

Business Advisory Committee presented to the House on the 10th December, 1981."

The motion was adopted.

14.44 hrs.

CINEMATOGRAPH (AMENDMENT)
BILL—contd.

MR. DEPUTY SPEAKER: We now go to the next item further consideration of the Cinematograph (Amendment) Bill. Shri Vasant Sathe to continue.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHE): Mr. Deputy-Speaker, Sir, I had just begun to reply to the debate. The main points which arose from the Hon. Members' discussion on this Bill relating to the Cinematograph Amendment Act were that they were keen that there should be production of healthy, good and specially relevant films in India. Member after Member has opined that the film industry is more commercialised and, therefore, is being subject to the law of demand and supply. They produce films which, they say, are in demand and a vicious circle starts. We know it. First you produce films which encourage superficial or bad taste. Then you say that it is the type of films which are in demand and, therefore, go on producing the films on that pattern. If you want to bring this vicious circle to an end, I have mentioned it in this House more than once, that what you need to do is....

If Mr. Shastri has got any objection....

MR. DEPUTY SPEAKER: He is not in the habit of going to cinemas!

SHRI VASANT SATHE: What a pity! He missed something. He would have been a very good character actor!

I was saying that if we really want to extricate the film

industry from the clutches of this commercial exploitation, then the most important thing is to have the entire film industry under some regulatory law. Now, because 'distribution' and 'exhibition' are in the State List and 'production' in the Central List, although Members one after the other have been saying that you must bring a comprehensive law to regulate the film industry including 'Exhibition' and 'distribution', I had expressed my inability because under the existing law we really cannot control or regulate 'Exhibition' and 'Distribution'. It is only in the production sector that we tried to do a little bit but a good film, even if produced, would lie waste unless it can be shown in the cinema houses and cinema houses are controlled by the distributors and exhibitors. So, a producer who controls the cinema houses can get away by having it still exhibited and a very good film produced by eminent directors and producers is not shown.

Now this practice can be broken only if this industry is declared an 'industry'. But there also, we have difficulties. The Finance Ministry asks what is the collateral security that you can get? You should be satisfied about the security part. It is for the banks to do it. At least it should be accepted in principle. If this is done, you can extricate to a large extent this industry from the clutches of usurious loan given to the extent of 60 per cent. That is why, the producers are forced to produce these formal films because they want to regain their name.

Hon. Members will recall that I had said in reply to a question here that in our country there are hardly 10,000 cinema houses as compared to 1,50,000 cinema houses in a country like the Soviet Union. 1,50,000 cinema houses for a population which is less than 1/3rd of our country's population! You can just imagine that such a powerful medium is not available to the people here. The cinema houses are so few and are concentrated mostly in urban areas and that too out of the 10,000 cinema houses, 6,000 or

[Shri Vasant Sathe]

more cinema houses are only in the South.

In the northern belt you will find that in a State like Madhya Pradesh or Uttar Pradesh, there are less than 400 or 500 cinema houses—for such a big population. This is the position even in Bihar and some other States. How can people have access to cinema if there is a paucity of cinema theatres? You can have small cinema theaters, mobile cinema theatres, but cinema theatres have to be there. Who can assist in increasing the number of cinema theatres? The National Films Development Corporation is giving loan for construction of cinema houses. But the National Films Development Corporation, from its assistance, can do very little; it is the States who earn entertainment tax to the tune of Rs. 300 crores per year who have to do this. Even if ten per cent of this amount is utilised for increasing the number of cinema theatres or building of cinema theatres, the States themselves will profit because more cinema theatres will mean more entertainment tax to them. So, financially also it is desirable that it should be done. But there is no national uniformity about this. Mr. Parulekar was very good to suggest that he would bring in an Amendment Bill. . .

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): Why not bring this industry in the Concurrent List? You can do it without the Bill. I have said this also.

SHRI VASANT SATHE: We cannot do it like this. I do not want a controversy on this. I am telling you very frankly. I am not keen to force its coming into the Concurrent List. How do I benefit by that? Yesterday in the other House our friends from Tamil Nadu were raising an objection that we must not bring it in the Concurrent List. I am not keen to bring it in the Concurrent List unless every one agrees that, by bringing it in the Concurrent List, we can have a national law

which can regulate and help in the growth of a healthy industry and healthy films. Films from one region are not shown in another region even if we do dubbing and other things. After all, theatres must accept them. So, we must have a national regulatory policy. That also in turn will help us frame a law to benefit the workers in the theatres and other sectors. It was in the context of the other Bill I had mentioned this.

Shri Ram Jethmalani who is an eminent lawyer, while speaking, has said that creation of an Appellate Tribunal is an eye-wash. I could not understand this. It was precisely in terms of the assurance given in the Supreme Court that we brought in this provision for an Appellate Tribunal consisting of a High Court judge at the head. Now, objection is taken like this: a retired High Court judge is alright, but 'a person qualified to be a High Court judge' is *mala fide*. There is a fallacy in this. If, according to you, a person was not a proper person to be made a High Court judge but a particular Government or someone made him a High Court judge because of his just having ten years practice though not otherwise proper or good or competent, then merely by being made a High Court judge, would he later on be qualified to be a map on the Tribunal? Therefore, let us not think that you just put a stamp on a person you make him a High Court judge and then he can be put anywhere in any Tribunal. There may be eminent jurists also. Therefore, let it not be questioned - *bono fide* or *mala fide*.

I was most surprised when Mr. Jethmalani said that films should be permissive; I was shocked. If this is the attitude or the policy which his Party supports, I do not know what I should say. But I am glad that he is isolated. All members in this House and in the other House and everywhere have said that films should reflect the social values, the ethos and the culture of the land and

should not encourage permissive society which is playing havoc with the countries where you have permissive societies to-day. We do not want to emulate that—Ram Jethmalani or no Jethmalani.

As for the film 'Thanneer' I can tell you that we have not taken any decision and the matter, when it comes in appeal, will be decided on its merit. We are not committed to either side as far as that film is concerned.

My friend, Mr. Nawaj Kishore Sharma has pleaded that a comprehensive Bill should be brought. How can I bring a comprehensive Bill because the subjects are divided in the State List and the Central List? If they are all in the Concurrent List, I could have brought a comprehensive Bill. Then we will combine all the laws which we have brought since our government took over and the laws that have been pending for years. To protect the working conditions of employees we have brought a legislation. It has been approved by this House and passed. We have created a Welfare Fund to help the employees in indigent circumstances. Now this Bill I have brought to regulate production and growth of a healthy and good cinema.

Somebody said that we have put a person at the head of the Censor Board who is favourable to us. It is a most uncharitable remark because I have been responsible for putting men from the profession as head of all these media, NFDC, Film Directorate and Censor Board. Mr. Risikesh Mukherjee is an eminent name of the film world both for the quality of film he produces and otherwise. Can you ever say that he is a man who will lean on this side or that side.

Then our good friend—I think it was Mr. Pal—has remarked—he always thinks of State versus Centre—about one film produced in which

there was a quotation from the book of Vivekananda by Utpal Dutt. He does not know, Mr. Utpal Dutt who is an eminent Director and Producer has himself agreed to the corrections—not only agreed but that film was passed and that is a film which is going to be shown in the Panorama in the Film Utsav. My friend does not know even the facts. He is trying to make allegations against the Government. I am really sorry that this should be done.

Then about these films of various categories, this was in terms of Khosla Committee's recommendations and also the Film Policy Group recommendations. We have tried to follow those guidelines of eminent men who have given thought to this subject.

In shorts I have covered practically all the points which our friends have raised in this debate and I hope all their apprehensive will have been removed and they will support the Bill unanimously.

SHRI BAPUSAHEB PARULEKAR: May I have your permission to ask one question? With all the difficulties which you have now expressed because production and distribution are in two different lists, how are you going to implement the 231 suggestions made by the Working Group and the Commission?

SHRI VASANT SATHE: I may incidentally tell you that out of the 231 suggestions....

SHRI BAPUSAHEB PARULKAR: Some of which I have already referred to.

SHRI VASANT SATHE: We have accepted 180 suggestions, I have incorporated many of them in the legislation that I have brought. Those which I cannot bring are entirely on the State subject.

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I have written to the State Governments to do something about that: it is within their power. Then Sir, regarding 28 suggestions, since they are of a constitutional nature, we could not accept them. We have not accepted the 28 suggestions. They are still being examined. That is the position about them.

MR. DEPUTY-SPEAKER: I shall now put the amendment of Shri Parulekar to the vote of the House.

Amendment No. 16 was put and Negatived.

MR. DEPUTY-SPEAKER: We shall take up the Clauses next time. Shri Sathe, in a cinema theatre, there are four shows. Therefore, you will have to come for the fourth time.

SHRI VASANT SATHE: In some theatres, the show goes for weeks and weeks. This will also go on for weeks.

15.01 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
THIRTY-SECOND REPORT

MR. DEPUTY-SPEAKER: Now we take up Private Members' business.
SHRI Y. S. Mahajan.

SHRI Y. S. MAHAJAN (JALGAON): I beg to move the following:

"That this House do agree with the Thirty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 10th December, 1981."

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Thirtysecond Report of the Committee on Private Members' Bills and Resolutions presented to

the House on the 10th December, 1981."

The motion was adopted.

MR. DEPUTY SPEAKER: Now we move on to the introduction of Bills. The first Bill is in the name of Shri Vikhe Patil. Shri Patil. He is not here. The next Bill is also that of Shri Patil. Not here.

The third and fourth Bills are also that of Shri Patil. He is not here. The next Bill is that of Shri Fernandes. Shri Fernandes.

He is also not present. The next two bills under item Nos. 6 and 7 are also that of Shri Fernandes. He is not present. Item No. 8 is in the name of Shri Ram Swarup Ram. Shri Ram Swarup Ram. He is not present. The next Bill under item No. 9 is that of Shri R.L.P. Verma. Mr. Verma.

15.02 hrs

INDIAN SOCIAL DISPARITIES AND
POVERTY ABOLITION BILL*

MR. DEPUTY-SPEAKER: Shri Verma. You may seek leave of the House to introduce your Bill.

श्री रीतलाल प्रसाद वर्मा (कोडरमा) :
मैं प्रस्ताव करता हूँ कि अन्य पिछड़े वर्गों के नागरिकों के सामाजिक, शैक्षिक और आर्थिक पिछड़ेपन का संविधान की व्यवस्था के अन्तर्गत उत्पादन करने वाले विधेयक को पुनःस्थापित करने की अनुमति दी जाए।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for leave to introduce a Bill to provide for abolition of social, educational and economic backwardness of the citizens belonging to other backward