

13 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE REPORTED SMUGGLING OF CRIME AND OBSCENE THRILLER FILMS INTO THE COUNTRY

SHRI SEZHIYAN (Kumakonam): I call the attention of the hon. Minister of Information and Broadcasting to the following matter of urgent public importance and request that he may make a statement thereon:

"Reported smuggling of crime and obscene thriller films into the country and screening of many uncensored films in public theatres."

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI I. K. GUJRAL): The Central Board of Excise and Customs decided on 10th September, 1972 that unauthorised imports of feature films should be confiscated absolutely and no option to redeem the same on payment of fine in lieu of confiscation need be given.

Measures for preventing the smuggling of goods are being intensified by the Customs authorities. The smuggling of films comes within the purview of these measures.

Exhibition of films in India is regulated in accordance with the provisions of the Cinematograph Act, 1952 (37 of 1952) and the various State Cinema (Regulations) Acts as amended from time to time. Under the law, the main provisions governing exhibition of films in India are as follows:—

- (i) No film can be exhibited in India without its being certified by the Board of film Censors; and
- (ii) No film so certified can be exhibited at any place without obtaining proper 'place licence' for the purpose and complying with any conditions and restrictions imposed by such licence.

Exhibition of films is a 'State' subject. We wrote to all State Governments/Union Territories requesting them to bring to the notice of all District Magistrates, the provisions of the Cinematograph Act, 1952 and the Rules made thereunder, and to issue necessary instructions to them to ensure strict compliance with the rules by all cinemas, and take suitable penal action for infringement thereof.

A number of cases of unauthorised exhibition of films came to notice of the Government. Suitable action under the law was initiated.

Government also have under their consideration, a proposal to set up an Inspectorate in the Board of Film Censors to check unauthorised exhibition of films both certified and not certified.

SHRI SEZHIYAN It is reported in the Press that smuggling of films into India is done in two ways. Firstly, in the form of import of waste films for bangle industry, obscene films and crime thrillers are being smuggled into India. Secondly, it is done by substituting such films for Indian films which are brought from abroad after exhibition there. Therefore, I should like to know what precautions have been taken by the Government to stop these two methods. These things should be done at the port of entry by the customs and excise authorities.

Secondly, I am told that smuggling of films is not a cognisable offence. Why do they not take steps to make it a cognisable offence so that the law is made strict and deterrent.

Thirdly, smuggling of films into India has the other side also, smuggling of films out of India. The same parties use the same methods to smuggle films out of India.

It has been stated that as many as 100 films are being smuggled out of the country many of which are good money-spinners like Bobby. By this process the producers lose a sizeable income and the Government also loses

[Shri Sezhiyan]

very good foreign exchange. Mr. A.M. Tariq, Ex-Chairman, who was also a Member of the Rajya Sabha, made many frivolous charges, of the Minister himself being involved in smuggling films etc. He might have done it out of spite, but I want a categorical contradiction from the Minister about a particular films whereif some high officials are involved. It was found that Bobby had gone out of India not in the normal course, but was smuggled out. Therefore, in this case I would like to know what steps have been taken by the Government to protect the interests of the big film producers and to conserve foreign exchange that will come in the normal way. Why not negotiate with those countries and evolve some procedure by which films could not be exhibited in those countries unless they go in the normal way

In paragraph 6 of the statement it is stated:

"Government also have under their consideration a proposal to set up an inspectorate in the Board of Films Sensors to check unauthorised exhibition of films both certified and not certified"

To my mind this appears to be expensive and a proliferation of the existing bureaucracy and officialdom because it is only at the points of entry that effective steps should be taken. If you are going to set up an Inspectorate for this purpose, for every other item which is found to be smuggled every department would like to have an Inspectorate of its own to check these things. So, I would like the Minister to strengthen the existing machinery and also to strengthen the customs authorities' precautionary and preventive measures.

SHRI I. K. GUJRAL: My hon. friend is right and justified in his indignation about the films smuggled inside and outside India. You may have seen that we have been dealing with the problem regarding outside India, but smuggling into India is a new pheno-

menon. Recently about 10 cases came to our notice. Ten films were exhibited in various cinemas in the country one in Delhi and nine in the South in the various States. Uncertified films were shown and these films we assume were smuggled because they never passed through the Censor Board. Therefore, we have asked the State Governments to take steps and to prosecute them. Two prosecutions have been already launched, one in Delhi and other in Bangalore. Regarding the other 8 cases, the attention of the State Governments has been drawn and we are requesting them to prosecute these cinemas

We have received information about 20 more films which have been smuggled into India and they have drawn the attention of the Excise and Customs authorities that they should take a serious view because this is something which is very sad and we cannot possibly ignore it. I hope the Customs authorities will be able to tighten their rules because information can be collected about the persons who are responsible for such smuggling.

I also feel that the customs authorities perhaps will take action against those exhibiting films because when an exhibitor exhibits such a film, this is something very serious and I think the cinema owners licences should be canceled straight away. I have written to the State Governments yesterday after reading the news that more attention is needed and I am certain that the Chief Minister and the concerned State authorities will take action. I agree that we should make this a cognizable offence. I have already issued instructions for necessary steps to be taken to amend the law in this context.

So far as regularisation of import of films is concerned, as I said earlier, we are now in the process of finalising our agreements with foreign producers, so that we can get more films through proper channels. So far as smuggling out is concerned, we have been

dealing with it for sometime and trying to bet hold of some people. I have not brought figures here, but he will recall that earlier I have given figures of cases of films we have seized. But smuggling of films has become a very specialised trade by itself. Recently he might have notice some reports appeared in the US press that within America itself this sort of thing is happening. I am not giving this as an alibi for not taking action. Action will have to be taken very firmly and strongly.

About setting up directorate teams, it is not that we want to multiply bureaucracy, but it is very important that we keep a close look on the cinemas themselves. Sometimes we have found that outs ordered by the Censor Board are not effected and some cinemas do show them. For this purpose, we are thinking of having a small inspectorate which can make surprise checks at various cinemas and prosecutions can be launched Government is very much concerned and I am sure with the recent steps that we have taken and the present campaign going on against smugglers, we would be able to show results.

SHRI C. T. DHANDAPANI (Dharampuram): Even some affluent sections of society are directly or indirectly running this sort of trade of smuggling obscene movies. Even some so-called political leaders have been given some immunity in this regard. This is the general talk of the public. It has been stated that one of the methods of smuggling movies is to get them under the garb of waste films meant for the bangle industry. In view of the fact that we are the second largest movie-makers in the world next only to Japan....

AN HON. MEMBER: Now we are the first.

SHRI C. T. DHANDAPANI:...and as many of our Indian films are not even worth the celluloid they are made of will Government come forward and totally ban the import of waste films

as the bangle manufacturers will not suffer on that account?

Both import and export of films in an unauthorised manner are offences. Movies are smuggled out of the country regularly and systematically. This kind of business is done right under the nose of the customs authorities. For example, there are brokers in Madras, Delhi, Calcutta and other big cities who act for their principles at Hong Kong or Mauritius. They enter into a contract with the indigent producers by paying paltry amounts. But if the picture runs successfully, they never honour the contract. It is an attempt to block the export. Later, they get export permits for some old pictures. On the pretext of sending old pictures, they smuggle out new successful pictures. The boxes contain new successful films, but the label will bear the name of an old film. If only the customs people check each and every reel, this kind of smuggling can be stopped. Therefore, may I know from the Minister whether the customs people will be compelled to see the screening of each and every reel before they allow them to be exported?

Recently, one of our film stars by name Shri M. G. Ramachandran was permitted to take a film along with him to the United States with the condition that it will be screened only for non-commercial purposes. But, I understand, that movie was screened at places like New York and tickets were printed and sold and a huge amount was collected, which was brought to India. I will give the Minister the relevant tickets, if necessary. Has this violation come to the notice of the Government and, if so, what action has been taken by the Government?

The Minister has mentioned in the statement:

"A number of cases of unauthorised exhibition of films came to the notice of the Government. Suitable action under the law was initiated."

[Shri C. T. Dhandapani]

I want to know how many cases are pending with the Government and who are the persons involved in this.

SHRI I. K. GUJRAL: I am sorry that my hon. friend has tried to inject his own party politics into this issue. I think we should not get into it. Otherwise, the whole issue will get diffused. I do not think the unlawful citizens who are indulging in this type of activity should be allowed to get away because of some people talking politics. So, I would request him not to mix up the two things.

SHRI C. T. DHANDAPANI: These are facts.

SHRI I. K. GUJRAL: Sometimes facts are imaginative or imaginary as well. I suggest; let us not use this occasion for party purposes; there will be other occasions for that.

So far as smuggling out is concerned, we have been taking action. We are not only prosecuting people but seizing those things. Yet, the race goes on. I do not say that we have been able to stop it fully. I think ultimately the solution will be, and that is what I am trying to do, that we set up a National Film Development Corporation so that all the films sent outside will be through the offices of this National Film Development Corporation and they distribute it locally. To a considerable extent, that will be the real preventive measure. We are seized of the matter and we are going to do it.

Thirdly, my hon. friend asked about the various cases which have come to our notice. As I mentioned earlier, ten cases have come to our notice. Ten films were shown unauthorisedly in various places, unfortunately, most in Southern States. We have drawn the attention of the State authorities to these exhibitions. In two cases prosecutions have been launched. In other cases, prosecutions are still to be launched. We have been trying to draw the attention of the State Governments to take

action. As a matter of fact, ultimately, the authority which has to remain vigilant in the States is the District Magistrate, because the District Magistrate knows which films are authorised and which are unauthorised. Whenever a case comes to his notice, he should seize the film, which action is more effective. Because, if he waits for a report to be filed, it takes time. I agree with my hon. friend, Shri Sezhiyan, that we should make it cognizable. I also feel that the State Governments should remain vigilant. In these ten cases, as I said, I hope that action will be initiated very soon.

So far as export of films is concerned, every exported film legally is to have a censorship certificate also. Therefore, it is seen reel by reel and then only a certificate is issued. But I agree with hon. Members that more vigilance is called for.

SHRI C. T. DHANDAPANI: What about the export of films?

SHRI I. K. GUJRAL: I have taken note of it. I am not a chemical engineer. So, I do not know this. When I read that this ruse is adopted for getting unauthorised films, I drew the attention of the customs authorities to this also.

SHRI VASANT SATHE (Akola): Sir, it is a matter of recent development that in this country the films with emphasis or orientation on crime and sex are getting smuggled in. We did not see this phenomenon a few years back. This is at the root of this whole matter because we are unwittingly or probably due to our connivance encouraging the production of such films in the country itself.

It has been stated that these films are not shown to the sophisticated class affluent class, as my hon. friend was trying to point out. The news-item says that these films are being shown and exhibited mostly in rural and semi-urban areas either with film censors certificate or without certificate, according to Censor Board off-

cials. So, they are going into the most vulnerable areas where you find young people getting affected by violence and crime and trying to emulate these films. Even dacoities have been committed, as we have seen, copying the films stories.

I am not a person who is so inhibited to just think in terms of some little things here or there that some people may find objectionable. I do not take such a narrow view as far as romantic scenes are concerned. You can do that. I am more on the point of trying to encourage vulgarity and crime. When such type of films are produced inside the country, naturally, you are developing a taste for such films to be brought from outside.

Now, these are feature films. These are not 60 mm. small reels which are shown on the private projector by some rich men in their homes to a private audience. They are not of that type. They are feature films. They are being brought in by a device of importing used waste film. You can give a positive direction to the authorities concerned that, hereafter, they should find out how much is the need for waste film and whether it is necessary to import it from outside. If this is not necessary, if they can get the waste film in the country itself, there is no need to import it.

The second category is that of substituting thrillers for Indian films to be brought back after exhibition abroad. It is very easy to detect this also. If some old film, say, *Awara* or any such film of Raj Kapoor is taken out for exhibition abroad and brought back, all that is necessary to do is to find out whether it is the same film which is being brought back. How do you allow other films to be brought back? So you see only the box? What do the Customs people do? Do they only see what is written on the box, say, *Awara* and allow it? They should see what is inside the box. It may be

that some other thriller film is being brought back in the guise of *Awara*.

This is a simple thing to detect. If you tell the Customs people to be more vigilant, this kind of smuggling can be stopped. What steps are being taken in this regard? Are the people going to be prosecuted, even the Customs officials, for having allowed this thing?

Can the hon. Minister not amend the Cinematograph Act itself and make the showing of such films a cognizable offence so that it is not left only to the States? Even if it is a Central law and an offence is committed under the Central law, the State Government will have to enforce it and take action.

These are the two points that I want the hon. Minister to answer. The first is, what steps are being taken to see that crime and sex films are not produced in the country itself since they create a bad taste in the people; the second point is about the techniques by which they are being imported; and the third is to make exhibition of these films an offence under the Cinematograph Act and to punish those who exhibit such films.

SHRI I. K. GUJRAL: My hon. friend will agree that the methodology of functioning of these smugglers is very complicated. It is not as simple as this that there are only the two methods that have been indicated and that if these are stopped, smuggling would automatically stop. I do not agree with him in this. I am very suspicious whether this is the real methodology, because there are many more methods of doing it and they have been doing it. Of course, the Customs will take cognizance of this as well. But, I think, something more has to be done, and I am linking my hope with the fact that the recent anti-smuggling drive which the Government has undertaken is showing results, and I am sure they will give attention to this as well.

[Shri I. K. Gujral]

So far as making of films in India is concerned, we have discussed here, when we discussed the Censorship Bill, that the censorship has been strengthened from this point of view, the operation has been strengthened. I do not want to repeat what I have often said, that the real solution lies in making better and healthier films, Better and healthier films can be made by good, healthy financial investments. That is one formula which we have to apply soon. I hope we can do it. Unless we do that, the standards of films will not come up as we want them to come up.

SHRI PRABODH CHANDRA (Gurdaspur): The hon. Minister has given a very comprehensive statement about the steps the Government have taken or propose to take for stopping smuggled films. But my grouse is that, whatever rules are made or whatever Bills have been passed, they are only on paper. Nobody takes cognizance of these. Not only these films are shown in rural or suburban areas, but these films are also shown in government cinemas, in cinemas owned by the Government. Recently, a film called **A MARCH OF WOODEN HORSE** was shown in a government cinema in the south. Apart from smuggled films being shown in the rural areas, in many metropolitan cities like Delhi, there are clubs—they do not name them as night clubs but they are called social clubs—the membership of which is open not only to the neo-rich class, but many highly-placed officers, even of the Police Department, are members. These films are regularly shown to them. The membership is highly restricted; unless a new member is recommended by about half a dozen members of the Screening Committee, he cannot be made a member. I would draw the attention of the hon. Minister to this and request him to make a thorough inquiry into this, whether such films which have a very bad effect not only on the children but also on the married couples who go and see them, can be shown like this.

SHRI I. K. GUJRAL: My hon. friend will agree that showing of smuggled films in India has come up for the first time. It is not as if this disease has been there for a long time. That is why we are feeling more concerned, we are keen to stop them, we are keen to nip it at the bud itself.

So far as one particular film which was shown somewhere is concerned, I have taken note of what he has said; I will look into it because I am not aware of this; I do not know whether any such film was shown.

So far as social clubs and social activities are concerned, these are naturally a matter of social concern. I hope the law and order authorities will take care of these.

MR SPEAKER: We adjourn now for lunch to reassemble at 2.30 P.M. when we resume the discussion on the Prime Minister's statement in relation to the State of Jammu and Kashmir.

13.30 hrs

The Lok Sabha adjourned for Lunch till Thirty minutes past Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at Thirty-three minutes past Fourteen of Clock

(Mr Deputy-Speaker in the chair).
SEVERAL HON MEMBERS rose
(Interruptions)

[MR DEPUTY-SPEAKER in the Chair] one please.

SHRI SAMAR GUHA (Contai): I want to draw your attention to a very urgent matter. Reports have come that permits to all buses and trucks have been cancelled and the private bus-owners have been threatened that they will have to withdraw their buses and trucks and all this is done in the last 48 hours so that people may not be able to come and join the People's

March to Parliament. Not only so, it is given that the Police Officers have told them that the authorities are opposed to this People's March to Parliament and if anything is done by them and if their vehicles are destroyed, they will not be responsible for that.

I want to know from the Government whether it is a fact that the State Transport Authority has not only withdrawn the permits but they have also threatened the bus-owners and vehicle-owners to desist from transporting people to the capital. They are creating all kinds of trouble in the Railways also.

I want that the Government should make a statement.

SHRI NOORUL HUDA (Cachar): Sir, in the State of Tripura there was a peaceful mass satyagraha.

MR. DEPUTY-SPEAKER: How does it come here?

SHRI NOORUL HUDA: Sir, the tribal population which was agitating for constitution of a tribal autonomous Council, recognition of their language and restoration of the land which had been alienated in 1960 were fired at by the police. They were peaceful demonstrators. The firing resulted in the killing of one person and injuring several persons. What has come over to the Government? We condemn the firing most vehemently and I ask the Home Minister to find out from the Tripura Government the reasons for this unjustified firing and inform this House.

(Interruptions)

MR. DEPUTY-SPEAKER: Mr. Huda, please sit down. Please take your seat now.

SHRI S. M. BANERJEE (Kanpur): Sir, I want to raise a matter which is purely under the purview of the Central Government. There are fourteen nationalised banks and one of them is Grindlays Bank. The employees of the Grindlays Bank throughout the country are on stay-in strike for three to four hours daily and they have decided to observe a day's strike on 14th March. Sir, the employees have been victimised and I would like the Finance Minister and the Labour Minister to intervene immediately.

14.40 hrs.

MOTION RE: STATEMENT IN RELATION TO THE STATE OF JAMMU AND KASHMIR—Contd.

MR. DEPUTY-SPEAKER: It has been conveyed to me that yesterday it was agreed to extend the time of this debate by two hours and calculated on that we would expect the Prime Minister to reply round about 4 O'clock or may be a few minutes after that.

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, there was no such agreement to extend the time by two hours, but if it is required we can agree to it. That is a different thing.

PROF. MADHU DANDAVATE (Rajapur): We welcome the Kashmir agreement as well as this agreement.

MR. DEPUTY-SPEAKER: This was conveyed to me. If it has not been an agreement, it does not matter. This is a suggestion made. I would request the hon. Members to keep that in mind and to limit their observations within the time schedule.

PROF. MADHU DANDAVATE: Only on Kashmir.

MR. DEPUTY-SPEAKER: Yes, of course, Mr. Dandavate.