prescribed time, lesser teaching hours by faculty and instances of gap in evaluation of performance of students were noticed in audit. The examination of the subject by the PAC (2016-17) and (2017-18) further highlighted various other shortcomings. The observations/recommendations of the Committee have been detailed in the succeeding paragraphs.

9. The Committee note that SRFTI instead of continuing with the old syllabi did not enroll students for two batches i.e. 2010-13 and 2014-17 pending revision of curricular design and syllabi. The Committee while observing the reply of the SRFTI that with the fast changing technology of film making, it would not have been prudent to continue with old syllabus & impart education on out-dated skills are unhappy that a premier institute like SRFTI failed to revise syllabi in time. The Committee feel that any Institute that imparts education in any field has to face such challenges/updation i.e. new inventions, rapidly evolving technology, changing values etc. and incorporating these changes into the syllabus should be a continuous and simultaneous exercise. The Committee are of the view that instead of dispensing with admissions, SRFTI should develop a mechanism whereby syllabus may be revised periodically and the updation exercise should start immediately after implementation of a revised curriculum to ensure that neither revenue is lost by the Institute nor any opportunity for learning the art is denied to the prospective students.

10. The Committee note from the reply of SRFTI that lack of adequate infrastructure and manpower has been responsible for most of the shortcomings pointed out by the C&AG such as non-enrolment of Indian students against foreign students' quota, non- introduction of under-graduate courses, delays in course completion, not undertaking research activities and not conducting short term/refreshers/in services training courses. The Committee are dismayed to note that SRFTI which was established in 1995 is complaining of inadequate infrastructure for providing facilities enshrined in its objectives even after more than 22 years of its establishment. The Committee while noting that Government has provided Rs. 55 crores during the current plan period for infrastructure development in SRFTI are of the view that the Institute should now work urgently towards creating the required infrastructure and fix timelines which must be strictly adhered to. The Committee also desire that the Ministry may look into the issue of providing adequate manpower to the Institute so that it can do justice to the objectives for which it has been established.

11. The Committee note from the reply of SRFTI that appointment of permanent skilled manpower for project works could not be justified due to lesser workload associated with the job and SRFTI is facing difficulty in hiring on need basis as the available trained manpower prefers their primary professional assignments first and similarly, procurement of additional equipment is risky due to factors like high costs, obsolesce, expenditure on maintenance, etc. and therefore, taking such equipment on hire on need basis is more feasible proposition given the cost versus the workload but, this approach sometimes leads to non-availability of equipment on time. The Committee are of the view that SRFTI should give extra emphasis on completing the courses in time as non completion of courses timely may hamper career of students. The Committee desire that few agencies providing these equipment and trained manpower may be empanelled for the purpose so that they are available and called for as and when needed.

12. The Committee note with concern that SRFTI had not offered any regular short term courses citing insufficient manpower and infrastructure and express their displeasure over the fact that SRFTI did not take up the matter with the Ministry for addressing the issues till January 2016. The Committee also do not

agree with the contention of the SRFTI that the Ministry is apprised of the matter as the officials of the Ministry are part of the Governing Council. The Committee are shocked to note that even though officials of the Ministry are represented in Governing Council, the SRFTI could not impress upon the Ministry that the Institute could not offer short term courses due to insufficient manpower and lack of infrastructure. The Committee, therefore, desire that SRFTI should take up the matter earnestly with the Ministry and apprise the Committee of response of the Ministry thereon.

- (i). The Committee note that undergraduate courses and research department can only be started in the SRFTI once the issue related to awarding of diploma/ degree is resolved. The Committee desire that the Ministry may take up this matter with UGC on urgent basis and apprise the Committee of the decision of the UGC.

13. Audit has pointed out that most of the Assistant Professors and Associate Professors did not achieve the core load per week as stipulated in the Bye-laws as the teachers of SRFTI were engaged in additional activities like conducting festivals, holding additional charge of Dean & Director, attending meetings, holding enquiries etc apart from their regular teaching job. The Committee note that since SRFTI is an internationally renowned institute, many miscellaneous activities took place on campus as part of the learning process. However, the calculation of teaching hours based on the duration of academic programmes of faculties including both theory and practical sessions presented a very different picture. The Committee, therefore, desire that planned teaching hours may depict hours to be devoted to formal teaching and mentoring separately so as to ensure that the faculty members devote minimum time to each area.

- (i) Audit scrutiny highlighted various irregularities in the evaluation process and promotion of students in contravention of Bye-laws of the Institute. The Committee while opining that uniform and strict parameters ensure competitiveness and sense of discipline amongst students expect a premier Institute like SRFTI to invariably adhere to the norms to assure students of transparent evaluation process. The Committee desire that

variations may only be made in exceptional circumstances which should be duly recorded and approved by the competent authority.

(ii). The Committee while opining that the teaching and evaluation process may have serious implications regarding the quality of education being imparted and that of the students passing out of the Institute exhort the Ministry to constitute a sub-committee to review whole gamut of issues plaguing the Institute and give suggestions for improving the quality of teaching and techniques adopted.

14. The Committee note that activities of the Institute were marred with delay in completion of courses, vacant seats, lesser teaching hours and gap in evaluation of performance of students. The Committee are of the view that lack of monitoring by the Ministry led to violation of the procedures. The Committee, therefore, desire that a mechanism of inspection of the Institute by the Administrative Wing of the Ministry/CVO or by internal audit team may be developed urgently to ensure accountability and transparency in the working of SRFTI.

NEW DELHI;
23 March, 2018
02 Chaitra, 1940 (*Saka*)

MALLIKARJUN KHARGE
Chairperson
Public Accounts Committee

MINUTES OF THE TWENTY SECOND SITTING PUBLIC ACCOUNTS COMMITTEE
(2016-17) HELD ON 6TH JANUARY, 2017.

The Committee sat on Friday, the 6th January, 2017 from 1400 hrs to 1615 hrs in Committee Room "D", Parliament House Annexe, New Delhi.

PRESENT

Prof. K.V. Thomas - Chairperson

LOK SABHA

2. Prof. Richard Hay
3. Shri Bhartruhari Mahtab
4. Shri Janardan Singh Sigriwal
5. Dr. Kirit Somaiya
6. Shri Anurag Singh Thakur
7. Shri Shivkumar C. Udasi
8. Dr. P. Venugopal

RAJYA SABHA

9. Shri Bhubaneswar Kalita
10. Shri Shantaram Naik
11. Shri Ajay Sancheti

LOK SABHA SECRETARIAT

12. Shri A.K. Singh - Additional Secretary
13. Shri T. Jaya Kumar - Director
14. Shri A.K. Yadav - Deputy Secretary

REPRESENTATIVES OF THE OFFICE OF THE C&AG OF INDIA

1. Shri Rakesh Jain - Dy.C&AG (RC/LB)
2. Shri V. Ravindran - Director General(RC)
3. Shri Manish Kumar - Principal Director (PC)
4. Shri Manoj Sahay - Principal Director (AB)
5. Shri Guljari Lal - Principal Director (Central)

THE FILM & TELEVISION PRODUCERS GUILD OF INDIA LTD.

1. Shri Siddharth Roy Kapoor - President

INDIAN MOTION PICTURE PRODUCERS' ASSOCIATION (IMPPA)

1. Shri T.P. Aggarwal - President
2. Shri Anil Nagrath - Secretary

MINISTRY OF INFORMATION & BROADCASTING

- | | | | |
|----|------------------------|---|---------------------------|
| 1. | Shri Ajay Mittal | - | Secretary |
| 2. | Dr. Subhash Sharma | - | Additional Secretary & FA |
| 3. | Shri Mihir Kumar Singh | - | Joint Secretary (P&A) |
| 4. | Shri Deepak Kumar | - | Director (Films) |

CENTRAL BOARD OF FILM CERTIFICATION (CBFC)

- | | | | |
|----|------------------------|---|-------------------------|
| 1. | Shri Pahlaj Nihalani | - | Chairperson |
| 2. | Shri Anurag Srivastava | - | Chief Executive Officer |

SATYAJIT RAY FILM AND TELEVISION INSTITUTE (SRFTI)

- | | | | |
|----|--------------------------|---|----------|
| 1. | Shri Amaresh Chakraburty | - | Director |
|----|--------------------------|---|----------|

2. At the outset, the Hon'ble Chairperson welcomed the representatives from The Film & Television Producers Guild of India Ltd. and Indian Motion Picture Producers' Association (IMPPA) to the Sitting of the Committee convened for hearing their views on the Para 11.1 of the C&AG's Report No. 11 of 2016 on the subject "**Working of Central Board of Film Certification (CBFC)**".

3. Thereafter, the representative from The Film & Television Producers Guild of India Ltd. apprised the Committee about the possible reasons for the delays in film certification namely: (i) lack of staff at CBFC; (ii) seasonal rush of films waiting to be released around major festivals; (iii) altering the order of films by CBFC submitted for certification; (iv) non-clarity in the Cinematography Act, 1952 about the conversion of certified films from 'A' to 'UA' category; and (v) lack of record keeping in the CBFC. Further, the representatives from the Indian Motion Picture Producers' Association (IMPPA) also pointed out various shortcomings and discrepancies namely: (i) selectiveness by the CBFC for certification of films by big budget producers or production houses; (ii) Censorship or cuts in the films submitted for certification whereas the 1952 Act doesn't provide for any cuts but for certification; (iii) Laxity on the part of Film Certification Appellate Tribunal (FACT); (iv) insistence on re-certification of films for trivial reasons; and (v) non-implementation of Mudgal Committee and Shyam Benegal Committee recommendations.

4. Thereafter, Members of the Committee sought clarifications from the representatives of The Film & Television Producers Guild of India Ltd. and Indian Motion Picture Producers' Association (IMPPA) on various pressing issues endemic to the subject matter in hand. The Chairperson, then, thanked the representatives for appearing before the Committee and furnishing information in connection with examination of the subject.

The representatives of the film bodies then withdrew.

5. The Hon'ble Chairperson, then welcomed the representatives of the Ministry of Information and Broadcasting, CBFC and Satyajit Ray Film and Television Institute (SRFTI) to the Sitting of the Committee convened for taking oral evidence on the Paras 11.1 and 11.2 of the C&AG's Report No. 11 of 2016 on the subjects "**Working of Central Board of Film Certification (CBFC)**" and "**Academic activities of Satyajit Ray Film and Television Institute Kolkata for the period from 2010-11 to 2014-15**" respectively. Thereafter, the Chairperson highlighted various shortcomings in the CBFC viz. conversion of 172 'A' category films into 'UA' category films and 166 UA category films during 2012-15 without any supporting law or rules; jumping of queues of 32.57% in 175 test checked cases with regard to film certification; time taken for issue of certification ranged from 3 days and 491 days; need for a clear system of examination on out-of-turn preference in certification of films; lack of guidelines for exercising discretion quotas; need for a vigilance wing in SRFTI etc.

6. The Members also raised queries relating to various issues such as reclassification of films from "A" to "UA"/"U" category, non-observance of time limits for various stages of certification process, jumping of queue by film producers for early certification of their submitted films, out-of-turn preference for the certification of certain films, delay in issuance of certificate even after the approval of grant of clear certificate by Examining Committee, skipping of enrolment by SRFTI students for academic session of 2010-13 and 2014-17 on the pretext of revision of curricular design and syllabi, failure to fill the seats reserved for reserved categories, namely SC/ST/OBC, and lastly not setting up of any Research Department for the past 21 years by the Institute. As most points required detailed information, the representatives were asked to furnish written information within fifteen days thereon.

7. The Chairperson, then, thanked the representatives of the Ministry of Information and Broadcasting, CBFC and SRFTI for appearing before the Committee and furnishing valuable information on the subject. The Chairperson also thanked the Members for their active participation in the discussion on the subject and the Officers from the Office of the C&AG of India for their assistance.

The witnesses then withdrew.

A copy of the verbatim proceedings has been kept on record.

The Committee then adjourned.