

[Mr Speaker]

Assam Panchayat Bill, 1958 and gave evidence before the Select Committee on the Bill on 18th October last at Shillong. In both submitting the memorandum with certain amendments suggested by me and giving evidence, I took the initiative and volunteered to do so, which was agreed to and accepted by the Select Committee

From the Sixth Report of the Privileges Committee of Lok Sabha circulated to us, I realised that I committed a grave mistake in omitting to seek your previous permission and referring the matter to the Privileges Committee and the House. Yesterday, I approached the Deputy-Speaker and told him about it and sought his advice. He was kind enough to direct me to submit a petition. In course of placing the report in the House today, both the Deputy Speaker and yourself have explained the future course to be taken in the matter of giving such evidences.

I submit that I never meant any breach of privilege of the House, and all that I did was prompted by my interest in the Bill in question, and my ignorance of the rules, as submitted above.

I hereby tender my most unqualified apology to you and through you to the Privileges Committee and the House and most humbly beg that I may kindly be pardoned for this first and unintentional mistake on my part.

I assure, Sir, that I shall not commit such a mistake in future."

12.37 hrs

CINEMATOGRAPH (AMENDMENT)
BILL—contd

Mr. Speaker: The House will now take up further consideration of the

following motion moved by Dr Keekar on the 18th December, 1958, namely —

"That the Bill further to amend the Cinematograph Act, 1952, be taken into consideration"

The time allotted is 2½ hours. The time taken already is 1 hour and 28 minutes. The balance is 1 hour and 2 minutes.

Mr. Deputy-Speaker. The time allotted is 3 hours.

Shri Easwara Iyer (Trivandrum) It was agreed that for the consideration motion, 2½ hours may be given, and for the second and third readings half an hour.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha) May I make one request to you? In view of the fact that the House is not sitting beyond tomorrow, may I request you to kindly tell the House also strictly to adhere to the time allotted to each item which is before the House till tomorrow, and the time which has been approved by the House also. On previous occasions, we did not mind it, and the time used to be adjusted. But, in view of the fact that the House is not going to sit beyond tomorrow, and there are certain important legislative items which must be put through by tomorrow, and this can be done only if we strictly adhere to the time, up to the minute, I am making this request.

Shri Narayanankntty Menon (Mukandapuram) The Business Advisory Committee has allotted time for all the Bills which have been put down in the Order Paper for today and tomorrow. According to the time allotment made by the Business Advisory Committee it is practically impossible to put through all the Bills. Therefore my request is this: There are certain important Bills like the Workmen's Compensation (Amendment) Bill which has been passed by the Rajya Sabha, but which has been

put last on the Order Paper; it is impossible and improbable according to the time allotment that has been made, that it will come up. Therefore, some change may be made in tomorrow's Order Paper in the order of the Bills to be taken up.

Mr. Speaker: The hon. Minister will consider it. All that the hon. Member says is that Government may give priority to it; in view of the fact that all the Bills may not be put through, priority may be given to that Bill.

Shri T. B. Vittal Rao (Khammam). I have to make another submission. We requested the hon. Minister to refer the Workmen's Compensation (Amendment) Bill to a Select Committee. But he declined, he said that Government wanted this Bill to be passed during this Session, and, therefore, this Bill might be taken up tomorrow.

Mr. Speaker: Reference to a Select Committee?

Shri T. B. Vittal Rao: Yes. He declined to refer it to a Select Committee, because he said that this had to be passed during this Session. He said that this Bill had to be passed.

Mr. Speaker: Has it been passed by Rajya Sabha?

Shri T. B. Vittal Rao: Yes, it has been passed by Rajya Sabha.

Mr. Speaker: The suggestion of the hon. Member is that the Bill that has been passed by Rajya Sabha may be taken up here and disposed of tomorrow. All right; the hon. Minister will kindly consider it. He will kindly look into it. If it can be put down in the Order Paper, I have no objection.

Now, Shri Sadhan Gupta. Hon. Members will bear it in mind that we have got only an hour or so left. I shall give only ten minutes to each hon. Member.

The Minister of Information and Broadcasting (Dr. Keskar): May I make a submission? Though the Bill is a minor one, most of the speeches have dealt with certain general problems regarding films, and, therefore, I might be allowed about 25 minutes for reply.

Mr. Speaker: The time now available is 1 hour and 2 minutes. We are now at about 12.40 P.M. So, I shall call the hon. Minister at 13.20.

Shri Sadhan Gupta (Calcutta-East) Mr. Speaker, Sir, I must confess to a sense of disappointment at the casual manner in which the hon. Minister has presented this Bill for the consideration of the House. This Bill deals with the question of censorship, and censorship is one of the most potent instruments to put the film industry on the right track as far as our social and cultural needs are concerned.

I am not for political censorship of films. There has been too much of it in our country, but I am also not for unrestricted democracy for the film producer or for the film exhibitor. There must be censorship with a correct outlook in view of the situation of the country, to which I am going presently to refer, and that kind of censorship can do quite a lot for the cultural advancement and promotion of healthy social development and healthy social tendencies in our country.

From our experience of the commissions and omissions of our Board of Censors previously, we do not find very great encouragement. One of the first fruits of our independence was that the Board of Censors, for instance, banned a Bengali film which deals with the 1942 Movement. That film was censored because the oppression of the British rulers was vividly portrayed and that film had a great difficulty in passing through the censor's scissors. I think it took some two years before it could obtain, after some mutilation, the permission of the Board of Censors.

Mr. Speaker: How are the censors selected?

Shri Sadhan Gupta: They are nominated.

Shri Tangamani (Madurai): They are only nominated. There are regional advisory committees. There also they are nominated. But even for nominating the personnel of the advisory committees, none of the State Governments is consulted. The nomination is from the Centre throughout.

Mr. Speaker: Are there no Members of Parliament on the committees?

Shri Sadhan Gupta: No.

Mr. Speaker: On every other thing, we have Members of Parliament. So why not on this also?

Dr. Keskar: In the Censor Board, there are Members of Parliament. I may say that we do not put Members on the regional committees because most of the year they have to be here.

Shri Tangamani: In the Calcutta Regional Committee, there is Shrimati Ila Palchoudhuri.

An Hon. Member: She was there.

Dr. Keskar: There may be an exception here and there, but normally that is not the practice.

Shri Sadhan Gupta: It happens like this. Another film depicting one aspect of the revolutionary movement in Bengal had the same difficulty.

Mr. Speaker: Is the film 42 running now?

Shri Sadhan Gupta: It did run after a considerable time. But initially it was censored outright and was not allowed to be exhibited. There was another similar film regarding an aspect of the revolutionary movement in Bengal which was called *Bhulinai*? That was also allowed to be exhibited after considerable mutilation.

This is not all. I find in this Bill that one of the principles of censorship is the maintenance of relations with foreign powers. In that aspect also, films like *Iron Curtain* have escaped the Board of Censors' scissors and have been exhibited. Foreign films slandering our progressive forces in our country like "*Bhowani Junction*" escaped the Board of Censors. But the worst part of it is not this; the worst part is that the most degrading, depraving films have been allowed freely to be exhibited, even in spite of censorship. Crime, sex perversity, gangsterism—these are the stock in trade of most of the films which are allowed to be exhibited, and it is a wonder how these pass through the Board of Censors.

I am not against depiction of crime or sex or anything of that kind. I am not a puritan who shrinks from the very idea that love or love scenes should be shown in films. But what I object to is that these are not shown, as they should be shown, in order to create an abhorrence or create a healthy hatred against certain anti-social tendencies, whether by way of sex life or by way of crime or gangsterism. They are not treated in that manner. The whole idea is to glorify and to present the baser aspects of the passion of love and to glorify it, to present crime and gangsterism with a view to exalt it. This is the way our censors let films exhibited.

Shri Mahanty has deprecated the idea of decrying American films. I do not decry every American film. Shri Mahanty says that there are many good American films. If there are many good American films, unfortunately they are not exported to our country. I know that there is perhaps only one American producer, Warner Brothers, who show films of a high standard generally. As regards other American producers, I think they are setting the worst example in our country. I am not against American films or British films—whether they are American or British or films of our own country—I object to the kind of depraved themes that they

use as their stock in trade. I object to films, whether they are American or British or Indian, which have for their stock in trade themes which deprave society, themes which corrupt youth, themes which are not fit to be shown to our children, in fact to any civilised human beings. Those films should be decisively and determinedly censored and not allowed to pass through the censors' scissors.

Unfortunately, in this respect, many of our Indian films imitate and emulate the films which come out from the United States. The result is that we find that we have a cinema which is a problem to every decent man in our country. We do not know how to educate our children. It is, of course, a very desirable thing that the passions of human beings should form the subject of film stories for whatever they are worth. But what they do is not to utilise the passions for the purpose of art, what they do is to treat those passions, whether love or other things, in such a way that they seek to revive exactly those tendencies, those base instincts which we through ages have learnt to control, order and discipline in the interest of social cohesion and social decency. Is that to be permitted? Yet, the hon. Minister in presenting the Bill says that no principle is involved in the Bill.

What is the position today? We find that as a result of the kind of themes shown in the cinemas, we have a peculiar kind of depraved interest. You know about the film star craze. I would not be averse to a person admiring the artistic acumen of a film star. But, today, that is not the outlook from which a person approaches a film star. The attachment is not to her artistic powers but the attachment is to things of hers which are not fit to be mentioned. In a word, it is difficult to bring up our children in a healthy atmosphere in society. Yet, we are told that no principle at all is involved. It was necessary that the hon. Minister should

have taken this opportunity to formally declare a policy, on the one hand, of clearing the cinema world of the abominable tendencies that are becoming too manifest in our cinemas unfortunately which are utterly foreign to our traditions—and I should think utterly foreign to the true traditions of almost all the countries in the world—and he should also have decisively assured against political censorship of films. This can be easily done by appropriate directives. And, if the hon. Minister assures us that through appropriate directives he would see that the Board of Censors help to clear society of the filth that has accumulated due to the depravity of the cinema world, he will have the thanks of every decent man in this country. So in his reply, I at least expect such an assurance from him.

Apart from the activities of the Board of Censors in improving the standards of our cinema, it is necessary to offer considerable encouragement to those who will produce proper films. The film is a very potent instrument of our cultural development and of a decent social life. Today, as against the baser kind of films, we need a plethora of films which will propagate a more healthy aspect of social life through stories and features. And, for that purpose those who would be willing to produce this kind of films need financial and other encouragement. Mere State awards will not do, substantial financial encouragement is necessary.

It is well-known that if a film trades on the baser instincts of man, then, it has readily a box-office because it attracts a class of people who can pay and who do pay and so it is an easy financial success. While, on the other hand, the standard set by these films is such that today everyone looks at that kind of thing—something by way of sex appeal, something by way of thrillers, crimes and gangsterism etc., and other films which are based on healthier tendencies find some difficulty in getting a proper box-office return. They are

[Shri Sadhan Gupta]

not resourceful enough, they have not the power to advertise and that stands in their way. Therefore, considerable financial encouragement must be given to them in order to improve the standards of our cinema world.

Lastly, I would join my own voice with the insistent demand that has come from different sections of this House in urging upon the Government the necessity of production of children's films in large numbers. In the Soviet Union there are very nice children's films, but, in our country, we sadly lack them. We have plenty of themes.

Raja Mahendra Pratap (Mathura)
Sir, after him can I say a few words?

Mr. Speaker. Yes.

Shri Sadhan Gupta: We have plenty of themes to create very instructive and healthy children's films. We have our folklore, we have our nursery rhymes, and, I can say from the experience I have of Bengali nursery rhymes at least, they make very good children's films and would really be very invaluable in the entertainment and instruction of our children, and, perhaps, even to adults. Therefore, I must urge upon the hon. Minister with all the emphasis at my command to look to the production of children's films on the basis of suitable themes.

Raja Mahendra Pratap. I never see cinema. Why do I not see a cinema? Because the cinema films create such emotions that are not really very good, low emotions.

Shri Easwara Iyer: Better see one.

Raja Mahendra Pratap: And the people who make cinemas are not really living a moral life—I know.

Mr. Speaker. No, no.

Raja Mahendra Pratap. They live very bad lives and from them only evil ideas can come out.

Mr. Speaker: Order, order. The hon. Member ought not to make such

sweeping remarks about all persons who are engaged in the cinema enterprise or the cinema industry. Of course, there are bad people in every matter. Possibly, there may be a greater tendency in this industry more than in anything else. But, on that ground, let not everyone be tarnished with the same brush.

Raja Mahendra Pratap: Good, most of them live bad lives. I was in Hollywood also. I saw how people were living there. They live in great luxury. Ordinary people—some our own people from India—were living as Princes, this and that, and I was their guest. They were very kind to me. But, I knew behind them there was a lot of love affairs.

What I say is this. We have to take into consideration what kind of people are making the films and what is the object in making these films. They make films only to make money and, therefore, they appeal to very low emotions of the people, because only by that method can they get more money. So, we have to consider what kind of people are making the films and what is the object in making them.

Then, we have also to consider when people are appointed as Censors, what kind of life they live, because if these people who are appointed as Censors are people who are drinking or who are going to cinemas, they are not the fit people to be censors. So, I say, in all cases we have to consider what kind of life our people are living. I have always been insisting on it. I was not allowed to speak about the rent question, but there also I wanted to say that the object should be to make a healthy and happy society.

Now, in this film business, we can really do great service, because, through films we can give the right kind of education. But, it is not given. For instance, there are many subjects which the common people do not know. For instance, in these films

pictures of different countries can be shown. For instance there were expeditions sent to the South Pole. They can show those things which we cannot see here. Through films we can see those things. What I say is this. In this film business new thought should be brought in; and that new thought should be that we teach morality to the people.

I may also say that sometimes falsehood is brought into these films. I went to Calcutta. A friend insisted that I should see a certain film. I said, I never see films. He said, 'Your are shown in that film'. When I asked him, 'Am I shown in that film', he said, 'Yes'. I asked, 'What is that film?', and he said *Bagha Jyoti*. I was shown there with a big turban, I was shown there in a German office. Of course I could not recognise myself in that film. Then I was shown with a big sword in my hand and a lot of soldiers behind me, fighting the British troops. The object of the film may be very good. These people are very kind to me, but historically the film is not correct. So I have to say that very truthful films should be produced. If they had only asked me to appear in that film I would have agreed, but what was the use of making a substitute like this when I was here?

13 hrs.

Mr. Speaker: The hon. Member is not willing to see a film but is prepared to act in it!

Raja Mahendra Pratap: I say that the theme of the films must be correct. I only formed an army composed of Afridis and these Afridi soldiers fought at my bidding, but I was not there.

Every story in the film must be very correct and if, for instance, it is only an imagination then that imagination should not show some great personalities like Rama, Krishna, Radha and such great historical and religious personages in a false form. You perhaps know that sometimes

pictures of Buddha and Krishna are made. They also import into it love affairs which really should not be there, because we respect Shri Krishna and it is a very wrong thing to misrepresent him. I am a Brajbasi; I feel shocked when they show that Shri Krishna and Radha had certain love affairs and sexual connections. It is quite wrong. Our Lord Shri Krishna lived only for twelve years in Braj. A twelve year child cannot have sexual instinct. What is the idea of showing these? It is a shame for our country. So I say that these people who are making films should not depict our great religious lords in such a way that it creates a very bad impression upon the people.

I am a Brajbasi, I come from Brindaban. People wrongly believe that Sri Krishna indulged in sexual love; they make all kinds of sexual love in our town. Poor Bengali women come to Brindaban. Some people say that Sri Krishna was in love with Radha, so we may also love in the same way. This is very wrong. We should show proper respect to our great personalities of the past and we should not show them in a way that they are rather degraded in our imagination.

Our films can do a lot of good if they are properly directed. How to direct them in the correct way is a very important question. I have always been impressing on our Government that we have no lack of good persons in our society. We have very honest, sincere and nice people. Some of them are in Rishikesh, in Mathura, in Haridwar and elsewhere. They are very good people; they are honest people and lead very pious lives. They can be asked to come here to censor these pictures and they should readily do so,—not these government officials who are sometimes going to cinemas,

[Raja Mahendra Pratap]
sometimes going to tea parties and
sometimes indulging in heavy dinners.
These are not the right people for
censoring our films.

I myself see that there is corrup-
tion everywhere. There is corruption
in courts; there is corruption even in
elections and there will be corruption
in films also, if you move in this man-
ner. I would request the Government
to invite those people; we can give
them good quarters and ask them to
show us how to make our society
moral. We can even ask them to enter
the film business along our line of
thinking. When I say film business,
I do not mean it in the ordinary sense,
not with a view to making money, but
with a view to making society more
moral. I am never tired of repeating
that in every aspect of our life we
should insist on morality. There is no
question of party in this matter—
Congress, Communist or any other. We
want moral society, to achieve that we
should come together.

We should see to it that no Member
of Parliament indulges in anything
which is immoral, because it is we
who make the laws for the whole
country, for the whole society. If we
do something immoral, if we do some-
thing against the laws, how can we
make laws for the country? How will
they be obeyed? Why will they be
obeyed, if people see that those who
make laws do not observe them. If
we ourselves do something against the
laws, against eternal moral laws, how
will people in the country obey the
laws?

I often see my friends laughing
when I speak. Today's Hindi paper
Hindustan says that I am considered
by my fellow members as *Sanki Raja*
(Eccentric). My *sankipan* was that
when I was only twenty years old I
renounced my half property. This
was my *sankipan*. I gave away half
my property for philanthropic pur-
poses and the schools and colleges
founded then are still going on. I left
my country, I left my family I left

everything and went to Germany to
make India free. This was my second
sankipan. My third *sankipan* is that
when I returned home, it was quite
possible that I would have become a
Minister; I would have become a Gov-
ernor or an Ambassador, but I did not
accept any such offer. This is my
fourth *sankipan* that I am still fight-
ing, I am still rebelling against this
wrong system of government. This
wrong system of government was built
up by the British for the British only
to suck the blood of the country. That
system of government is still going
on I am not a communist; but I say
you (communists) are right when you
correct these people who are doing
mischief in the country. I do not say
that to you as communists, but as
good men. I say let us combine all
our forces. Our country is in danger.
There is danger of war with Pakistan.
There are so many dangers. I spoke
in the Defence Committee and I ask-
ed Pandit Nehru to allow me to undo
Pakistan; I can undo Pakistan.

Mr. Speaker: Order, order. That
has nothing to do with cinemas.

Raja Mahendra Pratap: I have
finished. I only say this. Let us com-
bine all our forces to safeguard what
we have got and proceed further along
the lines of progress—progress in the
line of morality, not progress in mak-
ing big houses and big hotels and mak-
ing all kinds of comforts for the few.
That should not be the progress we
make, we must insist that not one
individual remains without work
and without bread.

Shri Radha Raman (Chandni
Chowk): Sir, this Bill has a limited
object and therefore, it cannot be
said to be comprehensive. It appears
that the Government felt that the old
Bill was not sufficient for this purpose
and so the present Bill desires to make
certain changes which are primarily
related to having a board of film cen-
sors. In the previous Bill the Censor
Board was governed by the rules

framed by the executive. And it did not include the guiding principles which made that board or the Government reject any film, though in the Fundamental Rights of an individual as embodied in the Constitution, this was a governing factor. In the amending Bill this guiding principle is also included and is clearly defined. We have at present many films that are coming to be exhibited and that are produced by the private sector. I agree that the quality of the films that are shown and passed by the present board is not of very high mark. During the past few years, Government has tried to curb the tendencies which went to cater for bad tastes. There has been a lot of improvement. I am not a regular visitor of cinemas but I have seen some of the very good films that are produced by the industry. It is one of the very big industries that our country possesses and we can be proud of it. But there is certainly great room for improvement in it. It should be the intention of the Government that sufficient care is taken to see that the films produced in this country are of a high order.

The film, with all its glamour and charm has come to be a symbol of entertainment in modern society. Almost everyone irrespective of age, sex or creed is eventually affected by it. The impressionable minds of children and the young people are all the more susceptible to its influence. The Hoover Commission appointed to study contemporary social trends in the U.S.A. made the following observation as far back as 1933 which even holds good to this day:

"Although the motion picture is primarily an agency for amusement it is no less important as an influence in shaping attitudes and social values. The fact that it is enjoyed as entertainment may even enhance its importance in this respect. Any discussion on this topic must start with a realisation that for the vast audience the pictures and 'film-land' have tremendous vitality. Pictures and actors are regarded with a serious-

ness that is likely to escape the casual observer who employs formal criteria and judgment. Editors of popular motion picture magazines are deluged with letters from fans, unburdening themselves of an infinite variety of feelings and attitudes, deeply personal, which focus around the lives and activities of those inhabiting the screen world. These are filled with self-revelations which indicate, sometimes deliberately, more often unconsciously, the influence of the screen upon manners, dress, codes and matters of romance. They disclose the degree to which ego stereotypes may be moulded by the stars of the screen."

Research conducted by psychologists, educationists and social scientists in some of the Western countries reveal that the impressions received by young audiences after seeing pictures—made primarily from an adult point of view and especially with sex, crime and escapist themes—tend to inculcate in their conscious and sub-conscious minds an urge to live the type of experience they have visually witnessed on the screen.

So far as this important social problem is concerned, the report of the Departmental Committee on Child and the Cinema appointed in Great Britain known as Wheare Committee, particularly condemned the false values that everyday entertainment film inculcates, it says:

A large number of films are exposing children regularly to the suggestion that the highest values in life are riches, power, luxury and public adulation and that it does not matter very much how these are attained or used. We are convinced that the regular portrayal of false values is more perverse and dangerous than the depiction of crime or impropriety."

Although the imposition of strict and stiff censor regulations may, to some extent, rectify this serious state-

[Shri Radha Raman]

of affairs, still, the commercial film has to present to its buyers all that which will make them forget, for the time being, the cares and worries of life. In attempting to do so, more often than not, it succeeds in giving an unbalanced view of life and a distorted sense of values. Thus, the only positive solution is that suitable entertainment films should be produced especially for children and adolescents. Themes of these films should be within the comprehension of the child and should not only entertain but should elevate and educate them.

Having said this, I would like to draw the attention of the Government to this fact. They are legislating for a Censor Board. The members are required to be paid certain allowances. It should be possible for the Government to see that proper censoring is available. It is quite true that the present film industry is producing largely films that are not of the high mark. They are not having the impact of our tradition or the moral aspirations that our country possesses. There is large room for improvement. I am quite convinced that our Minister for Information and Broadcasting is equally eager and earnest. I know that he has been fighting against heavy odds with the producers and those who are engaged in this industry to raise the standard of the films that are produced. But the success so far achieved is not as much as we all would like it to have been. There should be greater attention paid to this. This can only be done if there is a proper board of film censors who have got the authority and who are also given the blueprint which would enable them to reject a film or not reject a film. I am sure that with the amending provisions that the Bill contains it will be possible to raise the standard of films and we shall be having films not only for adults but also for children.

I say, Sir, that if the Film Enquiry Committee's report is read it will be seen that it recommended immediate

action to be taken for centralisation of control over the production of films. I find that no action has so far been taken in this direction. I am very anxious, and I would like to know if the Government has taken any steps in this direction. I would like to know whether we can expect that there would be centralised control over the production of films.

I would further suggest that it is not correct for Government to leave the entire industry in the hands of the private sector. Though we are producing documentaries and some films are produced which are only slightly different from the documentaries, I feel that in a big country like this our Government should establish a certain machinery whereby the production of right types of films is made possible and we are able to guide and advise the persons who are now producing films as to what kind of films would suit our country, its traditions and its moral standards.

With regard to children's films, I am happy that there is a film society created by the Government and some amount is made available to the society under which two films per year are required to be produced. I somehow feel that this deserves greater attention to be paid by Government, because it is in the young mind, it is at the impressionable age that we can influence and create much better results. For a country like this where 40 crores of people are living, two films per year for children is very insufficient, very inadequate. Therefore, proper attention should be paid to this side, and there should be more money available, more and more technical knowledge available, in order to enable people, particularly children, to see the right type of films. More emphasis should be laid on entertainment. At the same time, such entertainment should be a sort of education. What I mean is, it should combine the entertainment aspect as well as the educational

aspect of films. Films should not be such as would not carry entertainment and education with them.

In this connection, Sir, I have a few suggestions to make. I will place them before the House very briefly. Firstly, a special classification of children's films should be made. The classification may be made by a specially constituted committee and not left to the Censor Board whose object is negative. The Film Censor Board has only to reject a film, it does not perform any function where it has to suggest what types of films are to be made and what criterias are to be adopted in order to help the producer to produce the right type of films. There should be some agency, some machinery, or at least power with the Censor Board to suggest to the producer about the right type of films that the country should have, the right type of films that the film industry should produce.

Then, Sir, cinemahouses should be persuaded to give shows of children's films at a nominal rate, especially on Sunday mornings. Mere production of two films by the Children's Film Society is not sufficient. The Government of India should give increased grant so that at least 12 films are produced every year and one new film is provided to children every month. The film should also be converted into regional language versions. Here, of course, as the hon. Minister has already informed the House, some of these films are being produced in the regional languages.

Shri Easwara Iyer: Sir, I would like to point out here that the hon. Minister stated yesterday that these films are being converted into regional languages. So far as I am aware, only one children's film has been converted into Tamil and conversion of one film into Telugu is going on in Andhra. No other films have been converted into regional languages, and the information supplied by the hon. Minister, I would respectfully submit, is not correct.

301 (Ai) L.S.D.—6.

Shri Radha Raman: It is for the hon. Minister to reply to the point raised by my hon. friend. I was telling about some of the suggestions that I wanted to make in respect of the production of children's films. I want to emphasise as much as I can that there is a great need for our attention being diverted to the production of the right type of films.

I find that in other countries a lot of attention is paid by their Governments. Greater stress is laid on this aspect in other countries. In Soviet Russia a children's film studio was formed as far back as in 1936 and it made a great number of children's films. Since 1947 all Soviet film studios are producing children's films. Special cartoons, puppet films and popular science films are also produced in a large number. Films are shown regularly in cinemahouses and at some places special cinemahouses have been established for showing children's films. In Great Britain, Children's Film Foundation has been formed by the film industry. It receives an annual grant from the British Film Production Fund and the films are produced regularly. By convention films are shown in special children's matinees all over the country by the cinemahouses.

Lastly, Sir, as I said earlier, there should be centralisation of control over the production of films as was recommended by the Film Enquiry Committee. I will also suggest that there should be a national council put in charge of production of films in the country. If there was such a council then it will at least give guidance and advice to the people who are already producing films. It will also induce other people to come into this industry and thus help this industry grow in a proper way. Of course, we have made quite a good progress—we cannot say that we have not made any progress—and all the credit goes to the Ministry, particularly our hon. Minister. But it will be admitted that there is great room for improvement. Even now some of the films

[Shri Radha Raman]

that are passed by the Censor Board are not worth to be shown even to our adults, much less to our children. It will be good if members of the Censor Board are selected from experts and not from the industry as such. The members should be selected from those who know the subject and who can guide people in the production of proper films in the country, so that the effect of films and their influence is far greater than what it is today, and it is in the right direction.

With these few words, Sir, I thank you for having given me this opportunity. I welcome this Bill and I hope it will go a long way towards improving the present condition of film industry in our country.

Mr. Speaker. The hon Minister

Shri C. K. Bhattacharayya (West Dinajpur) Could you allow me, Sir, to make some observations about this Bill? I would not take more than 5 to 8 minutes.

Shri Bhakt Darshan rose—

Mr. Speaker. 2½ hours are allowed for this Bill. Hon Members must have risen earlier. Very well. I will allow five minutes.

Shri C. K. Bhattacharayya. Mr. Speaker, Sir, this Bill is good so far as it goes. For the first time certain principles of judgment for certifying films have been laid down. There has been an attempt to make the procedure a more perfect one and certain checks have been put in where there were none. For that the Minister deserves our thanks for having brought forward this Bill. But, even then, I regret that he has not omitted from the Bill one very objectionable feature, and that objectionable feature is the provision for special certificates for films known as 'adult films' or films marked as 'A films'.

Sir, for whose benefits are these special certificates being given? The "U" films which we see are certified so perfunctorily that at times they become repulsive to us, and the adult films make the matters worse further. What I would request the hon Minister now, even at this stage, is that he should abolish the special certificate for the films known as 'A' films. If he does it, he would deserve the thanks of the public, and he would be acclaimed as one of the greatest benefactors of the cinema-going public.

I have said that the 'A' certificate films are meant for the adults. There are certain amendments that have been tabled, and which intend to abolish this provision in the Bill. I request the hon Minister to accept, on his own initiative, those amendments, and abolish this vicious provision. Any film which is not worthy to be seen by all should not be shown at all. That is my submission. If you cannot provide films which are not for universal public exhibition, do not provide them at all. Let there be universal films or let there be no films at all. That is my suggestion to the hon Minister.

On a previous occasion, I had to draw the attention of the House to the perfunctory manner in which "U" certificates are given, and the hon Minister kindly gave certain replies to what I said at that time. I request the hon Minister to consider whether the provision for adult films does not make matters worse. What is this provision for? The underlying presumption is that these films, if shown to non-adults, are liable to spoil them. If that is so I would ask, why is the necessity for spoiling the adults?

13.32 hrs

[MR. DEPUTY-SPEAKER in the Chair]

Do they not deserve your care and do they not deserve your protection? If you are determined not to spoil one

section of the public, why then spoil the other section?

Now, who are these adults? Just look into the Bill. The existing Act says that an adult is a person who is a lad of 18 years. So, a lad who is merely 18 years old is permitted to see these sex-ridden films. I would draw your attention to another Bill, the Representation of the People Act Amendment Bill, which is also coming up for consideration in this House. In that Bill, for the purpose of adult suffrage, no one is an adult unless he has completed the age of 21. But, for seeing these sex-ridden films, one becomes an adult at only 18 years of age. So, it comes to this. Our children will be exposed to these films when scarcely they have passed over the age of puberty, and that is my anxiety and that is my worry. I request the hon Minister to remove this worry of mine.

Then I would also say that these films do more harm than is thought of. I would give the Minister an instance. Some films are marked or meant for adults only. That is how they are marked out. But everybody knows that children of much lesser age are allowed to see these films. I have an example to give to the hon Minister, and that occurred in my own personal experience. In a cinema house in Calcutta a film marked as an adult film was being shown. I was passing that way. There is a school nearby. It was an afternoon show, and the boys of the school were attracted by that forbidden fruit and they had left the school and were crowding into the cinema house. I came back to my office, called the photographer and got a photograph taken. The photo was published the next day in the papers with everything shown—the name of the cinema-house, the name of the film, the mark that it was meant for adults and also the scene in which the striplings were shown crowding together to get entry. Is this the sort of thing to be allowed? The society should not tolerate such things. If the hon Minister

wants, I am prepared to make present to him of a copy of that photograph.

Then, I have to draw the attention of the hon Minister to a letter appearing in the *Ananda Bazar Patrika* of the 17th December from the pen of one of the greatest litterateurs of the present day, Shri Tara Shankar Banerjee. I hope the Members of the House have heard of his name. This is what he says. I would translate it, for it is written in Bengali, though I am prepared to read the Bengali version. The hon Minister may also get it translated for himself. The writer says:

"If these ugly films are allowed to be shown all over India for one full year, the part of the public which will be affected by these films will be enough to send to hell all the programmes of the Government of India, all their plans and even the Independence of India itself"

That is how Shri Tara Shankar Banerjee comments upon these films that are shown.

Now, the "U" films, the films meant for the universal public are so marked for universal release. If this is the condition of the "U" films, I do not know what will be the result of the adult films that are being produced in society on this. Shri Tara Shankar Banerjee makes another comment.

Mr Deputy-Speaker: He should be brief.

Shri C. K. Bhattacharyya: I am quoting the opinion of one of the greatest litterateurs of the country, and I think the Members of the House should have some respect for the name of Shri Tara Shankar Banerjee.

Shri Mahanty (Dhenkanal): Produce documentaries.

Mr. Deputy-Speaker: We have every respect for that gentleman, but the

[Mr. Deputy-Speaker]

speech of the hon. Member has to be concluded within time

Shri C K Bhattacharyya: I did not raise any objection when Shri Mahanty was speaking from his brief yesterday. I found he was speaking from his brief. I do not object. Shri Tara Shankar Banerjee makes another comment which the hon. Minister might take note of. He says:

“अमृत तृष्णार्तं मानवे मखे विष तूले
देषोवा होच्छे ।”

“Amrita-Trishnarta Manuser
mukhe Bis Tule Deoa hatchche”.

That is to say,—

“The people had asked for the Amrit, and what these films are serving to them is poison”

That is from the pen of Shri Tara Shankar Banerjee and not from one who may be considered by my friend as a puritan or something else. I am glad that I have got Shri Tara Shankar Banerjee on my side.

Again, Shri Banerjee says this. He is a member of the Advisory Panel of the Calcutta region. He says

“As a member of the Advisory Panel, I found myself unable to check this, because I lack that power”

So, I would draw the attention of the Minister to this particular letter. I would also draw his attention to another aspect.

Shri Mahanty: What about the novels?

Mr Deputy-Speaker: The hon Member should conclude now.

Shri C. K. Bhattacharyya: I would draw the attention of hon. Minister to another feature that I have seen

in Calcutta. The police in Calcutta have become worried as to how these “U” films and “U” certificates are given. They have approached the Chief Minister for powers to check them. They say that they want to check these films that are being shown and that are calculated to produce very great injury on society, but since the Board of Film Censors, in their wisdom, have given the “U” certificates for such films, they are unable to take action. This matter has been taken up by the Chief Minister, and the hon Minister of Information and Broadcasting might make a reference to Dr B C Roy if he wants.

Mr Deputy-Speaker: The hon. Member should conclude his speech now.

Shri C. K. Bhattacharyya: I would like to make another suggestion. The Board of Film Censors have been given certain powers to check films. I would request the hon Minister to give them powers to check publicity material as well, because these publicity materials do a lot of harm. Parts of the films that are excised by the Board of Censors are exhibited in posters, giving them a life-size appearance. Pictures appearing in the film—how have a fleeting passage over the eyes, but if they are given a static representation before the eyes on the public thoroughfares, that is more injurious, and that affects the people, willy-nilly, the people have got to see them because they are exhibited on the road.

Therefore, I would request the hon. Minister to give power to the Board of Film Censors to check the distributors who serve the publicity materials and, if necessary, by putting some penal provisions.

Shri Bhakt Darshan rose—

Mr. Deputy-Speaker: I will give the hon Member an opportunity to speak during the clause-by-clause

consideration. He could say then whatever he has to say.

Dr. Keskar: I am grateful to the hon. Members for the interesting discussion we have had on this amending Bill. I have been listening very carefully to the various points that have been made. I might assure them in the very beginning that all the points that have been put forward will receive very careful consideration from me.

At the very outset, I would like to confess that the Bill never made the ambitious claim of dealing with the film industry. I made it clear that it is a procedural Bill meant to clarify the main Act, which is meant for censorship and exhibition of films. I agree with the observations made by hon. Members that a Bill more comprehensive, which might put the industry on a better basis would be desirable, but that is a point which has not been taken up in this particular Bill. So, the suggestions made by many hon. Members, however useful and constructive they may be, cannot form a part of this Bill.

I am conscious of the importance of the various problems which face this industry. Hon. Members have tried to make the point that Government has not tried to do anything to tackle the important problems and therefore, before coming to the Bill itself, I would therefore deal with some of the points raised here in a general way. On the floor of this House, in the course of the debate on the budget and on one or two other occasions also, I have mentioned these points, but I would like to repeat them here. That is mainly regarding the Film Enquiry Committee report. Hon. Members might remember that about three years ago, I made a detailed statement before the House as to what action we could take and what action we could not take and why. Some of the constructive and important suggestions made by the Film Enquiry Committee have been taken up by us and I will only mention two or three.

The first is the Film Institute; the second is the production bureau or pre-censorship bureau as it is called sometimes and the third is the Film Finance Corporation. About the Film Institute, I might say that the preliminary work regarding the institute is nearly over. The same might be said about the pre-censorship bureau. In fact, if it had not been for the financial crisis of the last year or year and a half, we would have been able to take up this question much earlier. The same applies to the Film finance Corporation. There the preliminaries were already over, but due to the financial crisis, we had to hold it over, notwithstanding our earnest desire to set up the corporation. But in spite of all these difficulties, we are now going to have a finance corporation on a more modest scale for the time being, expanding it when more money becomes available and then all the points made regarding helping the industry financially can also be effectively dealt with.

There is one thing which I would like hon. Members to remember. It is no doubt true that this is a very important industry. It is one of our big industries, but it is quite different from most of our other big industries. That point has to be borne in mind. There is no uniformity in the various units in this industry. Every individual unit varies from the other. The products also differ according to the talent and genius of the individual producer or unit. The financial structures of the units are of varied complexity and entirely different from each other.

There are a number of trade organisations in this industry. There is also an all-India organisation, though unfortunately it cannot be said that in spite of these organisations it is a well-organised industry in the sense of the textiles or any other big industry of the country. So, what I would request hon. Members to bear in mind is, when we want to make any effort to organise or to build up the

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industry on a sound foundation, we have difficulty in taking steps, because firstly the industry itself has to be knit into a coherent organisation. There are many important hurdles to transgress in that direction. When that is done—and the problem is engaging our attention—we can certainly take steps to organise the industry as an industry; it is not a question of censorship with which I am dealing with now.

Leaving aside these two or three important points, there was the question about the film industry having a Film Council. About this, I made a statement in April giving the reasons why Government felt it was not possible to establish it on the basis suggested by the Enquiry Committee, because the financial burden of that council would have fallen on the Government and the Council was in an overwhelming majority represented by interests over which the Government had no control, Government was not in a position to say as to what will be the financial commitment and they wanted to have a better understanding from the industry itself as to how they should proceed before establishing such a council.

My friend, Shri Mahanty, has made a speech which has questioned the very basis of the Bill or rather the Act which the Bill is going to amend. I have listened carefully to his speech and I am afraid that in spite of the arguments which he has tried to labour, the issues he raised do not appear to me to have much to do with the present Bill itself. No doubt the hon. Member is free to raise any important question he likes, but he has mainly raised the question as to whether there should be censorship by Government or not. This matter has been discussed on the floor of this House not once, but two or three times and quite elaborately. I do not think it need be repeated again, but in passing, I would like to mention that as far as I have been able to

gather, the opinion in the country and in Parliament is definitely and strongly in favour of having censorship of an effective kind.

The mass impact of films as a medium has been elaborated time and again by hon. Members. Mr. Mahanty has quoted the examples of USA and U.K. We need not follow the U.K. and the USA everytime and in every thing. No doubt we can take from them and from other countries, whatever good things we can. But we need not take everything from them, if that thing is not suitable to our country or our society. Moreover, we must remember that in this matter the Constitution itself recognises censorship. It is in the Schedule and the Central Government has been considered the proper authority regarding this matter. The Constitution also recognises the right to put reasonable restrictions in the interest of various subjects important to the community, which for the sake of clarification, we have mentioned in a clause of the Bill itself.

Public opinion is emphatic about censorship; not only that, in the debates that took place here and in the Rajya Sabha, the overwhelming majority of Members have been very critical of Government for having a mild and lax censorship and they have insisted on a stricter kind of censorship. I am, therefore, not able to agree with Shri Mahanty, and also as I said this does not form a fundamental part of the Bill itself.

Then, the question was raised by Mr. Mahanty and Mr. Hem Barua about the definition of decency and morality. It is not possible to lay down any clear or rigid definition. This was discussed many times. I remember it was discussed in the budget debate in 1953 and 1954 in this House. Decency and morality are social concepts and they are really social standards of behaviour of any particular community. They will have to be judged by

the standards laid down by the community in our country. Broad principles can no doubt be laid down for the guidance, but there will always be difference of opinion between individuals or between groups regarding what is decent and what is not decent and what is moral and what is not moral. There can never be any unanimity at any time, however great the details of our definition might be. In specific cases if there is any difference it will ultimately have to be left to the law and to the courts if and when necessary. That happens in every case. It can happen in this case also. We can only lay down the broad general principles regarding this matter. I agree that we should try to have the general principles as clear as possible, but to go beyond that is neither possible nor practicable.

Shri Mahanty suggested that the Bill be circulated, because the guiding principles are being included here. Even if the guiding principles are not included, they will be there, because we have to be guided by those principles. The reason for putting them here is for the future for any change in the directive it should be clearly understood that those who make changes should be guided by those principles and by nothing else. Even if he is opposed to the clarification of the present clauses, the reasons advanced by him do not appear to be convincing at all. He says that statutory censorship should be abolished. Well certainly we can discuss this question at some other time and we can go through the moral principles involved, the freedom of thought and other things which he wants to maintain. But I do not think that the present is the time, more especially in view of the opinion that has been clearly expressed in this House about the necessity or justification for censorship.

Repeated mention was made about children's films. It is an important subject. When films have become the mass medium and have mass impact, the necessity to have children's films is obvious. At the same time, we must

remember that it is not so easy, as it may appear, to make children's films, that is, films which will be enjoyed and understood and interpreted by children as the adults will interpret adult films. This is a very specialised subject requiring special knowledge of child psychology and an artistic understanding of children's minds. I submit to hon. Members that though it is desirable to establish in the country institutions for producing children's films, it cannot be done at will or by issuing an order. When we thought of tackling this question we found it difficult even to get specialists who have tackled this question in our country. Therefore, in the beginning Government thought it would be advisable not to tackle the matter themselves but to entrust it to a society which will give its whole time to this subject, and that is why the Children's Films Society was established. When the society was established, we expected the society to take up work throughout the country. We asked the Society, and encouraged it also to establish in all the States and all the regions regional children's film society, at the same time encouraging the State Governments also to establish regional children's film society so that the regional children will get their regional approach which is absolutely essential, and suitable children's films will be produced. The preliminary work of the society has been of a very difficult nature. In fact, they had to scrape a little and it is only after that they could go into production.

While I would like them to produce more and better and larger number of pictures I would urge upon Members that the problem bristles with difficulties and so they should be sympathetic to the society and should try to go to its help and understand its difficulties.

Now let me make it clear that the Government of India establishing a Children's Film Society does not preclude any state or any region from establishing similar societies. In fact,

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we have gone out of our way and have asked the States to do that We have said that the Society will give them every sort of help in establishing such regional societies

No doubt, in the beginning they produced one or two pictures They might produce double the number of pictures in the years to come Obviously, during the first few years they cannot produce good films on a very large scale Now they are trying to establish branches called State Children's Film Societies, with whose help they will be able not only to convert pictures produced by them into all the languages but also to get special pictures produced in the various languages

I agree that the progress made is not great But the problem also is very complex and difficult So, we should not be unduly harsh on the society which is trying to do a very difficult job It is composed of eminent men and women who are interested in children's welfare and in this problem and are trying to devote the best part of their time for this work If Members have got any constructive proposal regarding this matter let me assure them that we will certainly try not only to sympathetically listen to them but also to put them into practice because we are as much interested as they are in the production of children's films

Mention in this connection has been made to children's films produced in Russia and other countries

Shri Tangamani: How many films have been produced here?

Dr Keskar: I cannot give the exact number It is not two They have produced two major feature films They have also produced three or four smaller films I will certainly furnish to the hon Member the number of films that have been produced and all the other details If he has any suggestion to make, I am quite prepared to discuss them with him We are as much interested in

producing good children's films as they are

Shri Easwara Iyer: For the information of the hon Minister they have produced three feature films and adapted two foreign films

Dr Keskar: No I am sorry, I disagree with the hon Member

Shri Easwara Iyer: That is what we find

Dr. Keskar: They have produced shorts which cannot be called films in the proper sense, because they are small That is why I could not give the exact number But I can give all the details to him

Shri Easwara Iyer: made a criticism about the conversion of these films into all the languages I did not say they have been converted but that they are being converted We have made it a point to insist on the society that they should try to convert the films into all the languages, priority being given to the southern region Probably they have begun with Tamil I am sorry I would ask them to take up Malayalam also and it will be done

Shri Easwara Iyer. In fact, there is a committee in Kerala State with our Chief Minister as Chairman

Dr Keskar In fact, in future the State organisations and the central society will work together and films produced in one language will be converted into the other and films found to be of all India appeal will be converted into all the languages These are some of the teething troubles and I hope hon Members will not be highly critical of the society, because it is trying to tackle a very difficult matter

There has been a general criticism about the various sins of omissions and commissions of the Censor Board. This if I may make a general observation, is not an easy subject to tackle Censorship is a negative action It is not a positive step. The Censor

has to see if there is anything objectionable. That, also he has to see under the guidance of directives which have a very limiting character. I would like to stress this specially. Even if the censor finds a film crude and generally vulgar, he cannot ban the film under the limitations of the present law. He has to take up only specific objectionable things and cut them out and say: "unless you cut it out, I will not certify this film". No doubt this is sin in my opinion, a very unsatisfactory state of affairs. But there it is. The limitations have to be borne in mind before we rush to criticise the censor. I do not say that in every single matter the Censors might be right. They have to judge hundreds of films and thousands of scenes and probably in judging specific scenes a particular sitting of the Board might have made a mistake in our opinion and in the opinion of the majority of people. It is possible. We have to make an allowance for human errors.

14 hrs.

Shri Hem Barua (Gauhati): It is human element.

Shri Easwara Iyer: Human fallibility, I should say.

Dr Keskar: But there is always a redress available to any aggrieved person. The redress is not only at one place. There are a number of redresses available. That is the only thing we can do. We cannot have a foolproof censorship. That is humanly not possible. I am not saying that I am trying to protect every possible decision of the Board. What I am saying is that they have to carry out a very difficult task and here and there their decision might be subject to criticism or might create a difference of opinion. We have to keep this generally in view.

As I said, our powers are limited and unless the House is prepared—I have said this twice before on the floor of the House—in specific matters

to give powers to the Board of a wide nature so that undesirable films to which Shri Sadhan Gupta made a reference and with whom I entirely agree, can be stopped, we cannot do anything. If hon. Members are prepared to come to discuss and agree with me, we can certainly ask that such powers should be given. But until they are given, I confess I am helpless in the matter. I will have to move within the ambit that is laid down. If Shri Easwara Iyer, who is a very talented lawyer, could suggest to me some other ways also, I shall be very grateful to him.

Now, there is the other aspect, i.e., the constructive aspect, which has been stressed by non Members. I agree with them that the work of improving films is not a negative thing. But let me again stress that this Bill is entirely for the purpose of improving the censorship and not for improving films. That can be done through a separate Bill or a separate Motion. I am in agreement with hon. Members on the general proposition that has been placed, i.e., that we must do something to raise the standard of films in the country and should have some desirable and better type of films produced. But this is something which requires plenty of money, because production of films is a costly business and we will have to invest a large amount of capital either in giving a subsidy for good films or in producing some films. For example, West Bengal Government produced the film *Pather Panchali*. On all these, we will have to spend a good bit of money. Parliament controls the purse-strings and this question can certainly be considered actively if hon. Members feel that we should spend money for this purpose with a liberal hand. If we take our present difficulties into consideration—I am talking of the financial difficulties—I am not sure whether we can make large amounts of money available for this purpose at present. When we are in a slightly easier position, I certainly would like this question to be taken up. I would certainly like that we encourage good

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films I hope that the Film Finance Corporation, which we propose to establish on a more modest basis, will be able to help in this direction, which Shri Easwara Iyer and Shri Sadhan Gupta have indicated

Shri Bhattacharyya and, I think, Shri Barua also, referred to the question of 'A' and 'U' films. Now, this is a difficult question. I agree that the enforcement of 'A' films is not done as it should be.

Shri Hem Barua: It is difficult also.

Dr. Keskar: It is no use rushing and criticising this Ministry for this. I have made it clear many times that the enforcement of rules regarding entrance in a theatre is controlled by the Police and the Home Ministry of that particular State. We have nothing to do with it except the censorship of films. It is not a Central subject according to the Constitution. We lay down certain general rules for exhibition and it is for the Home Ministry of the State concerned to enforce them. I just cannot do anything in this matter. In fact, I have drawn the attention of the Police authorities of the various States that they should take greater and more vigilant steps to enforce these rules.

Now Shri Bhattacharyya thinks that because this is not enforced and cannot be enforced, we should abolish it.

Shri C K Bhattacharyya: Something more than that. This thing is vicious in itself. Therefore it should be abolished. May your goodness be kind enough to accept the amendment of Shri Bhakt Darshan?

Dr. Keskar: Your argument is all-pervading. You mean to say that from every point of view it is bad. I am not prepared to agree with you. There are films which adults will understand and will not be affected by them, but children will certainly be affected by them. This is a point

of principle which we can discuss at length.

Shri C. K. Bhattacharyya: An 18 year old lad is an adult. I am not prepared to allow my boy of 18 years to be exposed to such films.

Dr Keskar: If the discussion is only for the narrow limit of 18 to 21 years, that can be easily rectified. There would be no difficulty if necessary, we can consult the State Governments and put up the limit to 21. But if that takes away all the other arguments, then there is no need for discussing this.

Shri C K. Bhattacharyya: No, I object to the provision itself.

Dr. Keskar: But I am taking up the general question. I think there is need to have this distinction. How to enforce it? That is a problem which is worrying me. As I said, I cannot enforce it. It has to be enforced by the Police authorities.

There is another thing concerned with it and about which a mention was made. That is the question of posters with which the Home Department of the various States is concerned. Regarding posters, we have drawn their attention many, many times. Circulars have been issued to the effect that posters sometimes give out things which have been cut out by the Censors and which are publicly exhibited there under the law and as we have no authority to do anything because it is a poster the State Governments should take appropriate action.

Shri C K Bhattacharyya: If the hon Minister will excuse me, I request him to give the Board of Censors the power to control the publicity material including the posters as well.

Dr. Keskar: Under the Constitution we cannot do it. The Minister is not all-powerful and it is no use asking him to do the impossible.

Shri Hem Barua: Under what law can the Police do it?

Shri C. K. Bhattacharyya: I suggest that the Bill be amended in such a way that the Board of Censors gets the power to control these posters.

Dr. Keskar: That is unconstitutional and I am afraid I will not be able to do it.

Mr. Deputy-Speaker: The hon Minister might conclude now.

Dr. Keskar: I am not trying to reply to many of the amendments of which notices have been given. I will reply to them when they are moved. I have dealt with the general points only.

I would at the end assure hon Members that we will keep in mind the number of interesting suggestions that have been made during the course of this discussion, which has also been of a general nature, and give our careful consideration to them

Mr. Deputy-Speaker: May I know whether Shri Mahanty presses his amendment?

Shri Mahanty: In view of the assurance of the hon Minister that he will consider non-statutory censorship at a future date, I withdraw it

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Cinematograph Act, 1952, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The House will now take up clause-by-clause consideration of the Bill

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill

Clause 2— (Amendment of section 2)

Mr. Deputy-Speaker: Are there any amendments to it?

Shri Sampath (Namakkal): I gave notice of amendment No 24.

Mr. Deputy-Speaker: He has spoken about it.

Dr. Keskar: Amendment No. 17 also stands in the name of Shri Sampath.

Shri Sampath: I am not moving No 17

Sir, I beg to move.

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after line 11, add—

"(11) after clause (f), the following clause shall be added,—

"(g) "public exhibition" means projection of a cinematographic film in any place before an audience consisting of members of the public to which admission is regulated whether on payment of money or otherwise but does not include exhibition of such films before a gathering specially admitted for the purpose of dissemination of artistic, educational, social or political subjects through moving pictures."

Unless we clearly define the words "public exhibition" there is every chance of its being misused, specially when in the modern times any youngster who is in possession of a movie camera can shoot films. It is generally found that so many family events and some such other interesting items are shot. Therefore if this "public exhibition" is not clearly defined, there is every chance of its being misused. I shall draw your attention specially to the fact that now there are so many political party conferences which are being shot. If they are to be shown to the members of that political party, this comes into operation and that can be demanded

[Shri Sampath]

for censorship I think it is not fair if even short films of about 100 or 200 feet are demanded by this Act to be censored and certified by them. So, I would request the hon. Minister to accept this amendment.

Dr. Keekar: I am afraid, I am unable to agree with Shri Sampath. First of all, the wording 'public exhibition' has been there from the beginning of this Act. Exhibition in this context will be considered in the light of the ordinary meaning attached to this word. We do not say exhibition. We say, public exhibition, unrestricted public exhibition. Regarding this, there are a number of legal decisions not about cinema, but 'public exhibition' in the existing law. More especially, if I take his definition of 'film' which he has given in another amendment, together I do not think this can be considered to be reasonable. There cannot be any doubt about the expression 'public exhibition'. It can be clarified by the law courts if necessary. We are not trying to put something new. In fact, it is not in this Act, it is in the former Act.

Mr. Deputy-Speaker: The question is

Page 1, after line 11, add—

(ii) after clause (f), the following clause shall be added,—

"(g) 'public exhibition' means projection of a cinematographic film in any place before an audience consisting of members of the public to which admission is regulated whether on payment of money or otherwise but does not include exhibition of such films before a gathering specially admitted for the purpose of dissemination of artistic, educational, social or political subjects through moving picture."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill"

The motion was adopted.
Clause 3 was added to the Bill.

Clause 4—(Substitution of new sections for sections 3, 4, 5 and 6)

Shri Sampath: I beg to move

Page 2, line 27,—

add at the end—

"in consultation with the State Governments concerned"

Shri Easwara Iyer: I beg to move:

Page 2, line 27,—

after "Government" insert—

"in consultation with the respective State Governments in which such regional centres are established"

Shri Bhakt Darshan (Garhwal): I beg to move.

Page 2, line 7,

omit "unrestricted"

Page 2—

omit lines 9 and 10

Page 2 line 13,

omit "unrestricted"

Page 2, lines 13 to 15,—

omit 'or for public exhibition restricted to adults, as the case may be'

Page 2, line 32 —

for 'may consult' substitute 'shall consult'

Page 2 line 33 —

for 'any advisory panel' substitute 'the appropriate advisory panel'

Page 2 line 33,—

for 'any film' substitute "every film"

Page 3, for lines 4 to 11, substitute,—

"5A (1) If, after examining a film or having it examined in the manner provided in this Act, the Board considers that the film is suitable for public exhibition, it shall grant a certificate to that effect to the person applying for

it and shall cause the film to be so marked in the prescribed manner."

Page 3, line 17,

omit "for a period of ten years"

Page 3,—

omit line 32

Page 4, line 14,—

after "may" insert—

"on its own motion or on its attention having been drawn by any citizen or association"

Page 4, line 17,—

omit "or any part"

Page 4,—

omit lines 19 to 21

Page 4, line 27,—

omit "or clause (b)"

Shrimati Ila Palchoudhuri (Nabadwip) I beg. to move—

Page 2,

after line 27 add—

"Provided that one of the members of the advisory panel shall be a person competent to give legal advice, whenever sought by the panel, in respect of any matter relating to a film examined by the advisory panel"

Page 4 line 14,—

after "may" insert—

"either on its own initiative or on its attention having been drawn by any one else"

Pandit J. P. Jyotishi (Sagar): I beg to move

Page 3, line 20,—

after "security" insert "and progress"

Page 3, line 37,

for "and" substitute—

"appoint a high power tribunal of experts which"

Page 4,—

omit lines 1 to 12.

Mr Deputy-Speaker: All these amendments are now before the House.

श्री भक्त बर्दान (गढ़वाल) . उपाध्यक्ष महोदय, जिन संसो नों की सूचना मेने दी है और उनमे जो बातें मैं ने कहनी हैं उनको दो-तीन मोटी-मोटी श्रेणियों मे बाटा जा सकता है ।

सब से पहले तो मैं अपने आदरणीय मि श्री च० का० मट्टाचार्य जी का कृत है कि उन्होने अपने भाषण मे माननीय श्री महोदय को यह समझाने का प्रयत्न किया है कि यह जो यू० और ए० प्रमाणपत्र के बीच अन्तर किया जा रहा है, यह अनावश्यक ही नहीं है, बल्कि हानिकारक भी है। सन् १९५६ की रिपोर्ट के मुताबिक फिल्म सेन्सर बोर्ड ने ३,२३९ फिल्मों की जांच की थी, उनमें से ३,१०१ को माण-पत्र दिे गये थे। उनमें से ३,१०१ को यू० टाइप का यानी अनरेस्ट्रिक्टेड करार दिया गया और ९६ को ए० टा प का प्रमाण-पत्र दिया गया था जिसका मतलब यह है कि ये केवल बालिगों के लिये या एडल्ट्स के ही लिये थे। मैं समझना है कि जैसे कि श्री महनी जी तथा दूसरे माननीय सदस्यों ने प्रश्न उठाया है कि "डीसेमी" और "मीरे-लिटी" की वय: परिभाषा हो और माननीय मंत्री जी की तरफ मे थोडा ब त समझाने का भी प्रयत्न किया गया है लेकिन जो सब स बड़ी कमीटी मेरी नजर मे आ सकती है वह यह हो सकती है कि वही चल-चित्र देखे जाने के काबिल है या उन्ही चल-चित्रों को प्रमाणित किया जाना चाहिये जिन को कि हम अपनी मा-बहनों और अपने बाल-बच्चों के साथ देख सके। अगर हम कुछ वर्ग के चल चित्रों को किसी खास वर्ग के लिये ही प्रमाणित करते है तो यह मेरी समझ में नहीं आता है। वह जो वर्ग है वह ज्यादा पढ़ा-लिखा हो सकता है और वह पुस्तको के द्वारा भी उस ज्ञान को

[श्री भगत बंसन]

प्राप्त कर सकता है जोकि वह चित्रों के द्वारा प्राप्त करता है। अतः हमें उन्हीं चित्रों का प्रदर्शन करने की आज्ञा देनी चाहिये जिन को कि सभी श्रेणियों के और सभी उम्र के लोग देख सकें। इस वास्ते में प्रार्थना करता हूँ कि ५० और ए० टाइप में जो अन्तर किया जा रहा है, उसको वास्तव में समाप्त कर दिया जाना चाहिये।

माननीय मंत्री जी ने अपने भाषण में कहा कि अगर यह सुझाव रखा जाता कि १८ वर्ष के बदले २१ वर्ष की आयु कर दी जाये तो शायद उस पर वह विचार करते। लेकिन अभी तो कोई इस प्रकार का संशोधन नहीं रखा गया है। अतः मैं उनसे पूछना चाहता हूँ कि क्या वह यह संशोधन अपनी तरफ से यहाँ पर रखने की कृपा करेंगे, ताकि कम से कम यह प्रतिबन्ध कुछ ऊपर तो बढ़ सके और अगर वह इसके लिये तैयार हों तो मैं समझता हूँ कि सदन के जो नियम हैं उनको कुछ ढीला किया जा सकता है और इसकी, उपाध्यक्ष महोदय, आप अनुमति भी दे सकते हैं। इस संबंध में ज्यादा भड़चन नहीं आनी चाहिये, क्योंकि हमारे सविधान के अन्दर भी जो मत का अधिकार दिया गया है वह २१ वर्ष के ऊपर के लोगों को ही दिया गया है। कम से कम इस संशोधन को अगर यहाँ रखा जाये और सदन इसको स्वीकार कर ले तो बहुत कुछ हमारी जो कठिनाई है वह दूर हो सकती है।

आये दिन हम देखते हैं कि किस तरह से यह जो दो वर्गों के सर्टिफिकेट दिये जाते हैं इनका दुरुपयोग हो रहा है। अभी कुछ दिन पूर्व मैंने एक समाचार पत्र में पढ़ा था कि इलाहाबाद के विद्यालयों के प्रिंसिपल साहिबान और अध्यापकों का एक सम्मेलन हुआ था जिसमें उन्होंने दो बातों की मांग की थी। एक तो उन्होंने यह मांग की थी कि ए० टाइप के सर्टिफिकेट के फिल्मों को प्रदर्शित करने की

आज्ञा न दी जाये क्योंकि लड़के-लड़कियाँ ज्यादातर उन्हीं को देखने के लिये जाते हैं। दूसरी मांग उन्होंने यह की थी कि जिस समय क्लास लगती है उस समय कम से कम सिनेमा न हो, क्योंकि क्लासेस खाली हो जाती हैं और विद्यार्थी वर्ग क्लासेस छोड़ कर चला जाता है। इस संबंध में मैं केवल इतना ही निवेदन करना चाहता हूँ और मैं आशा करता हूँ कि माननीय मंत्री जी इस पर विचार करेंगे।

अब मैं अपने संशोधन संख्या ११ के बारे में कुछ कहना चाहता हूँ जो कि धारा ६ (२) से संबंध रखता है। ६(२) के अन्तर्गत केन्द्रीय सरकार को अधिकार दिया जा रहा है कि वह अपने आप भी, जहाँ तक प्रमाणित फिल्मों का ताल्लुक है, उन पर प्रतिबन्ध लगा सकती है। इसमें मैंने यह संशोधन रखा है और माननीय श्रीमती इला पालचीधरी ने भी इसी आशय का संशोधन दिया है और वह इस प्रकार है —

"on its own motion or on its attention having been drawn by any citizen or association".

जब यह चीज मूल अधिनियम में स्पष्ट शब्दों में बड़ी गई थी तो क्या इसको इस बिल से उड़ाया जा रहा है, यह मेरी समझ में नहीं आता। ऐसा हो सकता है कि स्वयं शासन के ध्यान में कोई गलती न आये और देश के किसी नागरिक या किसी संस्था के ध्यान में वह आ जाये और वह उसे सरकार के ध्यान में लाये या कोई मस्या आन्दोलन सरकार के पास भेजे और गवर्नमेंट फिर जांच-पड़ताल करे और प्रतिबन्ध लगाये तो मैं समझता हूँ कि माननीय मंत्री महोदय को इसमें तो कोई एतराज नहीं होना चाहिये।

अब केसकर जो बात आप कह रहे हैं वह तो हो रही है और यह भाग भी हीरी

रहेगी। कोई भी नागरिक अगर शिकायत करे तो उसकी हम जांच करते हैं। लेकिन इसको कानून में डालते की कोई आवश्यकता मालूम नहीं होती है।

श्री अक्षय दर्शन . मेरा दूसरा सशोधन संख्या १२ है जो बिल की धारा है उसमें लिखा है .

"8(2)(a) A film which has been granted A certificate shall be deemed to be an uncertified film in the whole or any part of India."

मे कहना चाहता हू कि जब कोई फिल्म देश के एक भाग के लिय गलन है तो वह देश के दूसरे भाग के लिय कैसे सही हो सकती है ? कुछ भ्रष्टा पहले उत्तर प्रदेश सरकार ने "बरसात" फिल्म पर प्रतिबन्ध लगा दिया था, लेकिन लोग उस फिल्म को देखने के इतने उत्सुक थे कि वे दिल्ली व अम्बाला तक उसको देखने के लिये गये, क्योंकि पंजाब सरकार ने प्रतिबन्ध नहीं लगाया था। अत अलग-अलग प्रान्तों में यह अन्तर करना, मे समझता हू, वायज नहीं है ; जो प्रतिबन्ध लगाया जाता है वह सार्वदेशिक रूप से लगना चाहिये और यह नहीं कि एक प्रदेश में लगे, दूसरे प्रदेश में न लगे जैसी कि व्यवस्था की जा रही है। अब देश के एक खड में वह लगेगा और दूसरे खड में नहीं लगेगा, इस प्रकार की व्यवस्था करना मे ठीक नहीं समझता हू। इतना ही सुझा निवेदन करना था।

Mr. Deputy-Speaker: Is the hon Minister going to accept any of the amendments?

Dr. Keekar: None of these But, I would like to make my position clear I think some Members want to put forward important

Mr. Deputy-Speaker: Shri D. C. Sharma.

14.18 hrs.

Shri D. C. Sharma (Gurdaspur): Sir, I have two suggestions to make. I hope the hon. Minister will take them into consideration today or afterwards.

In the first place, I think that one Board of Film Censors is not enough

Mr. Deputy-Speaker: Why not say it afterwards? If they can be considered afterwards, why not say afterwards?

Shri Braj Raj Singh (Firozabad): Why say it today?

Shri D. C. Sharma: Afterwards means after I have spoken

I was submitting that this is a very big country. There are at least three big centres of production and more centres are springing up in this country I think one Board of Film Censors, which is going to be the eyes and ears of the public is not enough. I would say that there should be three Boards of Film Censors located at the three production centres so that the films can be scrutinised in a very whole-hearted manner.

I find that the Board of Film Censors has so much work to do that they are not able to do justice, and sometimes certain things get slurred over which create a lot of complications afterwards Therefore, I would submit to the hon Minister that instead of having one Board of Film Censors, he should have three, so that the films are scrutinised very properly. I would say that our films should improve public taste, they should improve standards of judgment and standards of conduct. Of course, these are the three criteria by which we should test the films. If only one Board of Censors is there, I think it is not going to do its work adequately and properly It will be overburdened with work.

[D C Sharma]

I would also respectfully submit that the Board of Film Censors should consist of persons who have got greater leisure, who are public workers, men of approved public service. I do not think that the Board of Film Censors should consist of persons who have very little time at their disposal, who cannot attend these meetings and who cannot pay adequate attention to all this work. Therefore, the Board of Film Censors should consist of persons who have some time at their disposal.

I also believe that the categorisation of films into "A" and "U" is quite inadequate. I think it will meet the needs of the public if the categorisation is four-fold. In the first place we should have films of category "C" which should be meant exclusively for children. If we have that, I think some of the objections which have been raised by my hon friends over there will be obviated. They will have a separate category to themselves, and therefore they will not be permitted to enter other cinema houses where films which are not fit for the consumption of children are shown. Also in this country illiteracy is great and we want encouragement to be given to what may be called educational films. Category "E" may stand for educational films, and these films should be such that they can be shown in those areas where literacy is very small. I, of course, do not want to quibble over "U" and "A". Let them stay. Of course, forbidden fruit is very sweet, and forbidden waters are also very good, and people go to them. I do not think the police can prevent the people from going to them. We should make an attempt, but I do not think the attempt is going to succeed. This attempt should be made not only by the Ministry, but by the guardians and teachers also. So, I submit there should be four categories of films and not two as at present. Otherwise, we will not be able to achieve the results we desire.

Films should not have a licence for ten years. It is too long a period. I think the period of licence should be reduced. I do not know for what reason this period of exhibition has been kept at ten years.

I find in clause 5B that no mention has been made of the directive principles of our Constitution. No mention has been made of the fundamental rights enshrined in our Constitution. Instead of giving these outmoded and jaded things like decency and all that kind of thing, I think there should have been mention of the directive principles of our Constitution and the fundamental rights of the citizen. No film should be shown which goes against these rights, but nothing like that has been included in 5B. In this clause we have not only a kind of copy-book, school boy's enumeration of things. I think this clause should have been elevated to a higher level by mentioning those things which are very basic and very fundamental to our political, social and economic existence. I would also say that anything that militates against social or economic justice should also be banned. I think we should include a provision to that effect in clause 5B.

I like the wholesome provision which the hon Minister has made about obscene films. Some obscene films and some films which are not very wholesome are being smuggled into the country and are being shown in all kinds of surreptitious, and subterranean ways. I hope the Ministry will keep a watch on it and that the police will also keep a watch on it, because these films pervert our taste more than anything else.

Pandit J. P. Jyotishi rose—

Mr. Deputy-Speaker: Those who have spoken already may not try to speak again.

Pandit J. P. Jyotishi: I have not spoken

Shri Easwara Iyer: I wish to speak on my amendment and make a clarification.

Mr. Deputy-Speaker: Let us see if there is time after he finishes before we take up the non-official business.

Shri Easwara Iyer: It may not take more than one minute.

पंडित ज्वा० प्र० ज्योतिषी : उपाध्यक्ष महोदय, मैंने जो चार मशॉघन दिये हैं उन में से सशोधन न० १८ में मैं यह चाहता हूँ कि "सिक्वोरिटी" शब्द के बाद "एंड प्राप्पेम" शब्द जोड़ दिये जायें। यह ठीक है कि हम को अपनी राष्ट्रीय सिक्वोरिटी वाछनीय है। हमें ऐसी फिल्म नही बनाने देनी चाहिये जो हमारी सिक्वोरिटी में बाधक हो, लेकिन इस के साथ ही साथ यह भी जरूरी है कि वे हमारी उन्नति में भी बाधक न हो। इस बात का ख्याल रक्खा जाय। इस क्लॉज के अन्दर मैं कही यह लपज नही देना हूँ जिन में यह व्यक्त हो कि हम ऐसी फिल्म को रोक सकेंगे या हमारा मेसज बोर्ड ऐसी फिल्मों में रुकावट करेगा जो हमारी प्रगति के मार्ग में बाधक होगी। स्टैग्नेशन राष्ट्र के लिये अवाछनीय वस्तु है। भले ही सिक्वोरिटी हमारी रहे, लेकिन जिस स्थिति में हम आज हैं केवल उस में ही सुरक्षित रहे तो मैं समझता हूँ कि वह राष्ट्र के लिये घातक वस्तु होगी। तो हमारी फिल्मों सिक्वोरिटी के साथ साथ प्राप्पेम के मार्ग में भी बाधक न हो, इस प्रकार का नियंत्रण में चित्रों पर रखना चाहूंगा।

सशोधन न० १९ में मैंने अपनी को के सबब में कहा है। मान लीजिये कोई अपनी ल होती है, कोई फिल्म निर्माता बोर्ड के फॉर्मले से असन्नुष्ट होता है वह शासन के सामने अपनी ल करता है। उस अपनी ल को कौन सुनेगा, इसके बास्ते कोई स्पष्टीकरण नही है। मेरा सुझाव है कि आवश्यकता पड़ने पर शासन

एक्स्पर्ट्स का एक हाई पावर्ड ट्राइब्यूनल एप्वाइंट करे। मतलब यह है कि अगर कोई ऐसा फॉसला होता है जिस से कि फिल्म निर्माता सन्नुष्ट नही होता है, तो वह अपनी ल करता है। लेकिन उस की अपनी ल पर आखिर मंत्री विचार करने वाले हैं या सेक्रेटरी विचार करने वाले हैं, इस का फॉसला आखिर कौन दे ? इस लिये मेरा सुझाव है कि सेंसर बोर्ड के ऊपर एक कमेटी आफ एक्स्पर्ट्स रहे जो ऐसी अपनी लों को सुने और आखिर फॉसला दे।

मैंने यह देखा कि रिजीजनल पावर्स जो हैं उनको शासन ने पूरी तौर में अपनी ल हाथ में रक्खा है। बोर्ड की प्रोमीडिग्स चल रही हैं, बोर्ड कांई फॉसला अपनी ल कर सकता है, लेकिन शासन कभी भी उन प्रोमीडिग्स को रोक सकता है। मेरा समझ में नही आता है कि जो बोर्ड हम निर्मित करते हैं उन पर हमारा इतना अविश्वास क्यों है। उसका फॉसला हम उस के ऊपर रहने दे। एक हाथ से हम उन को अधिकार दे और दूसरे हाथ से हम उन के अधिकारों को छीन ले। यह मुझे विवेक के अनुकूल नही जचता। यदि हम बोर्ड पर विश्वास करते हैं, यदि हम ऐसे आदमियों को नियुक्त करते हैं जो उचित फॉसला करने का माहा रक्वते हैं, तो मैं नही समझता कि जब उन की प्रोमीडिग्स चल रही हैं तो हम उन में कोई व्याघात क्यों उत्पन्न करे। यदि उन के फॉसले वाछनीय न हो, वे हमें अपनी ल कार्य न हो, तो हम ट्राइब्यूनल्स के द्वारा उन पर फिग विचार कर सकते हैं।

चौथे मशॉघन के द्वारा मैं शासन के समक्ष यह बात रखना चाहता हूँ कि आप चेअरमैन को या कमेटी के किसी भी सदस्य को जो मन चाहे अधिकार दे देना चाहते हैं, सारे के सारे अधिकार दे देना चाहते हैं, उनको मेरा विवेक अपनी ल नही करता है। अगर बोर्ड की सारी की सारी शक्ति किसी इस या उस व्यक्ति में केन्द्रित कर दी जाये तो बोर्ड को बनाने का आखिर अर्थ ही क्या हुआ ?

[पठित उवा० प्र० उद्योतिषी]

मे किसी एक शब्द में, चाहे वह बोर्ड का चेयरमैन ही क्यों न हो, सारी शक्ति का केन्द्रीयकरण बाह्यनीय नहीं समझता हूँ। मे समझता हूँ कि नियमों के अन्तर्गत बोर्ड को अपनी कार्रवाई करने का पूरा पूरा हक रहे और उस के माफिक वह अपना काम करे।

Mr. Deputy-Speaker: Shri Easwara Iyer wanted one minute

Shri Easwara Iyer: The only submission I would like to make is with respect to the Board of Censors. Of course I agree with the hon. Minister that we must make allowance for human fallibility but in enumerating the principles on which the Board of Censors have to perform their duties we have couched it in rather general terms like decency, morality, involving defamation or contempt of court etc.

Mr Deputy Speaker: If the House so desires, we might push back the non official business for about ten minutes, and finish the business that we have got in hand.

Shri T B Vittal Rao: We do not mind provided there is quorum at 5.

Shri Shree Narayan Das (Darbhanga): This should be held over because .

Mr Deputy-Speaker: That cannot be done since it was decided in the morning when the Speaker was in the Chair. Now that the poor Deputy Speaker is in the Chair, they want him to do it.

Shri Braj Raj Singh: Why poor?

Shri Easwara Iyer: I want to submit for the consideration of the hon. Minister whether when the Board of Censors are acting under this enactment they should not have some guiding principles under which they should perform their duties.

Dr Keskar: May I clarify the issue? What I mean is that these are going to be the guiding principles to prepare a code of directives. There will be a detailed code of directives.

Shri Easwara Iyer: I am coming to that. I cannot say it in one word. There should be some guiding principles, lest we should be faced with the charge that there is a potentiality of this power being used with discrimination.

Coming to the advisory panels, which have got the duty of advising the Board of Censors, I find from the clause that the personnel of the advisory panels are to be chosen by the Central Government. My amendment seeks to provide that when it comes to the question of choosing the personnel of the advisory panel, since they have to judge films in various regional languages persons who have got intimate knowledge of the custom and usage of every region and also the language of that place may be chosen and a proper person can be chosen only if it is done in consultation with the State Governments, not that I am saying that power should be straightway handed over to the State Governments, though certainly, I do stand for it. But I am only saying that when the Central Government are exercising the powers for the purpose of appointing the members of the advisory panel, it should be done in all cases in consultation with the respective State Governments, who could give suggestions or who could give recommendations as to the proper personnel who should be chosen to serve on the panel. So, as a matter of abundant caution, I have moved this amendment.

Dr. Keskar: First of all let me speak on Shri Easwara Iyer's amendment. Regarding the principle of consulting the State Governments, I have no objection. My point only is that I am not prepared to agree that there be a statutory obligation to consult the State Governments, but I

do agree with the hon. Member that when we form panels, we should get names of desirable persons from the State Governments also; and I shall see that this is done.

There is one other point also to which I should like to draw his attention, and it is this. The regional centres are not there in all the States. For example, there are only three regional centres, namely, in Madras, Bombay and Calcutta. If we consult only the State Government in whose territory the regional centre is located, that also will not be very fair. The persons in the panel even today are taken on the basis of their knowing the various languages, and it would be certainly helpful to us and convenient also, if we could get suggestions in regard to the names, from also the State Governments, as from other sources and we shall certainly take steps in that behalf. I am not prepared to agree that it should be made statutory, but we shall make an arrangement by which the State Governments also will give us the suggestions in regard to the names.

Shri Easwara Iyer: I am satisfied with that assurance.

Dr. Keskar: I would like to say a few words regarding one or two other points.

In regard to the question of the ten-year limit, I would say that this limit has been put only because if every five years there has to be a review of a film—I am sure there will be thousands of them—it will be a very great hardship on the members of the board, and the panel and also on the producers. Therefore, we have decided that it should be ten years. But if the hon. Member looks at the Act, he will find that if for any reason any particular film is considered at any time to be undesirable owing to a change of circumstances, action can be taken against it at that time. The ten-year limit is the ordinary limit, but there are exceptional

powers to deal with any film if and when required. So, I do not think any change is necessary.

There are a number of amendments. Shri Bhakt Darshan has tabled about fifteen minutes, and it is very difficult to deal with all of them. Shri Sampath has given an amendment to this clause, which is nearly the same as what he has given in amendment No 17. There is very little difference between them. I have already given the reasons why I am not able to agree. In my opinion, it is unnecessary, because this Bill is not meant to apply to private exhibition of films, but only to public exhibitions. The hon. Member has tried to hedge in the conditions for what should be considered as a public exhibition. This is something which is quite commonly known. Therefore, I do not think any additional definition is necessary for that purpose.

Pandit Thakur Das Bhargava: (Hissar) The hon. Minister said that he would be agreeable not to limit A films to children of 18 years but extend the age to 21 years. Will he kindly amend the law in this respect.

Dr. Keskar: I may say that I am not prepared to make it 21 years at this stage, but I am prepared to consider it and get it done later on, because this is something on which there need be no very great difference of opinion. But I do not want straightway to accept this, before having consulted the State Governments and others concerned. But I am myself not against the particular limit being raised, but even this does not take away the main objection of Shri C. K. Bhattacharyya.

Shri C. K. Bhattacharyya: No, it does not. My objection is to the provision itself.

Dr. Keskar: I shall certainly actively pursue it and come forward with the proposition again before the House.

Shri C. K. Bhattacharyya: May I make one submission?

Mr. Deputy-Speaker: He would not be satisfied even with that. He has made that clear already.

I shall now put the amendments to this clause to vote.

The question is:

Page 2, line 27,—
add at the end—

“in consultation with the State Governments concerned”

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 27,—
after “Government” insert—

“in consultation with the respective State Governments in which such regional centres are established”

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 7,—
omit “unrestricted”
The motion was negatived

Mr Deputy-Speaker: The question is:

Page 2,—
omit lines 9 and 10.
The motion was negatived .

Mr. Deputy-Speaker: The question is:

Page 2, line 13,—
omit “unrestricted”
The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, lines 13 to 15,—
omit “or for public exhibition restricted to adults, as the case may be”
The motion was negatived .

Mr. Deputy-Speaker: The question is:

Page 2, line 32,—

for “may consult” substitute “shall consult”

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 33,—

for “any advisory panel” substitute “the appropriate advisory panel”

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 33,—

for “any film” substitute “every film”

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3,—
for lines 4 to 11, substitute,—

“5A (1) If, after examining a film or having it examined in the manner provided in this Act, the Board considers that the film is suitable for public exhibition, it shall grant a certificate to that effect to the person applying for it and shall cause the film to be so marked in the prescribed manner”

The motion was negatived

Mr. Deputy-Speaker: The question is:

Page 3, line 17,—
omit “for a period of ten years”
The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3,—
omit line 32
The motion was negatived..

Mr. Deputy-Speaker: The question is:

Page 4, line 14,—
after "may" insert—

"on its own motion or on its attention having been drawn by any citizen or association."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4, line 17,—
omit "or any part"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4,—
omit lines 19 to 21.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4, line 27,—
omit "or clause (b)"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2,—
after line 27, add—

"Provided that one of the members of the advisory panel shall be a person competent to give legal advice, whenever sought by the panel, in respect of any matter relating to a film examined by the advisory panel"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4, line 14,—
after "may" insert—

"either on its own initiative or on its attention having been drawn by anyone else"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3, line 20,—
after "security" insert "and progress"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3, line 37,—
for "and" substitute—

"appoint a high power tribunal of experts which"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4,—
omit line 1 to 12

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill"

The motion was adopted.

Clause 4 was added to the Bill

Mr. Deputy-Speaker: The question is:

"That clauses 5, 6, 1, the enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 5, 6, 1, the Enacting Formula and the Long Title were added to the Bill

Dr. Keskar: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.