

MR CHAIRMAN The question is

17 30 hrs.

"That clause 1, as amended, stand part of the Bill"

CINEMATOGRAPH (AMFNDMNT) BILL

The motion was adopted

Clause 1, as amended, was added to the Bill

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA) Mr Chairman Sir, on behalf of Shri I K Gujral, I beg to move

MR CHAIRMAN Then, there is an amendment to Enacting Formula by Shri Surendra Pal Singh

"That the Bill further to amend the Cinematograph Act, 1952 as passed by Rajya Sabha, be taken into consideration"

Enacting Formula

SHRI SURENDRA PAL SINGH I move

This brief Bill which is before the House seeks to amend the Cinematographic Act mainly in one respect This is to bring the provisions of the Act in to force in the State of Jammu and Kashmir With this, the provision of the Cinematographic Act will be in force throughout the length and breadth of the country

Page 1, line 1,—

for "Twenty-third" substitute "Twenty-fourth" (1)

At present, the regulation of the cinematographic exhibition is carried out under an old Act of the State Government dating from 1933

MR CHAIRMAN The question is

Page 1, line 1,—

for "Twenty-third" substitute "Twenty-fourth" (1)

SHRI JYOTIRMOY BOSU (Diamond Harbour) On a point of order I was searching for the Act which they have mentioned in the Bill namely, the Jammu and Kashmir Cinematograph Act 1898 I could not get hold of this Therefore I was unable to study the Bill, the House is not prepared for this

The motion was adopted

MR CHAIRMAN The question is.

"That the enacting Formula, as amended, stand part of the Bill"

SHRI DHARAM BIR SINHA. That is how they use in Kashmir If it is translated into AD the year is 1933

The motion was adopted

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill

SHRI SURENDRA PAL SINGH. I beg to move

SHRI JYOTIRMOY BOSU I could not get it

"That the Bill, as amended, be passed"

MR CHAIRMAN Now you try to get it

MR. CHAIRMAN. The question is:

"That the Bill, as amended, be passed"

SHRI DHARAM BIR SINHA The Government has the active support of the State Government of Jammu and Kashmir in its effort to substitute this old law by one that is applicable to the rest of India and thereby bring uniformity all over the country Towards this end, a Presidential Order entitled the Constitution (Application to Jammu and Kashmir) Amendment Order 1972

The motion was adopted

[Shri Dharam Bir Sinha]

had been issued and published in the Gazette of India, Extraordinary, Part II, Section 3(i), dated 24th February 1972. The present Bill is the link in the chain of action.

The Bill before the House is a brief one and its provisions speak for themselves. I would not like to take the time of the House in elaborating them. I should mention, however, that the **opportunity provided by this Bill** which is mainly intended for introducing the all-India Act into Jammu and Kashmir is being utilised by the Government to make a minor amendment in Section 8 of the Act. This minor amendment relates to the procedure in respect of ratification by Parliament of the rules made under the Act. The rationale of the provision is very simple as it seeks to bring the procedure in line with the model procedure prescribed in this behalf by Parliament. I need hardly add that this amendment is a necessary and reasonable one.

I have no doubt, Sir, that all Sections of this House will give their support to the Bill.

I now present the Bill for the consideration of the House

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Cinematograph Act, 1952, as passed by Rajya Sabha, be taken into consideration.

*SHRI R. P. DASS (Krishnagar): Sir, this small amending Bill seeks to extend the provisions of the Cinematograph Act, 1952 to the State of Jammu and Kashmir. I am unable to fully support this Bill because through this Bill total anarchy in culture and corruption that has been let loose all over the country by the Principal Act of 1952 is now being extended to the State of Jammu and Kashmir also. I feel that it would have been much better if the Cinematograph Act of 1952 was suitably modified and brought before this House in a comprehensive form instead of bringing this small amending Bill. That could not do much good to the country including the State of Jammu and Kashmir. Sir, the Act of 1952 has been drafted in

such a way that it has enabled the spread of many such ideas in the country through our cinemas, which run counter to our civilisation and culture. The cinema is the most powerful mass-media and it should not have been treated so lightly. The importance of this media is nowhere recognised in the legislation. Even after 21 years of its enactment, the Government does not seem to have realised the hold of the cinema over the masses. The cinema is not just a form of entertainment like songs, dances, literature etc. The impact of the cinema as a mass-media should be properly understood. As a result of the neglect of this aspect, many such vulgarities and indecencies are allowed to be shown in the cinemas which are not in keeping with our culture, tradition, social and moral values. The producers, directors, the financiers and those who certify a film for exhibition viz., the Censor Board, pay scant attention to the social and moral values of a film resulting in widespread anti-culture and anti-social contents in most films which are doing much harm to the country. We hear much discussion is going on whether kissing should be allowed in Indian films. I see no ground for discussing such subjects as kissing and passionate embracing in public are absolutely contrary to our culture and can never be permitted in Indian films. Hardly can such vulgarities be permitted in the films in the name of modernism. Perhaps some affluent and sophisticated people think that such things should be permitted in the films as they are part of their way of life. But they should not forget that in our country 80 per cent of the people live in villages and only 20 per cent live in cities and towns and out of that 20 per cent also there are labourers and factory workers and other toiling masses who do not share the views of the so-called members of the affluent society. Many of them are either poorly educated or not educated at all. A huge mass of these poor, simple and illiterate people with a different sense of values of life visit the cinemas as their only source of entertainment and the projection of obscenity, nudity, crime and suggestive scenes of immorality etc., in the films is having a very adverse effect on

* The original speech was delivered in Bengali.

the interests which is detrimental to the individual and the society as a whole. The people are longing to the dogs and perhaps the ruling class and the Government also want to observe their degeneration of down fall as this may blunt their struggle for existence and thus the Government and the reactionary force, hope to benefit from this. Although the Government could have aroused their keenness to struggle and helped them to develop self confidence and self reliance through such a powerful mass media as films but I am afraid that they are reluctant to do so. Sir an English fortnightly of Calcutta named Jai Jagran Jai Kri in its issue dated 28.12.1872 has stated how the censor Board is helping in destroying our society. Under the heading corruption at the height in Film Censor Board they have stated that there is deep rooted corruption in the Central Board of Film Censors. They go on to say

The Cine film Reform Association of India Calcutta drew the attention of the said Board to the fact that it had been granting certificates to Films which contained in them very indecent and obscene scenes and postures and asked for putting a check over such films in the interest of the public but all in vain.

Now there were films being circulated in the market which were highly indecent and obscene and against the Censoring rules some of them were named below.

Zaroord Do Raha Buniyad Rampur Ka Lakshman, Sahzada Babul Ki Galiyan, Dr X Doct Aur Dushman all Hindi which were highly indecent and obscene and censoring rules had been thrown to the wind apparently for questionable reasons which demanded immediate enquiry to locate the real culprits behind this anti social game, in the interest of the society.

I want to submit Sir, that the cause behind the production and exhibition of such obscene films is the Cinematograph Act of 1932. The Board of Film Censors was constituted under that act. But the method of appointment of the Chairman and other members of that Board is very faulty. They are either ignorant of the situation

prevailing in the Film world or are reluctant to keep themselves informed. It has been pointed by the Khosla Committee that most of the Chairman of the Censor Board or film censors this berth which is an honorarium post and before getting neither remuneration. They utilize this position as a platform. What seriousness and sincerity can be expected of them in the matter of censoring films for public exhibition? They hardly see any films unless forced to do so when some controversy centres over any film. Moreover Sir it has been stated the Khosla Committee that in most cases the personnel of the Regional Advisory Committees, Examinative Committees and reviewing Committees are poorly educated or even mal educated. If this be the composition of the examining Committees then there is no wonder that all sort of indecency, vulgarity and crudeness are being permitted in our films in the name of modernism. The sole aim being the extraction of the maximum amount of money from the cinema going public. The main contents of the films which are Box office hits is sex appeal. Films without sex glamour fall to click. This is the condition today and this condition has been allowed to prevail by the members of the various Committees mentioned earlier. Sir even today these members are paid Rs. 10 per day as conveyance allowance. If members are to be paid on 10 per day then no wonder that such members will be from very ordinary strata. I believe that the Cinematograph Act of 1932 is the root cause of all these evils. I will therefore request the Minister once again to bring forth a comprehensive legislation instead of this piece-meal legislation.

Let all the shortcomings of the Principal Act be removed and a modified comprehensive Bill brought before this House. This will go a long way in rehabilitating our film industry on the right lines in keeping with our national tradition and culture. Let the Censor Board be constituted without educated and learned people. Then only such films will be produced which will have educative as well as entertainment values and our people will really benefit from such films.

*SHRI M. KATHAMUTHU (Nagapattnam): Mr. Chairman, Sir, the Cinematograph (Amendment) Bill, 1972 is a small piece of legislation seeking to extend the Cinematograph Act, 1952 to the State of Jammu and Kashmir and to provide for laying before each House of Parliament the rules made under the Act.

Though there is nothing particularly objectionable in the amending Bill, I would like to refer to certain wider issues of public importance. The parent Act has been in operation for the past 21 years. The Government must have definitely gained adequate experience to understand the drawbacks and deficiencies of the parent Act. It would have served a more useful purpose if a comprehensive legislation for removing all the Bills of cinema industry had been enacted by the Government and then the approval of this House had been sought for extending the same to the State of Jammu and Kashmir. It is regrettable that the Government have not done this thing. Instead, the Government are seeking the approval of the House for extending the parent Act with all its inherent lacunae to the State of Jammu & Kashmir.

Since 1952 many Committees have gone into the working of the film industry and have made valuable and useful recommendations. More particularly, the Kholsa Committee appointed a few years back has made many far-reaching recommendations for not only removing the ills of the film industry but for also ameliorating the working conditions of lakhs of workers in the film industry. While replying to the Debate on this Bill in the Rajya Sabha, the hon. Minister assured the House that a comprehensive legislation incorporating the recommendations of the Kholsa Committee would be brought forward shortly by the Government. During the last session of Lok Sabha, my hon. friend Shri S. C. Samanta brought forward a Private Member's Bill for redressing the manifold woes of the cine workers and other low-paid employees in the film industry. At that time also, while beseeching the hon. Member to withdraw his Bill, the hon. Minister assured the House

that the Government themselves would bring forward a legislation for the welfare of the lakhs of cine workers. So far, nothing has been done by the Government in fulfilment of the assurances given to both the Houses of Parliament, but now we are asked to approve this amending Bill seeking just to extend the parent Act passed in 1952 to the State of Jammu and Kashmir.

Since 1952 various rules and regulations under the parent Act must have been framed by the Government. I need not say that such rules and regulations are the necessary accompaniment of any Act, which help the officials to achieve the objectives envisaged in the Act. I am at a loss to understand the hesitation on the part of the Government to place before the House such rules and regulations. In fact, this House must have been given long time back to verify whether the rules framed did conform to the provisions of the Act. Though I welcome that a provision seeking to do that in this amending Bill has been made, I want to request the hon. Minister that all the rules and regulations which have so far been framed by the Government under this Act must be placed before the House for its scrutiny.

Now, I would in brief refer to the chaotic situation prevailing in the film industry. The film is a powerful mass medium through which modern values of life, high ideals and rational thoughts, and revolutionary zeal to cope with the numerous problems of modern life could be propagated among the masses. Even forgetting for a moment that revolutionary ideas are not put through this powerful mass medium at least for the purpose of establishing a socialist society in the country the film could have been used for spreading among the masses the tenets of socialism which seems to be basic objective of the Government. I am sorry to say that there is no provision in the Cinematograph Act to ensure this. What do we see in actual day to day life? Cheap crime thrillers are galore. Obscenities in films pandering to the vulgar taste of the people are in abundance. I have no hesi-

*The original speech was delivered in Tamil.

tation in saying that on account of such films degradation and decay have set in our society and the people of our country have lost their cultural moorings. It is high time that this trend is reversed with the help of legislation. It must be ensured that the film becomes a medium through which faith and confidence are restored in the minds of our people. It must also become an instrument for creating a healthy environment for future generation. I am sorry that the Government have woefully failed to make the best of this powerful medium for the good of the country and for the welfare of the masses.

Cinema industry has become the profit-motivated mainstay of a few greedy film magnates. It is no longer a mass medium for the good of the public. If you look at the recent pictures, they are unrelated to the day to day life, unimaginative in their contents and they are just depictions of unreal fantasies. The present Cinematograph Act has no provision to say whether a particular film could be shown to an adult or not. There is also no provision in the Act to transform cinema into a useful mass medium for the good of the people. In spite of the fact that the Khosla Committee recommendation generated a good deal of debate and discussion throughout the country, the Government have not yet thought it fit to bring forward a comprehensive legislation giving effect to the statutory suggestions of the Khosla Committee, which will in turn remove the ills in the industry and transform it for the benefits of our people.

Before I conclude, I would just refer to the pitiable position of the lakhs of cine workers. Barring the top actors and actresses, all others are just at the mercy of the producers and financiers. In one word, I can say that they are their slaves in bondage. I am deeply pained to say that they have not yet been given any legislative protection by the Government. I would urge upon the hon. Minister that he should at the earliest bring forward a comprehensive legislation both for regulating the cinema industry and for the good

of the cine workers as also for the removal of unsocial influence of film among the masses.

With these words, I conclude.

श्री इन्द्र प्रताप सिंह (बाराबंकी)
माननीय अधिष्ठाता, महोदय, सर्वप्रथम मैं हृदय के धरातल से आपके प्रति अपना आभार प्रदर्शित करना चाहता हूँ। जो आपने मुझे चल चित्र मनोमोहन विधेयक 1972 पर अपने विचार प्रकट करने का अवसर प्रदान किया है। मान्यवर, जैसा कि सदन को ज्ञात है कि हमारी नेता श्रीमती इन्दिरा गांधी जी जहां तक एक भ्रोर लोकतंत्र, समाजवाद और धर्मनिर्पेक्षता के मूल्यों की रक्षा करना चाहती हैं और सामाजिक विषमताओं को समाप्त करने की नीति का ध्यान रखती हैं, वहीं पर उनकी दृष्टि में सदैव ही भारत की अखंडता, प्रभुमत्ता और भावात्मक एकता और राष्ट्र में शासन में एकरूपता पर भी उनका ध्यान रहा है। जो विधेयक हमारे सामने है उसका सम्बन्ध जम्मू-कश्मीर के साथ है। जैसा कि सदन के सभी सम्मानित सदस्य इस बात से परिचित हैं कि चलचित्र अधिनियम, 1952 का जो कार्यक्षेत्र था जम्मू कश्मीर उसके कार्यक्षेत्र के बाहर था। श्रीमन् जब सरकार के किसी मंत्रालय के द्वारा इस प्रकार का विधेयक सदन में रखा जाता है जो जम्मू कश्मीर को हमारे कार्यक्षेत्र के अन्तर्गत लाता है और शासन की एकरूपता में हमारी सहायता करता है तो हम हृदय से सरकार के प्रति अभ्यारी होते हैं और हमारा मन हर्ष से प्रफुल्लित हो उठता है क्योंकि हम चाहते हैं कि हमारे राष्ट्र में शासन की एकरूपता है। इस विधेयक के द्वारा इस बात की व्यवस्था की गई है कि जो चल चित्र अधिनियम, 1952 है जिसके द्वारा सेंसर बोर्ड का गठन होता है और वह चलचित्रों का सार्वजनिक प्रदर्शन के हेतु प्रमाण-पत्र देता है कि कौन सी फिल्में जनरल हित में उचित हैं अथवा अनुचित हैं, इस प्रकार

[श्री क.प्रताप सिंह]

से इस विधेयक के द्वारा इस बात की व्यवस्था की जा रही है कि जम्मू कश्मीर को भी इसके कार्यक्षेत्र के अन्तर्गत ले आया जाय जिस से उस क्षेत्र के निर्माताओं और जनता को इस बात का लाभ प्राप्त हो सके कि चलचित्र अधिनियम, के अन्तर्गत जो सेंसर बोर्ड है उसके द्वारा जनता को प्रदर्शित की जाने वाली फिल्मों को, क्या उचित है और क्या अनुचित है, उसके आधार पर उनको वह अधिकार और सुविधा प्राप्त हो सके, मैं समझता हूँ कि यह उचित बात है। इस सम्बन्ध में किसी भी सवस्य को कोई आपत्ति नहीं होनी चाहिये। हम समझते हैं कि यह विधेयक देश की भावात्मक एकता और अखण्डता की श्रृंखला में एक और कड़ी जोड़ता है।

अन्त में मैं इस रजत जयन्ती के वर्ष में, इस नवीन वर्ष के शुभारम्भ पर जो हमारा प्रथम अधिवेशन हुआ है इसमें हमारे सूचना और प्रसारण मन्त्रालय के द्वारा, हमारे सम्मानित मंत्री महोदय श्री गुजराल जी तथा भाई छर्मवीर जी के द्वारा जो एक महत्वपूर्ण विधेयक यहाँ पर प्रस्तुत किया गया है और जो हमारे देश की भावात्मक एकता और साथ ही साथ शासन में एकरूपता लाने के प्रयासों को बल प्रदान करता है, इसका हृदय से स्वागत और समर्थन करता हूँ और उनको इसको लाने के लिये सहायता देता हूँ।

SHRI C T DHANDAPANI (Dhara-puram): Mr Chairman, Sir, this Cinematograph (Amendment) Bill, 1972 serves the very same purpose which the previous Bill did. This Bill has a very limited scope. The measures which was enacted in 1952 was amend in 1972 after two decades. So, the Government could gain much experience out of it but they failed to bring a comprehensive Bill covering a wide range, bringing such modifications which could be accepted by many more people.

The cinema is a powerful and pur-
posful medium of mass communication.

Not only that. I would like to say that this is a Central legislation. Cinema is an educative medium. We have taken education as a State subject, but now we have taken the cinema as a Central subject. This country is a composite country consisting of various cultures, languages and habits. But we have to take this medium in a different aspect. The Central legislation will not serve the purpose because the different attitudes of the people of this country will show a different thinking in this field.

In this connection, I would like to say that this should be shifted to the State list and then only the State Governments will go into the details and will do the needful to the people according to their wishes and tastes.

There were two committees called the Patel Committee constituted in 1952 and the Khosla Committee consisted in 1968 which submitted their recommendations in 1970. But the recommendations of the Khosla Committee have not been implemented except only one and that was more widely discussed among the youth and sometimes among the elders also. The hon. Deputy Minister who is young might be knowing about that. Sometimes they might have discussed it privately and also publicly.

Now, about the Censor Board, the Government have nominated certain members to the Censor Board. I do not know what is the criterion for appointing the members to the Censor Board. The members of the Censor Board, as my previous speaker said here, do things according to the whims and fancies of the local people. For example, I want to state one instance here. Something which is inconvenient to the Central Government is not being censored. For example, our State Government, that is, the Tamil Nadu Government, constituted a committee to go into the matter of the dispute between Mysore and Tamil Nadu on Cauvery waters. The committee was discussing certain points and that discussion was pictured by the State unit of the Film Board, but that was not permitted to be exhibited in the thea-

tres because there was a line of announcement in it, namely, that the committee regret to say that there was delay on the part of the Central Government in the case of the Cauvery water dispute. Because the committee spelt out certain things in one sentence, the picture was not allowed to be exhibited. I do not know what democracy is and I do not know what reason the Government is going to advance for this.

Thirdly, in the State Government we exhibited certain films. The theatre consists....

MR. CHAIRMAN. How much time would you like to take?

SHRI C. T. DHANDAPANI: Ten minutes.

MR. CHAIRMAN: You may please continue on the next day. The discussion is not concluded. It will be taken up on the next day.

18 hrs.

BUSINESS ADVISORY COMMITTEE
Twenty-third Report

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): I beg to present the Twenty-third Report of the Business Advisory Committee.

18.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, February 21, 1973/Phalguna 2, 1894 (Saka).
