

GOVERNMENT OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO: 1087

ANSWERED ON:08.02.2018

Ban on Release of Film Padmavat

DODDAALAHALLI KEMPEGOWDA SURESH

- (a) whether the Government has taken note of the ban on release of the film Padmavat by some State Governments;
- (b) if so, whether the Government has also taken note that such a move would be a taint on the country's record of protecting free speech if a film with admittedly no claim to historical accuracy is banned on the mere pretext that some people, who have not even seen it, find it offensive;
- (c) if so, the details thereof; and
- (d) whether the Government has taken any effective steps to ensure that there is no violation of the freedom of speech and expression by any banning on films; and
- (e) if so, the details thereof?

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:-

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) to (c): The Central Board of Film Certification (CBFC) setup under the Cinematograph Act, 1952 performs the statutory function of certifying films for public exhibition under the provisions of the Cinematograph Act, 1952. Exhibition of films is a State subject. State Governments have separate laws for licensing and exhibition of films in theatres.

The ban was imposed on exhibition of the film by the Governments of Gujarat and Rajasthan. Hon'ble Supreme Court of India vide order dated 18.01.2018 in Writ Petition (Civil) No. 36/2018 directed to stay the operation of the notifications issued by the Governments of Gujarat and Rajasthan and also restrained other States to issue notifications/orders in any manner prohibiting the exhibition of the film.

(d) & (e): The principles for guidance in certifying films are given in Section 5B of the Cinematograph Act. A film shall not be certified for public exhibition if in the opinion of the authority competent to grant the certificate, the film or any part of it is against the interests of the sovereignty and integrity of India, the security of State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of court or likely to incite the commission of any offence. The guidelines for certification of films issued under Section 5B (2) of the Act in its objectives, inter-alia, stipulates that the artistic expression and creative freedom are not unduly curbed.