

(li) omit lines 26 to 31. (7)

passed by Rajya Sabha, be taken into consideration."

(Shri Jagan Nath Kaushal)

MR. CHAIRMAN : The question is :

"That Clause 8, as amended, stand part of the Bill."

The motion was adopted

Clause 8, as amended, was added to the Bill.

Clause 1, He Enacting Formula and the Title were added to the Bill.

SHRI JAGAN NATH KAUSHAL :

Sir, I beg to move :

"That the Bill, as amended, be passed."

MR. CHAIRMAN : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

17.39 hrs.

CINEMATOGRAPH (AMENDMENT) BILL

MR. CHAIRMAN : We now take up the next item, the Cinematograph (Amendment) Bill, Shri H K.L. Bhagat.

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING AND MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI H.K.L. BHAGAT) : Sir, I beg to move :

"That the Bill further to amend the Cinematograph Act, 1952, as

At this stage, I would like to mention briefly why this Bill has been brought.

Because of the video boom in the country, there are reports that uncertified video films are being exhibited on a large scale. A large number of video parlours have sprung up all over the country and they exhibit such films recorded on video tapes by charging admission fee from the clients. Among other things, this has also hit the Indian film industry very adversely. It is felt that there should be more stringent punishment provided in the Cinematograph Act, 1952, to curb this practice of exhibiting uncertified Indian/foreign films by video parlours etc.

Hence this Bill for enhancement of penalty provided in Section 7 of the Act as also for prescribing the minimum punishment for exhibiting uncertified video films is being brought.

The net result of this provision would be that these offences under this Act would become non-bailable. Of course, they will remain cognizable as they were before and this will help in meeting the problem of piracy as well as other bad material which is shown or tampered material which is shown by enhancing these penalties.

I would also like to add at this stage that video piracy is a very serious problem in our country and it is very difficult to solve this problem. It is a global phenomenon and it is creating lot of problems everywhere in the world.

Apart from this Bill, I think the provisions of the Copyright Bill have to be amended. I think there is a proposal before the Rajya Sabha for the same. For exhibition of cinema in public, the responsibility of the State Government is there and some rigorous enforcement for the same is necessary.

(Shri H.K.L. Bhagat)

Regarding video parlours, the State Governments will have to take steps to control these things.

Some more positive steps also are necessary along with the legislative measures, because good programmes will have to be there, good films certified films and cassette records depicting the social, cultural and economic life of the country should be there.

Both the video and the television need these programmes. Television is a hungry animal. Radio is a more hungry animal because it is under community's control and time-schedule and so on but the video is not. If a person does not get good food, he is likely to get bad food. It is very necessary for the moral health of the nation that along with this provision some positive steps should be taken for having these programmes. The film industry also will have to revise its marketing strategies and the Ministry of Information & Broadcasting has decided for making good programmes.

Professionals from outside, private persons, individuals can come forward and make these programmes well encouraged. In fact, we have invited applications from persons who would be helped in getting equipment for programme production.

We got response. 150 applications have been received. The Ministry of Information & Broadcasting will recommend them for grant of some help so that the necessary equipment can be taken. This is a serious problem. The enhancement of penalty is very necessary. So the Bill has been brought.

MR. CHAIRMAN : Motion moved :

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

Now Shri Virdhi Chander Jain will speak.

श्री वृद्धि चन्द्र जैन (वाड़मेर) : सभापति महोदय, सिनेमेटोग्राफ बिल, 1984 जो सदन में प्रस्तुत किया गया है मैं उस का समर्थन करता हूँ। वीडियो के बारे में मैंने पहले भी अपने विचार सदन के समक्ष प्रस्तुत किए थे कि वीडियो ने हमारे देश में लाभ के बजाय नुकसान बहुत ज्यादा पहुंचाया है। वीडियो का प्रचलन नगरों में तो हुआ ही है, परन्तु बड़े बड़े गांवों में भी वीडियो का प्रचलन हो गया है और उस में जो फिल्म दिखाई जाती हैं वह इस प्रकार की फिल्म हैं जिन से मनुष्य के चरित्र पर बहुत ही कुप्रभाव पड़ता है।

विशेषकर जो विद्यार्थी हैं, जो कम उम्र के हैं, उनके चरित्र पर बहुत कुप्रभाव पड़ता है। जो विदेशी फिल्में दिखाई जाती हैं उनसे भी बड़ा नुकसान पहुंचता है। इसलिए यह जो विधेयक प्रस्तुत किया गया है इसके द्वारा इस पर कुछ चेक और प्रतिबंध लग सकेगा और उससे लाभ भी अवश्य होगा।

जो इन्टरटेनमेंट टैक्स हैं उसको उसके द्वारा बहुत बड़ा घक्का पहुंचा है। इन्टरटेनमेंट टैक्स राज्य सरकारों को दिया गया है और नगरपालिकायें पहले इस टैक्स को लगाती थी। मुझे राजस्थान प्रान्त की जानकारी है वहां की विभिन्न नगरपालिकाओं में इन्टरटेनमेंट टैक्स की वसूली में बहुत बड़ी गिरावट आई है। यहां तक कि केवल 50 प्रतिशत ही इनकम हो पाई है। इसी प्रकार से दूसरे प्रान्तों में भी कुप्रभाव पड़ा होगा। इस तरह से इन्टरटेनमेंट टैक्स का जो बड़ा भारी सेंस आफ इनकम था, राज्यों के लिए और नगरपालिकाओं को उसमें से शेयर मिलता था, जिसके द्वारा नगरपालिकाओं में विकास कार्य किये जाते थे, उनमें बाधा पहुंची है। इसलिए यह बिल लाकर इसमें जो पनिशमेंट देने के सम्बन्ध में प्राविधान रखा गया है :

"to enhance the punishment for an offence under section 7 of the Act to imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees or both "in the case of a continuing offence, to enhance the punishment to a further fine which may extend to twenty thousand rupees for each day during which the offence continues;"

इस पंनिशमेंट के प्रावधान का अच्छा प्रभाव पड़ेगा । सिनेमा दूसरी सोशललिस्ट कंट्रीज में शिक्षा देने का एक बड़ा भारी माध्यम है वहां पर आधुनिकतम प्रणाली के द्वारा अच्छी से अच्छी शिक्षा देकर अच्छे विद्यार्थी एवं नागरिक तैयार किये जाते हैं । हमारे यहां जो सिनेमा का काम चल रहा है, शिक्षा देने का प्रयास तो किया जा रहा है, टेलिविजन के द्वारा भी शिक्षा का प्रसार किया जा रहा है परन्तु वह कार्य बहुत कम है । टेलिविजन तथा सिनेमा में अधिकतर ऐसे कार्यक्रम चलते हैं जिनसे देश में अनुशासन नहीं आता है, जनता का चरित्र नहीं बनता है । इस प्रकार की बहुत सी फिल्में हैं जो चरित्र निर्माण में बाधक हैं । सरकार की कोशिश करके उन फिल्मों से ऐसे आबसीन पोर्शन हटा देने चाहिए । देश में समाजवाद लाने के लिये तथा राष्ट्र के नागरिकों के चरित्र निर्माण के लिये आवश्यक है कि हमारी जो फिल्में बनती हैं उनमें काफी परिवर्तन करके उनको ऐसा बनाया जाये जिससे राष्ट्र के चरित्र का निर्माण हो सके और अच्छे नागरिक बन सकें । उनके द्वारा इस प्रकार की शिक्षा मिलनी चाहिये जिससे कि समाज में अनुशासन पैदा हो ।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ ।

श्री मूल चन्द शर्मा (पाली) : सभापति जी, पहले तो मैं हमारे जो मंत्री महोदय हैं,

उनकी प्रशंसा करता हूँ कि जैसी वे बातें करते हैं, वैसा ही कर गुजरते हैं । उन्होंने कंसल्टेटिव कमेटी में कहा था कि मैं ऐसा कानून जल्दी से जल्दी बनाऊंगा । कंसल्टेटिव कमेटी में कहने के बाद इन्होंने यह कानून बना दिया । 9 फरवरी को कमेटी के अन्दर बात हुई थी -

"Information and Broadcasting Minister, H.K.L. Bhagat asserted today the Government was determined to make the offence of video piracy cognisable and non-bailable.

Addressing the meeting of consultative committee of Parliament attached to his Ministry, Mr. Bhagat expressed deep concern over video piracy and its adverse effects on the growth of the film industry. He informed the members that the inter-ministerial group had already recommended amendment to the Copyright Act by making the penalties more stringent to curb the increasing malaise of video piracy."

तो मैं इस बात के लिये उनकी प्रशंसा करता हूँ जो बात आपके ध्यान में आई है और तुरन्त आप उस बात को कानून के रूप में ले आये हैं, इसके लिये मैं आपकी सराहना करता हूँ ।

Indecision is most disappointing.

जो मिनिस्टर जल्दी ही निर्णय से सकता है, मैं उसकी हृदय से प्रशंसा करता हूँ, लेकिन एक बात कहना चाहता हूँ ।

"The well - to - do have private sets for home viewing. And hundreds of video libraries, hiring out pre-recorded film cassettes cater to this rapidly growing clientele

Figures in this business are notoriously unreliable. But informed guesses put the total number of video sets in the

(श्री मूल चन्द डागा)

country at close to three lakh-and that number is growing by 20,000 every month. Neither television in the late '60s and early '70s nor the transistor revolution before that, was quite so sudden in its onslaught."

इनका कहना है कि देश के अन्दर वीडियो के लोग इतने दीवाने हो गए हैं। गली गली में, घर घर में ब्लू फिल्मस दिखाई जाती हैं। गांवों के लोग.....

श्री एच.के.एल. भगत : मैंने ऐसा नहीं कहा।

श्री मूल चन्द डागा : मैं आपके बारे में नहीं कह रहा हूं। मैं तो बता रहा हूं। आज घर के अन्दर छोटे छोटे बच्चे जिनको ब्लू फिल्मस नहीं देखना चाहिये, वे देख रहे हैं। इसका क्या प्रभाव पड़ता है, यह आप जानते ही हैं।

श्री गिरधारी लाल डोगरा : वैसे सिनेमा हाल में जाकर देखते हैं। ऐसे घर में देखते हैं।

श्री मूल चन्द डागा : सिनेमा हाल में ऐसी फिल्में नहीं दिखाई जातीं। ये फिल्में तो चोरी से बेची जाती हैं और इन गंदी फिल्मों को दिखाया जाता है। इन पर रोक लगाने के लिए आप यह बिल लाये हैं, यह अच्छा काम किया है।

आज सारी दुनिया में वीडियो दीवानगी का यह हाल है कि प्रतिवर्ष लगभग 50 लाख वीडियो सेटों का उत्पादन हो रहा है। इसमें जापानी कंपनियां सबसे आगे हैं। पश्चिम जर्मनी में 15 लाख से भी ज्यादा घरों में वीडियो है। ब्रिटेन में तकरीबन 20 लाख वीडियो हैं। 1982 के

अंत तक 14 प्रतिशत ब्रिटिश घरों में वीडियो की घुसपैठ हो चुकी थी। ब्रिटेन में आज किताबों की दुकान से कहीं ज्यादा वीडियो की दुकानें हैं। वीडियो की सबसे ज्यादा खपत अमरीका में है। हमारे देश में वीडियो की दीवानगी अभी नई नई है। भारत में सबसे पहले दो कंपनियां वेस्टन तथा क्राउन को लाइसेंस दिया गया कि वे विदेशी कंपनियों की सहायता से भारत में वीडियो बना कर बेचें, अभी तक भारत में वीडियो के पुर्जों का उत्पादन शुरू नहीं हो सका है। विदेशी कंपनियों से पुर्जे आदि खरीद कर भारत लाए जाते हैं तथा उन्हें यहाँ जोड़ कर वीडियो "मेड इन इंडिया" का ठप्पा लगाकर बेचा जाता है। वीडियो का पर्दा 36 सेंटीमीटर से लेकर 66 सेंटीमीटर तक आता है। परन्तु विदेशों में अब 152 सेंटीमीटर परदे वाले वीडियो भी बनने लगे हैं। यह जो वीडियो फिल्म चल रही हैं, इसके कारण हमारे देश को कितना नुकसान होता है, इस बात को जरा आप सोचिए।

"The sudden boom in video piracy has affected both the film industry and the Government. Mr. Arun Vasudev suggests strong measures to save the cinema."

मेरे पहले वक्ता ने अभी कहा कि मनोरंजन कर की बजह से राज्यों में सिनेमा इन्डस्ट्री को बहुत नुकसान पहुंचा है। अब आपने ठीक किया है कि इसके सुधार के लिए सख्त कदम उठाने के लिए कहा है। अब आपने आफेंस को कागनीजेबल बना दिया है। मैं एक बात कहना चाहता हूं कि पुलिस कर्मचारियों की मौजूदगी में ही ब्लू फिल्में दिखाई जाती हैं। इसको रोकने के लिये सख्त कदम उठाने होंगे। इसके लिये आपका और फाईनंस डिपार्टमेंट का सहयोग चाहिये। आप यह बताइए कि देश में कितने वीडियो सेट्स कौन-कौन से लोग कब-कब लाते हैं और लाने

के बाद आपको इत्तिला कब होती है ? यह बता दीजिए कि हिन्दुस्तान में हिछले एक साल में कितने बीडियो सेट्स आ गये हैं और कहाँ-कहाँ पर आ गये हैं ? इन पिक्चरों के देखने से हमारे युवकों के चरित्र पर दुष्प्रभाव पड़ता है और जो समय अच्छे कामों में लगना चाहिये वह नहीं लग पाता। आपने यह कानून बना दिया है कि वही पिक्चरें दिखाई जायेंगी जिनकी आपने सॉच कर ली है और जो सही हैं। लेकिन, इसका बहुत बड़ा दायरा है। इस काम को अगर ईमानदार, निष्ठावान और डेडीकेटिड लोग करेंगे तो हो सकता है नहीं तो घर-घर ब्ल्यू फिल्में दिखाने का तूफान चलता रहेगा। यह एक छोटा सा इनोसेंट बिल है, इसलिए मैं इसका समर्थन करता हूँ।

SHRI BRAJAMOHAN MOHANTY (Puri) : Mr. Chairman, Sir, I support the Bill. But, I want to impress upon the hon. Minister that, in our country, we are passing through a wave of cultural conflict and, I would like to submit before this House on how the conflict which is entering into our cultural system is avoided. No doubt ours is a free society — it is not a regimented society. And, even in a regimented society, in the socialistic countries, where there have been so much of controls and where individual freedom has been curtailed, it has been difficult for them to give clearcut guidelines to the cultural ethos of the country.

But, in this country, it is much more difficult. That is why I am concerned with the limitations of the Government. At the same time, I would submit that the time has come when we have to create ethos to our culture which will strengthen the secular cult and which will strengthen the socialistic approach of our nation. But, unfortunately, we find that it is not easy.

18 00 hrs.

I want to point out that culcutta Doordarshan produced a picture called 'Sadgati'. It is based on the book written by Munshi Premchand. When this picture was featured there was a wave of protest all over India. The theme of the book is that a harijan has been oppressed by a Brahmin and ultimately he succumbs to death. The protest was on the question that it is because of the privileged class in order to clear the guilty conscience they created this literature but the problem is that Munshi Premchand should have given the approach that Harijans should have revolted and society since then should have changed so that such suppression would not have been possible.

Mr. Chairman, Shri Satyajit Ray, the most distinguished Director of this country was commented upon by Nargis that he is selling the poverty of India outside and earning money. Very recently in Bengal Usha Uthup, a distinguished pop singer was refused permission to sing her song in Rabindra Sadan by the Minister of Culture West Bengal on the ground that it depicts pop culture although ultimately the Chief Minister allowed her and also the Calcutta High Court granted her permission. Sir, you may also be knowing how Amrita Pritam was threatened by the religious fundamentalists, the reason being that she had depicted the agony of Nanak's mother and the ecstasy of the Nanak's wife in her poetry.

Sir, very recently the Mohammadan fundamentalists wanted to prohibit the ladies to visit cinema although nobody responded to it. As a matter of fact my submission would be how the culture is being attacked by the religious fundamentalists and by the people who do not believe in secularism, democratic system and who do not want this system should survive. That is why those who work against the integrity and unity of the country are conspiring and creating disruption and division in the national cultural ethos of the country. Dr. Rabindra Nath Tagore said :

(Shri Brajamohan Mohanty)

ऐही भारते महामानवेर सागर तिरि...

We are losing sight of that theme. That is the reason why I would appeal to the hon. Minister to see to it that consciousness is created amongst poets, journalists, musicians so that they can give new colour to this culture which will strengthen unity, integrity and democratic set-up in India. This will also counteract all the efforts of communalists which weakens the secular cult of this country. That initiative has to be taken by the hon. Minister. Although he is not the cultural Minister yet he is handling almost the very essential part of the cultural media. In that background he was a positive responsibility to convene the meeting of the poets, journalists, writers musicians and Directors so that there can be some consensus. I am told that now everybody is objecting to sex and violence exhibited and screened. But how can we ban it? We can, to some extent. So far as sex is concerned, I say it is not bad, but sex which depresses the mind is bad. So far as violence is concerned, it is a fact of life, but when it is glorified, that is to be eliminated. Glorification of violence should be eliminated, not that the Ministry should do it and the Constitution is there which prevails all over the country. So, my submission would be that the hon. Minister must give a guideline and he should take the opinion of the State Government also. There should be a cultural ethos so that the film-making as well as our music dance, etc. should receive a new vision, a new approach and a new cultural dimension which will strengthen our system.

Another aspect I would like to submit is that so much of sex exhibition and all that are there. Our temples in the South and Konark exhibit, to some extent, sex. But could you eliminate all the literature? Could you eliminate Kalidas? The problem is that sex which corrupts the mind is to be eliminated. For example, a baby suckling her mother is not obscene. It creates a very sublime idea. That will not spoil our cultural ethos. That is why I submit that we must carefully study and decide to which extent we should allow this kind of exhibition.

Another aspect that I have to submit here is that there is a trend and approach coming up in various regions of our country. Some States have legislation that the cinema houses in their States will have to exhibit for a certain number of months films produced in local language. That is bad. My submission is: why should the Government of India not take initiative to convene a meeting of the Ministers of the States and create a kind of ethos which will strengthen national integrity and unity? My submission would be that this regional trend and regional approach, not only in political matters but also cultural matters, should be there. Otherwise, it will weaken the unity and integrity of India. That is why, once again, I support the Bill and congratulate the hon. Minister for bringing forward this Bill at the earliest opportunity to counteract the ill-effect of the video.

श्री गिरधारी लाल डोगरा (जम्मू) :
साहिबे सदर, मैं इस बिल की ताईद के लिये खड़ा हुआ हूँ। यह बिल इस बजह से लाया गया कि फिल्मों की बहुत चोरी होती थी वीडियो के जरिए जिससे फिल्म बनाने वालों को बहुत नुकसान होता था। इस बारे में बहुत से एम.पी.ज. ने दस्तखत किये, रिप्रेजेंटेशनस दिए, फिल्म प्रोड्यूसर्स आये डायरेक्टर्स आए उन्होंने भी रिप्रेजेंटेशनस दिए और हमारे मंत्री जी के पास भी आये, इनकी मिनिस्ट्री में मैंने उनको परेशान हालत में और उनको नुकसान हो रहा है। इसलिये इस चोरी को रोकना तो जरूरी था। मगर मैंने उस वक़्त भी कहा और अब भी कहता हूँ कि इसको रोकेगा कौन? काफी बड़ी स्केल पर चोरी होती है। एफ आदमी सिनेमा देखने जायेगा वह फिल्म की चोरी कर लायेगा वीडियो टेप पर। माननीय डागा जी ने कहा कि बाहर की फिल्में हमारे अखलाक को खराब करती है। मैंने उन फिल्मों को नहीं देखा; मगर यह ठीक है कि फिल्मों में अखलाक की कमी जरूर है और यह हमारे सेंसर बोर्ड की कमजोरी की वजह से है। इस वजह

से देखना चाहिये कि हम कहां तक उनको कन्ट्रोल कर सकते हैं। अभी हमारे महन्ती साहब ने ठीक ही कहा कि अगर आपने फंडामेंटलिज्म, और कौमुनलिज्म को फाइट करना है, अगर इस मुल्क में इन्ट्रिटी और सालमीयत को कायम रखना है तो आपको फिल्मों का इस्तेमाल करना होगा। यह एक जबर्दस्त मीडियम है। आप टी०वी० को बढ़ा रहे हैं, अगर टी०वी० है तो वीडियो देख सकते हैं और टी०वी० पर उससे फिल्म चल सकती है। टेलीवीजन से एक्सपेंशन के साथ-साथ आपको इस मीडियम का पूरा इस्तेमाल करना होगा।

यह ठीक है कि जब घर में फिल्म देख सकते हैं तो सिनेमा में लोग नहीं जायेंगे। इससे इस इंडस्ट्री को नुकसान होगा और इसे कैसे एडजस्ट करना है यह मुमकिन है कि आपको सोचना पड़े। अगर नई फिल्में टेलीवीजन पर आयें तो उन्हें बहुत से लोग अपने घरों पर देखना चाहेंगे। नई फिल्में लानी चाहियें फिल्म वाले उनको बेचेंगे वीडियो पर फिल्मों का सप्लीमेंट करने वाली बात है। वीडियो पर फिल्म दिखाकर बच्चों को घर रखने वाली बात है, ठीक तरह से इस समस्या की हल करना चाहिए।

मैं समझता हू कि वीडियो ज्यादा तादाद में नहीं हैं। मैं तो कहता हू कि वे कम हैं। अगर ये अपने मुल्क में मैन्युफैक्चर हों, उनकी टेप्स तैयार हों और उन पर आपका कन्ट्रोल हो, आपकी स्वाहिश के मुताबिक तैयार हों तो उनसे यूजफुल परपज सर्व ही सकता है।

मैं मंत्री जी से यही दरखास्त करने वाला था कि चोरी को रोकिये, उस पर पाबन्दी लगाइये, मगर एक्सपर्ट्स की ड्यूटी लगाइये जो आपकी गाइडेंस में देखें कि हम कैसे बेहतरीन तरीके से फिल्मों का फायदा उठा सकते हैं। ऐसी फिल्म बनानी चाहियें जो आपकी गाइडेंस

के नीचे बनें, जिनका थीम ऐसा हो जिसमें तमाम वह वैल्यूज हों, जिनको आप बढ़ाना चाहते हैं, उनको आगे ला सकें और अच्छे अच्छे फ़िल्म राइटर सामने आएँ गाने भी अच्छे हों, प्लॉट भी अच्छे हों और उनके मुताबिक फ़िल्में बनें तो इनका फायदा अच्छा उठाया जा सकता है।

सिनेमा में तो वह फिल्म जायेंगी जिनका रितर्न ज्यादा होगा। 4 आने, 8 आने, 12 आने की क्लास में बितने लोग आते हैं, वह कमर्शियल प्वाइन्ट आफ व्यू से बनेंगी। अगर वीडियो पर अच्छी फिल्म चल सकती है तो वह कमर्शियल फिल्म नहीं होगी। आज बुरा मंटीरियल इसलिये सामने आता है कि अच्छा मिलता नहीं है। अगर अच्छा मंटीरियल आप तैयार करवायें तो जिनके यहां टेलीवीजन हैं, जो 12, 15 हजार में सेंट लेते हैं तो वह उसका वीडियो से फ़ायदा उठाना चाहेंगे आज वीडियो 2, 4 हजार का नहीं बल्कि सस्ता होना चाहिए जिस तरह से सेडियो ट्रांजिस्टर सस्ते हैं। वैसी टेक्नोलॉजी आपको डेवलप करने की कोशिश करनी चाहिये ताकि सस्ते टेलीविजन और वीडियो हों और लोगों को अच्छी फिल्में देखने को मिल सकें। लोग आराम से घरों में देख सकें, आप जैसे बुजुर्ग भी देख सकें।

आज बाप-बेटा और बेटो-बाप इकट्ठे बैठकर फिल्म नहीं देख सकते। इसलिये मैंने यह अर्ज की है वरना मुझे बोलने की जरूरत नहीं थी। मेरा कहना है कि चोरी जरूर बन्द कीजिए, कमर्शियल फिल्में हमें सूट नहीं करती। हमें अपनी जरूरियात के मुताबिक, ट्रेडिशन, परम्परा और मान्यताओं के मुताबिक फिल्में बनानी होंगी और उनको बढ़ावा देना होगा और उसके लिए आप कोशिश कर सकते हैं, आप में इतनी सलाहियत है।

इन अल्फाज के साथ मैं इस बिल की टाइट करता हूँ।

SHRI H.K.L. BHAGAT: Mr. Chairman I am very much grateful to the hon. Members not only for the support that they have extended to the Bill, but for the very constructive and useful suggestions they have made. And I must say that by some of the suggestions I have felt enlightened and I must thank them for that.

So far as video and cassette recorders are concerned, let us say, so far as video is concerned, it is a technological advancement. We cannot just wish it off. Video has come to stay, it is bound to grow and nobody can stop it, even if we wish to stop it we will not be able to stop it. And, India cannot lag behind in technological advancement. So, what we have to do, and what our hon. Members have also suggested is that we should try to eliminate the bad part of it and make good use of it. The bad part can be eliminated if we can prepare good programmes, which can be shown to the people, and authenticated programmes can be prepared on cassettes. That is a policy decision that we have taken, not only by the Governmental organisations like the Doordarshan and the Films Division etc. I think the National Film Development Corporation is also taking some steps towards that but the Government is very keen that the work should be taken over by the professional organisations other important professionals outside the Governmental organisation. For that we have taken a policy decision, and we wish to encourage them, and as a matter of fact we wish to help at least one hundred units who shall have the necessary equipment to produce these programmes, so that we have good programmes. As I said, the video can be very useful, if we can get good programmes. And it is not only a question of piracy, piracy, of course, is very bad, that is, very adversely affecting our film industry. Not only in India, in other countries also this piracy is there. Our films are pirated and cassettes are available not only in India but in other countries also. They are being sold in most of the other countries in the world, with the result our export earnings have even gone down.

We also find that Indian film are quite popular. When I went abroad, I found that

there was good demand for Indian films and cassettes.

AN HON. MEMBER : I went to Berlin and found that they are popular there.

SHRI H.K.L. BHAGAT : Now, on the one hand the films are popular, and on the other hand, the imports are going down. One reason is this video piracy. Recently we had some discussions with the representatives of all the Ministries concerned like Finance, etc. and proposal from Film Export Promotion Council is under consideration. They have made this suggestion and it is under consideration of the Government. We are going to consider what measures are to be taken to see that our films are not pirated not only in India but also in the other countries. Some of the film centres in the world have become major sources for producing these pirated films and cassettes. There are two conventions, in the world, one known as the Berne convention and the other Convention, of which India is a Member. Both these Conventions have some countries which are members. Some countries have not become members, with the result that those laws are not applicable there. I think it is necessary that we should ensure that the rules of those Conventions are enforced, even with the help of the Interpol, or any other agency so that these measures can be tightened up. This is also necessary.

Now so far as our own country is concerned, as I said, we should have more positive programmes and for that we are definitely taking the necessary steps. I would say that to begin with at this stage we have taken some measures so that the whole thing can be done in a proper manner. As I said in the beginning, mere legislative enactment or mere changes in the Cinematograph Act will not be able to solve this problem. To my mind, other measures will have to be needed which are necessary. Now, the Cinematograph Act deals with certain kind of offences; it deals with a film which is deleted, distorted, its bad parts which are shown and various kinds of offences which are enumerated in Section 7 of the Act. But there are offences which can be taken care of under

the Copyright Act. The Ministry of Education have already introduced a Bill in the Rajya Sabha for that purpose. But, apart from these legislative measures, hon. member have stressed on the enforcement of the same; yes, the enforcement of the same is very necessary. Now, that enforcement is important and under our present scheme of things, the enforcement is with the State Governments, because the jurisdiction for exhibition of films in public, under our present scheme of things, lies with the State Governments. They are supposed to interfere with it. There are one or two cases in which some such films are shown. People can go and we have the power of cancellation of some such films which interpolate and all that. But the actual enforcement will lie with the State Government.

How will these video clubs be dealt with? Even now under the Cinematograph Act, the video film is a film within the meaning of the Cinematograph Act. This has been clarified in consultation with the Law Ministry and some High Courts upheld that point of view; and action can be taken by the State Government. Even the offences are cognizable

Now, with the enhancement of penalty to three years, the offence becomes, of course, cognizable and automatically non-bailable. I have written to the State Governments and the Chief Ministers about this interpretation of the video film as a film within the meaning of the Cinematograph Act as also about obscene literature. I hope the State Governments will take necessary action when their powers are enhanced. I hope they will take vigorous steps to deal with this menace. In fact, not only the film industry but our writers, our musicians, song composers, other literary men and others are very unhappy over the situation; and this situation not only exists in our country but everywhere in the world. USA has to change their laws recently; U.K. has to change their laws recently. So, all this to my mind is very necessary. But its vigorous enforcement, as I said, is absolutely necessary.

I must say all the members have made very useful suggestions: obviously whether

it was Mr. Virdhichand Jain or Mr. Mohanty or Mr. Dogra or Mr. Daga. One focal point was that the correct culture of India should be projected in our policy, I shall make it very clear that firstly the objective of any media at any time in any country and in our country is that social, cultural and economic transformation of the country should be projected and media should be used for that purpose. We believe that Indian T.V. and Indian films should remain on Indian T.V. Therefore, the Indian culture which is so rich in content and variety should be projected; it is not that Indian culture is not being projected; now the Indian culture is being projected now also on the T.V. and various other programmes they have made, a rich variety of culture. If you go through the entire thing you will find that quite a lot is being done. As I said, more programmes are in the pipeline depicting the picture of India, its past history, its present efforts, its social, cultural and economic picture and all that is called a very rich and varied culture.

We have started already to project various phases of the Indian struggle, our own freedom struggle which was no less important than any revolution anywhere in the world. I may impress on other revolutions, but I think the Indian revolution or struggle or whatever it may be called, it was not less important than anywhere in the world. We have started projecting it not only on the T.V., radio had on various other ways; and the first film - I am glad to tell this House; members must have known it already - shown was "1857 the Beginning" on the 15th August itself.

And, a series of films which we are making will be shown on the Television. Similarly other things also. I went abroad, and I found that there is a strong demand for cassettes on Indian culture, Indian social life and cultural life and so on. We want a large number of official as well as non-official institutions and organisations to go into that question so that the pull which is necessary for preparing such cassettes and programmes can be encouraged. We are envisaging a more vigorous activity in this respect.

(Shri H.K.L. Bhagat)

Then a word about films. Making feature films is within the private sector and I share the anxiety of the hon. Members that it is bad to show too much of sex and violence. We have asked the Film Certification Board to energetically enforce the guidelines that are there and they are enforcing them more and more energetically. We have also reconstituted the Film Certification Board, where a little less than half the members are women. We have asked them to implement the norms strictly.

We also note that good films are being made by some people, we are proud of them. We are encouraging producers and directors to produce more such good films and programmes. We have also emphasised that the film industry should pay more attention to produce good programmes and films, so that they could be shown on the television and also on the video sets. In so far as the marketing strategy is concerned, our film industry has to do much better. I have met them and advised them also. Because, now when once a film is made it can be duplicated and stolen because of the videos. The producers are advised to take care of this aspect.

I agree that our cultural ethos should be developed. Shri Mohanty made a point that we should call a meeting of poets, journalists and so on, so that we can advise them to produce good programmes. We have met a number of people already. We have started taking advantage of their experience in producing good programmes on our social and economic transformation.

There are a few points on which the States have to be consulted. We have already had a meeting. We will be meeting them again. The Tamil Nadu Government have brought out some measures for video control. The Karnataka Government have brought out some good measures. But we want some uniformity. We propose to discuss this matter again with them to come to some kind of an understanding how we can further do it.

Now, then, about this regionalism, Mr. Mohanty said that there are some States which have said that only so much of time of this particular language films will be shown. Some States have taken the decision I am not against regionalism as such. But the interests of other regions have to be taken care of. We have also to ensure that the national integration and emotional unity of the country are not affected, otherwise it will be a dangerous trend. Some State have taken some steps. It is a delicate matter, I propose to take up this matter with the various State Governments so that we encourage all the languages that are there in the Constitution. We are having a policy of dubbing a number of programmes into several languages. We are showing regional films, not only in those regions, but also on the national hook up. Our approach is to encourage all the languages which are the languages of India, and which are understood in various parts of the country. But we should at the same time see that regionalism should not be carried too far to endanger the unity of the country.

I have noted the suggestions made by Shri Virdhi Chand Jain and Shri Moolchand Daga. I am grateful to them for the suggestions made. I am glad that all the Members, who have participated in the debate, have supported this Bill. I hope, this Bill will serve a useful purpose.

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18.31 hrs.

BUSINESS ADVISORY COMMITTEE

Sixty-sixth Report

THE MINISTER OF PARLIAMENTARY AFFAIRS, SPORTS AND WORKS AND HOUSING (SHRI BUTA SINGH): I beg to present the Sixty-Sixth Report of the Business Advisory Committee.

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