

SHRI YOGENDRA MAKWANA:  
Sir, I beg to move:

"That the Bill be passed."

*The question was proposed.*

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Prof. Bhattacharjee. Just two minutes.

PROF. SOURENDRA BHATTACHARJEE (West Bengal): Mr. Vice-Chairman, Sir, the Bill in itself, as has been referred to by our friends earlier, cannot be objected to, but the question is, how far effective it would be? So far as the arms Act is concerned, in our country the principle is being followed as in the British days and there has been no departure from that—even in this Bill. Now, this Bill is for preventing misuse of fire-arms, whether licensed or unlicensed. That is the object. The Bill covers only the licensed part of it but how the unlicensed part of fire-arms will be dealt with is not made clear either in the Bill or in the speech of the Minister.

Mr. Ajit Kumar Sharma dealt with one aspect, that is, the largest number of killings are committed by the police force. There is another aspect of it. Unlicensed arms are never recovered except under very great political pressure. When there are caste riots, when there are communal riots, there is much commotion and much discussion, we see pictures in the press that so many arms have been recovered. Otherwise the police shows its ineptitude in recovering fire-arms. I must humbly submit that it is not because of their incapacity but it is their collusion with the underworld, with the anti-social element, that is, at the root of the bane of increasing violence in our country. Had there been no such collusion, the picture would have been entirely different. In that case Delhi would not have been termed as the Crime Capital. I would request the Minister to keep a watch on this aspect and to

see to it that the police force acts really as a law and order enforcing machinery and not as a machinery of outlawed elements or disorderly elements. Thank you.

SHRI YOGENDRA MAKWANA: Sir, if the hon. Member has heard me patiently, he would have known that I have discussed that point also—the unearthing of unlicensed firearms—while discussing the situation about riots. I have brought this Bill to control licensed fire-arms. There is no law for the control of unlicensed fire-arms. The term "unlicensed fire-arms" itself suggests that it is beyond the law. They have ignored the law and, therefore, it is a criminal act on the part of those who possess unlicensed fire-arms, and that is a matter where we investigate and take action against the people who keep them.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): The question is:

"That the Bill be passed."

*The motion was adopted.*

## I. THE CINE-WORKERS WELFARE CESS BILL, 1981

## II. THE CINE-WORKERS WELFARE FUND BILL, 1981

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VASANT SATHI): Sir, I beg to move:

"That the Bill to provide for the levy and collection of a cess on feature films for the financing of activities to promote the welfare of certain cine-workers and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

Sir, I also beg to move:

"That the Bill to provide for the financing of activities to promote

the welfare of certain cine-workers, as passed by the Lok Sabha, be taken into consideration."

Sir, while moving these two simple Bills which are meant for the welfare of the cine-workers, before I indicate the main aspects of the Bills, I would like to mention briefly why these Bills are being brought. As the House may be aware at present, welfare measures to meet the needs of indigent cine artistes are not available. According to the Working Group on National Film Policy which was set up by my Ministry to go into various aspects of integrated film policy in depth, the number of the people employed in the film industry is of the order of about 3.5 lakhs. Out of these, nearly 60 per cent of the workers are employed in the exhibition sector and the rest in the production sector. Majority of those in the production sector are employed on casual or contractual basis. Cine-artistes, like artistes in other performing arts, wither owing to changes in style and trends or due to ageing. There are instances where artistes who have won great fame and recognition for their creative talent have fallen into utter poverty. Similarly, technicians and other cine workers who work outside the limelight often face financial hardships. Therefore, there is a pressing need for creating a Welfare Fund to assist cine artistes and workers in these circumstances. I may draw the attention of the House to the fact that the Bills aim at welfare of essentially low paid cine workers in the production sector. The objective is to create a Welfare Fund to provide financial assistance to pay for other welfare measures for such cine workers whose monthly wages do not exceed Rs. 1000, or in case they are employed on lumpsum payment, such remuneration does not exceed Rs. 5000. We have deliberately decided to attend to the welfare needs of low paid workers in the production sector of the film industry as it is these workers

who are in dire need of assistance from the Government particularly in old age.

Sir, through the Cine-Workers Cess Bill, 1981, we propose to levy a cess; a duty of Excise, at the rate of Rs. 1000 on every feature film certified for public exhibition under section 5(a) of the Cinematograph Act, 1952. The duty of Excise to be levied shall be in addition to any cess or duty leviable on cinematograph films under any other law in force. This duty shall be payable to the Central Government by the producers of a feature film on or before the date on which he makes an application for a certificate in respect of such a film under section 4 of the Cinematograph Act, 1952. The money collected together with interest thereon will be refunded to the producer in case the Central Government refuses to grant a certificate under section 4, read with section 5(a) of the Cinematograph Act, 1952.

As you might have noticed, the proceeds of the duty shall be credited to the Consolidated Fund of India. It is proposed that the Central Government should also have the right to exempt any film for reasons to be specified from payment of the duty. In case of non-payment within this stipulated period, the producer is liable to pay penalty not exceeding Rs. 50 for every month during which the duty is in arrears. I am confident that considering the small level of cess which is proposed to be raised per feature film, it will not constitute any burden on the film producers and this Bill will be welcomed by the enlightened sections of the film industry which are alive to the need of welfare measure for their own workers. The amount of money raised by this cess will provide a nucleus of about Rs. 7.5 lakhs per annum for the Welfare Fund which is proposed to be created through the Cine-Workers Welfare Fund Bill. This has been estimated on the basis of production

[Shri Vasant Sathe]

of about 750 feature films per year. The Bill provides for crediting any grants to be made by Central Government or for acceptance of donations from different sources into the Fund. I am hopeful that with the co-operation of the film industry it will be possible to obtain donations and increase the over-all resources availability under the Fund. The Cine Workers Welfare Fund Bill has a provision to constitute Advisory Committees as also a Central Advisory Committee to advise Central Government on the administration of the proposed Fund. It is, therefore, intended that the Fund would be operated in close co-operation with the film industry. The Advisory Committees will include representatives of the Government, the cinema workers and the film producers so that all concerned interests are fairly represented. The Bill also provides for appointment of the Welfare Commissioners, the Welfare Administrators and the Inspectors and such other officers as may be necessary for complying with the provisions of the proposed enactment.

Sir, I have no doubt that the hon. Members will welcome this initiative on the part of the Government to create a Cine-workers Welfare Fund by levying a small cess for the welfare of the cinema workers in the production sector. I look forward to the views and suggestions of the hon. Members on the proposals contained in the two Bills. Thank you.

*The questions were proposed.*

SHRI T. BASHEER (Kerala): Sir, I welcome these Bills moved by the hon. Minister for Information and Broadcasting. One Bill is to provide for the financing of the activities to promote the welfare of certain cine-workers and the second Bill is to provide for the levy and collection of cess on feature films for financing of the activities to promote the welfare

of certain cine-workers and for matters concerned therewith or incidental thereto.

Sir, the cinema is a powerful mass medium, a medium of entertainment and a medium of enlightenment. The Indian cinema has a history of 70 years. With that history of 70 years, India has emerged as the biggest producer in the world. In 1978 India has produced 619 feature films and in 1979 India has produced 714 feature films. And the Minister has given the figure of the workers working in the film industry. These facts and figures show the importance of the film industry in India.

But I am sorry to say, Sir, adequate importance has not been given to this industry and appropriate attention has not been given to the cine-workers. In the past, two attempts were made to examine the problems of cinema through first, the Cinematograph Committee of 1927-28 and the second, the Film Enquiry Committee of 1951.

Now, lastly as the hon. Minister said, in 1977 a Working Group was constituted to go into the issues of the film industry, to study them and to make a report on a national film policy. Sir, I would like to say that the recommendations of the Working Group have not been considered seriously by the Government and nothing has been done seriously till this time to implement the recommendations made by the Working Group on a national film policy. It is in this context, Sir, that the hon. Minister comes forward here with these two Bills. I would like to say that this is only a small step. I welcome these Bills, of course. But I do not congratulate you, hon. Minister. I reserve it for some other occasion when you will come forward with some more serious steps in this direction.

[THE VICE-CHAIRMAN (SHRI ARVIND GANESH KULKARNI) in the Chair].

These Bills mean only very little in the context of the vast problems of the cinema industry. These Bills have only a limited scope, confined only to a welfare fund and some welfare measures. I am not going into the clauses of the Bill. I am not going into the details of the many problems of the cinema industry. But as these Bills are intended for the welfare of the cine-workers, I would like to say something on that aspect.

Sir, the film field is a very glamorous field. But the life of the workers behind this glamorous field is full of agony. Of course, a few leading artistes are able to lead a comfortable life. That is true. They earn in a big way. But most of the artistes suffer a lot. They cannot save anything in their profession. That is the real picture. I know of many brilliant artistes, actors, directors and musicians who have won great fame, and who have later been reduced to utter poverty. That is the situation. The life of many such artistes is in a very pitiable condition in their old age, as the hon. Minister has pointed out. There is no doubt, Sir, that they deserve some kind of assistance from the Government. Sir, what about the skilled, unskilled, and manual labourers working in the field? What are their working conditions? They are a set of people, they are a set of workers, exploited like anything by the industry. They work without any right, they work without protection of any legislation, they work without protection of any law. That is the situation. They are made to work in pitiable conditions. Their jobs are always risky. We all know that. I would like to draw attention to a set of artistes called the stunt artistes. They are considered as puppets or instruments. It is very often that they meet with accidents and there are many cases even of death. Yet, they have no protection whatsoever; they cannot claim any compensation. Such artistes should be given a serious

consideration and appropriate compensation. That is my request. These workers have no legal protection as they are not covered by any Act.

In this context I would like to make two or three suggestions for the consideration of the honourable Minister of Information & Broadcasting. I would suggest that cine production and exhibition should be declared as an industry. This is a long-standing demand from the producers, from the cine workers and even the people who are interested in cinema. In this context I would quote the recommendation of the Working Group on National Film Policy:

"Film industry as a whole, including the production sector, should be recognised as an industry and should be treated on a par with at least the hotel industry for various facilities."

That is the recommendation given by the Working Group on National Film Policy.

Then I would suggest to the honourable Minister that an insurance scheme should be provided for the cine workers. I have cited the difficulties of the stunt artistes, technicians and other poor cine workers working in the field.

Lastly, I request the hon. Minister to come forward with a comprehensive legislation covering all cine-workers employed in the various sectors of film industry. This is very important.

The hon. Minister has referred to the report and I think that these two Bills are based on the recommendations of the Working Group. But there are more important recommendations made by this Group regarding legislation for the film industry. I would quote some sentences before concluding my speech. The report says:

[Shri T. Basheer]

"While the need for special legislation to regulate the working conditions of cine-workers has been recognised since long, appropriate legislation has still not been enacted. We recommend that the Central Government should take urgent steps to immediately introduce appropriate legislation for regulating the employment conditions of the cine-workers. The proposed legislation should cover cine-employees of all sectors of the film industry, that is, production, distribution and exhibition. It should cover all categories of employees with special protection to be provided for casual, daily-rated or contractual workers. This should be written into the contract for casual or contractual employees."

Then there is a suggestion for the welfare fund in the report. The hon. Minister has come forward with a Bill incorporating that. So far so good. Before I conclude, I would like to quote one more sentence from the report:

"Government should take immediate steps to bring movie stunt artistes under the accident risk insurance scheme."

DR. RAFIQ ZAKARIA (Maharashtra): Mr. Vice-Chairman, at the outset I must congratulate the Minister for having brought forward legislation which was long overdue. Our thanks are indeed due to him for taking the initiative in giving some kind of relief or succour to the lowest grade of workers in the film industry.

Sir, I do not want to make a long speech because the provisions of both these Bills are so commendable that only a few suggestions to improve what he has brought forward would suffice. My first suggestion is in regard to the widening of the definition of cine-workers. This is a point which has also been touched upon by the previous speaker, Mr. Basheer. In the

definition I find only the production side has been taken into consideration. No doubt the production side is the most important side as far as the regular employees at the lower levels are concerned and they are the most exploited also.

But, there is also, as the Minister is aware, the distribution side and there is the exhibition side where also exploitation is equally bad. For instance, there are ushers in the cinema halls or cinema houses and, on the distribution side, there are so many other small workers who are employed who also deserve some kind of a protection at the hands of the Government. So, since this is the only a pioneering measure, I have no intention of immediately creating any problems for the Minister by suggesting amendments or making other alternative proposals. But, Sir, I do hope that this will be just the beginning and that he would see to it that in the orbit the other exploited people in the film industry are also brought in and brought in as quickly as possible.

Then, Sir, I am happy to note that he has provided for, under clause 6, grant of exemption. But the grant of exemption is for quality, for technical excellence and other things. While this is understandable, I would like to point out that there are many small producers who too fulfill a certain need in the society and whose films sometimes do not get, though they deserve, the exemption from the State Governments as far as the entertainment tax is concerned. They also, I think, would need some kind of attention at the hands of the Government. That was why, Sir, I was also wondering whether this definition could not be expanded a little more to bring in such producers as are helped by the Government itself, by the Film Finance Corporation. Here, what I find is that you are restricting it only to social films. Technically, and from the point of view of quality, they may

not qualify. But still, as far as the theme is concerned, as far as the approach is concerned, they may qualify. So, this is another suggestion which I would like to submit to the Minister.

Again, Sir, he has restricted the operation of this legislation to cine workers whose monthly income is one thousand rupees or who receive a lump-sum amount of five thousand rupees per year. I suppose so, because that was not quite clear to me. Well, Sir, I can understand that he would not have much money to bring in a larger number of people. But I do think, considering the inflationary pressures, that even this thousand rupees is not a happy figure. He will have to think of bringing in people whose income is up to Rs. 1,500/-. But, as I said earlier, this is the first step and this is a welcome step. Therefore, I am only making a suggestion towards the further improvement of this piece of legislation. But, Sir, what has disturbed me most as far as this Bill is concerned is the cess that is sought to be levied on the feature films. Now, you are aware that the feature films differ so much as far as their capacity to make money is concerned. One feature film makes ten crores of rupees, another fifty crores and a third one hundred crores. I understand that the film "Sholay" had brought in more than a hundred crores of rupees. Now, what will happen is that all the films will be treated on par under this legislation. Every feature film has to pay a cess of one thousand rupees. That, I feel, is rather unfair. I do not know the difficulties that may be there. There may be some constitutional difficulties because, I can well understand, that it may not be on the basis of income as then you are guilty of double taxation and the problem of corporate taxation is already there.

Sir, I am sure that the Minister would be in a position to find some way of getting over this kind of situa-

tion where the producer of Sholay pays Rs. 1000/- and also the producer of a small film pays Rs. 1000/-. I think if it cannot be done on the basis of income or on the basis of other materials that goes into the production of the film, at least if some cess is levied per print, that would also, to some extent meet the ends of justice. This to my mind, is highly discriminatory. There are small film producers and extremely big producers, who are really the biggest money earners today. They have one successful film and that is all. It is not only a question of one film. Now, there are producer like B. R. Chopra. Out of 10 films that he produces, every film fetches crores and crores of rupees. Also, there are small producers who are struggling. Even Rs. 1000/- would be a kind of burden for them. I do not want that they should be exempted from this minimum limit of Rs. 1000/-. That is perfectly all right. I do feel that you should have some kind of a distinction between these big producers who are earning hundreds of crores of rupees or tens of crores of rupees and these small producers who hardly make any money. I was also thinking whether there is any difficulty as far as levying the cess per print is concerned and whether you could not take into consideration the exhibition in different cinema houses per week. There may be some difficulties. I mean you may have the minimum levies from them and there after you can take into consideration the fact for how long they have been exhibited in the different cinema houses and whether that could be the criterion. These are some of my suggestions, which I hope, the hon. Minister will take into consideration. But as the measures are concerned, they are most welcome and I once again repeat that this is a pioneering step which the Minister has taken and I am sure the poor, down-trodden and exploited workers in the cinema industry will remain ever-grateful to him for what he has done.

DR. SHANTI G. PATEL (Maharashtra): Sir, I am rather surprised that such a Bill has come from Mr. Vasant Sathe because he has the trade union background. I still remember him arguing cases in the court on behalf of the labour. I would just like to remind him what he stated in the House only a few months ago, to be exact on the 27th of April, 1981. Maybe he is aware of it. I would like to emphasise what he had said.

SHRI RAMAKRISHNA HEGDE (Karnataka): And remind him.

DR. SHANTI G. PATEL: His memory is very nice. He was aware that the cine workers were being exploited and needed some protection. Mr. Sathe said: "The entire film industry was in the grip of black money. Production, distribution and exhibition of films was controlled by those in possession of black money and the only way to extract it from their clutches was to declare it as an industry. Borrowing in the industry was at an astounding rate of 40 per cent interest which was nothing but unaccounting money". Sir, he added: "It is a racket". I have no stronger word to add to this. "This racket would go the moment the banks begin advancing loans for film-making", he said.

Sir, in this industry, we find glaring contrasts. On the one side we find a bunch of people absolutely swimming in the world of luxury, pomp and conspicuous consumption while on the other we find a large number of workers, whose figure has been quoted by the Minister himself—nearly one and a half lakhs as far as production side is concerned—who have no security of employment, who have no regularity of payment of wages, and who have no guarantee of wages. This is the state of affairs in this particular industry. I was, therefore, expecting him to come with a Bill, to come

with a measure which would uproot this sort of exploitation in this industry. And that is why I say I feel very sorry for him.

Sir, these people are employed as casual or contract workers. I am sure, he is aware of what laws that exist in this country for such type of employment. Let us take the coal labour or let us take the dock labour where we have a special type of legislation which decasualises them, guarantees them wages, gives them security of service and also retirement benefits. This is something which I am sure should have struck him, and he should have brought them in the form of this particular legislation. But here what is sought to be done as welfare, is in my opinion just a drop in the ocean. I don't think there is any other section of working people which is put to such exploitation. Sir, I will give an example of what is called an artiste an "extra". The way in which these "extras" are being exploited in this industry, there is no parallel to this. They have no security in all respects. Their modesty is exploited and, I am sure, the Minister is aware of it. What is there for them? Even there is no listing. How is he going to implement this particular legislation? Firstly, there has to be listing or registration of all the people who are employed in this industry. But there is no provision whatsoever. Is it going to be the sweet will of the Government which will decide as to who is going to get the benefit and how much he is going to benefit? I know, Sir, that there is a provision of an Advisory Committee. And why an Advisory Committee? Can there not be a statutory committee to administer these funds, select the people and regulate the working in the whole industry which is being done under other laws in this very country? And, Sir, the composition of this Advisory Committee is also very pertinent. The Government will nominate the whole committee. It

has been said vaguely that representatives of employer, Government and employees will be there. I would like to suggest that there should be a tri-partite statutory body and the people who are going to represent the labour or the employees should be from the registered unions, recognised unions on the basis of their membership and not according to the sweet will of somebody who is going to administer this piece of legislation. But there is no reference whatsoever to this type of approach in this particular Bill. And that is why I would like these lapses to be met as early as possible.

Sir, my friend, Dr. Zakaria, has already referred to the small amount of levy which is sought to be levied on the producer. And when the Minister prefaced this Bill with his remarks, he said in a very apologetic manner that the producer will agree and welcome. And these words were used as if these people are a bunch of people who cannot afford this. Dr. Zakaria has also explained that there are a number of people who are minting money in this industry. Sir, there has to be a system, some sort of a slab system, which makes them part with this income at least for the benefit of those who have contributed most for the production of these films. Sir, we boast that this is the second largest industry in the world and that India has the privilege to maintain that. What are we doing for the workers? We are earning foreign exchange also on these films. Whether it is the Middle East, whether it is Africa or even U. K., or America, our films are being exported. But should not a fair share of the income be spent on these unfortunate people who are being exploited as admitted by the Minister himself? I would, therefore, say that it is even not too late in the day to see that this particular

contribution, of the levy which is proposed in this Bill, is increased adequately so that we can properly cater to the needs of these people.

Sir, I would like to refer to another aspect of this particular industry. As a matter of fact, we cannot call it an industry in the real sense of the term, at least in the term in which it can come under the industrial law. I feel it has to be declared as an industry so that almost all other benefits which are available to the other sections of the labour, may follow. May I ask the Minister, what is there which is making him hesitant to make it an industry which he promised some months back? What is coming in his way? Let him explain it, because here it is the most exploited section. And the Congress—I has been shouting all along that they stand for the poor, the exploited people. Now, here is the opportunity to implement what you have been preaching or what you have been saying. But we find them hesitant in taking the necessary measures.

The film is a media to mould and build the character of the nation. But what do we find? What type of films are being produced? And I am ashamed that my good and esteemed friend is the Minister of Information and Broadcasting and under his stewardship such films are being produced. From the Government side, Ministers and other people placed in high position have said number of times that this violence and sex which have got prominence in the films, are responsible for spoiling the character—I would say—of the nation as a whole of the persons in the country, the persons who plan how to attack a particular person or to prepare a plan for thieving, and all sorts of plans are being learnt from these films. Sir, not only the Minister has a certain amount of influence, he himself also looks like a hero from the film world; look at him, his appearance and style. He



[Dr. Shanti G. Patel]

has his own charm, which, he should exercise and see that such films are not produced, but some rules are made so that we are able to use this medium to build the character of this nation.

Sir, it has been said in this Bill that the welfare benefits are meant for the persons, or the cases, in extreme hardship. I do not know why this emphasis on the word 'extreme'. There are people already suffering...

**SHRI RAMAKRISHNA HEGDE:**  
It has not been defined.

**DR. SHANTI G. PATEL:** My friend Mr. Hegde says it has not been defined. Everybody is in extreme hardship, everybody needs to be helped. And what is there, 7½ lakhs of rupees will be utilised for 1½ lakhs of persons for their benefit, or so-called welfare measures. I would, therefore, while concluding like to say that he must concentrate first on seeing that the levy is increased, that a comprehensive Bill is brought in, that the quality of our films is improved. Not merely we boast of producing the second largest number of films in the world, but produce the real quality films. We have, Sir, quality directors and artists in our country. Let us make use of them and see that the country's fame goes up all over the world.

As I said in the beginning, I do expect that a man with labour background should be able to do more and give a better performance. Thank you.

**SHRI P. N. SUKUL** (Uttar Pradesh): Mr. Vice-Chairman, Sir, it is a matter of great satisfaction that at long last, our Government has taken due note of the continued plight of the cine workers, including artistes as well as technicians. The Government has now come up with certain welfare measures to help these workers. In fact, I do wish to congratulate the Information Minister,

in particular, and the Government, the welfare Government, of Mrs. Indira Gandhi in general, for the welfare measures which have been brought before us for our consideration. I know that the subject of welfare of workers is in the Concurrent List. Therefore, any State Government could bring about any such legislation to help these workers. But I am sorry, neither in West Bengal, nor in Kerala, nor in Tamil Nadu, where an actor is the Chief Minister, any such legislation has been proposed so far. It is the Government of Mrs. Indira Gandhi which has initiated so many steps, such steps as have gone a long way to help the downtrodden and the have-nots in our society.

Sir, more than a hundred thousand workers are involved in this field of cinema, at least in the production and distribution sectors. A large number of these workers are neither wellpaid nor do they enjoy satisfactory working conditions. Thousands of young men and women, every month, go to Bombay to become heroes and heroines, actors and actresses. While most of them return to their places, quite a few of them are left there to work as extras. These extra artistes, these casual artistes, are badly exploited by the middlemen or the agents and they have virtually to live and work as slaves of these film barons. Similarly, thousands of technicians and artistes are employed on a contractual basis and they have also to face a lot of hardship due mainly to their meagre resources. By the time these casual artistes come up of old age, they have no money for their minimum subsistence and they are in a very bad shape. They become badly indebted to private parties, private moneylenders, and all that is left with them is hardly sufficient to enable them to make their both ends meet even. It is, therefore, a welcome step which has been taken by the Government of Mrs. Indira Gandhi and through these aforesaid two Bills, which are under consideration, some positive

help is proposed to be given to the suffering and exploited workers of the film industry. It is, no doubt, true, Sir, that unless the film industry is recognised as an industry for the purpose of Industrial Disputes Act and so on, perhaps, the desired justice cannot be done to the workers which are employed in the film industry. But as an interim measure, and as a welfare scheme drawn up for the working people employed in the world of cinema, I hail these two Bills.

As regards the Cess Bill, however, the quantum of excise duty proposed to be levied on every feature film at the rate of Rs. one thousand per film is rather small and I would like this to be raised to at least Rs. five thousand so that some assistance, worth its name, may be extended to the needy workers. The hon. Minister has already assured the other House that the proposed cess is to be deposited along with the application for the certification of film. Hence, there is no apprehension now of non-payment or even delayed payment of the excise duty. But, Sir, this assurance of the hon. Minister has now made section 7 of the Bill dealing with penalty for non-payment totally redundant. Once there is no scope for evasion of this cess, there is no need for having any provision dealing with punishment. I would, therefore, suggest that section 7 should now be deleted from the Cess Bill. Also, Sir, as regards section 6, providing for exemption from payment of the proposed Cess, I do not see any reason why this provision should at all be there. This clause will only encourage more and more producers to evade payment of the prescribed duty. Our friend Dr. Zakaria was just now saying that this should be there, but personally I feel that there should be absolutely no discrimination in realising the proposed case. Whether it is a small film or a big film, any film-maker can very easily pay Rs. 1000 or Rs. 5000. So, there should not be left any loophole, any scope for

evading the cess that is now proposed by the Government. Therefore, it will be in the fitness of things if clause 6 of the Bill is also deleted.

Clause 2(b) (ii) of the Cine Workers Welfare Fund Bill provides that for the purpose of this legislation a cine worker getting not more than Rs. 1000 per month will be eligible to get financial assistance, but this amount of remuneration is rather low. When the benevolent Government of Mrs. Gandhi has already raised the minimum limit of income for the purpose of exemption under the Income-tax Act from Rs. 10,000 to Rs. 15,000, the limit of remuneration qualifying for assistance from the Cine workers' welfare fund should also be raised from Rs. 1000 to Rs. 1500 per month.

Also, Sir, I strongly feel that for these low paid cine workers there should be provision for something like a group insurance scheme. This will help their families and dependents in the event of their premature demise. Sir, the question of bonus to these low paid cine workers has also remained untouched so far, though like all other categories for workers they also deserve equal consideration. So, I take opportunity to request our Information and Broadcasting Minister to ensure that suitable provision for payment of bonus to the cine workers is made in the comprehensive Bill on the subject which he has promised in the other House to place before the Parliament for consideration in this very session. With these suggestions and slight modifications, I support the two Bills under consideration.

श्री राम लखन प्रसाद गुप्त (बिहार) : उप-सभाध्यक्ष महोदय, यह जो बिल आया है मैं तो इसका स्वागत करता हूँ। यह बात सही है कि इसमें कुछ और मेरे सुझाव हैं,

[ श्री राम लखन प्रसाद गुप्ता ]

अपने बहुत से माननीय सदस्यों के भी सुझाव आये हैं, इन पर मंत्री महोदय ध्यान देंगे। परन्तु इतनी बात जरूर है कि सिनेमा देखने वालों की संख्या आज प्रति-दिन एक करोड़ पच्चीस लाख है और इस उद्योग के द्वारा हम भारत को जैसा भी चाहें बना सकते हैं। आज हमारे कुछ दोस्तों और सभी जितने भी सामाजिक कार्यकर्ता हैं उनका यहीं कहना है कि सिनेमा में वायॉलेंस और सेक्स की मात्रा के कारण समाज ज्यादा बिगड़ता है। कल जो यहां साउथ एक्सपोज़ेशन में कैंनरा बैंक में डकैती हुई और आज जब मैं समूची उसकी कहानी पढ़ रहा था तो मुझे यहीं लगा कि जैसे मैंने किसी पिक्चर में देखा था, हूबहू, उसी तरह के कार्यकलाप धीरे-धीरे होते गये और वहां पर इतनी डकैती हो गयी। तो यह बात सही है कि आज चारों तरफ फिल्म इंडस्ट्री के द्वारा हम बहुत कुछ देश को बना सकते थे और अभी भी बना सकते हैं। हम समझते हैं कि मंत्रों जो उस तरफ ध्यान देंगे।

यह भी देखा गया है कि आज जितना एक्सप्लायटेशन चाहे रुपए के द्वारा या सेक्स के द्वारा इस उद्योग में हो रहा है, उससे लोगों को बचाने की जरूरत है। उसके लिए यह एक कदम है जो कि उठाया गया है। परन्तु एक फिल्म से सिर्फ एक हजार रुपये लेने हैं जिससे साढ़े सात लाख रुपये का अन्दाजा है, क्या इतने रुपए से हम कोई वेलफेयर कर सकेंगे? मुझे यह बात समझ में नहीं आती है। जो प्रावधान किया गया है क्लज पांच और छः में कि जितनी कमेटीज बनेंगी और कमेटी में जिस तरह की संख्या रहेगी, मैं तो समझता हूं कि यह सारे रुपए कमेटी के मेम्बरान को टी० ए० में ही समाप्त हो जायेंगे। और इसलिए यह बहुत ही सुन्दर सजेशन है साहब, कि इतनी कमेटियों की जरूरत नहीं है।

चेयुटरी कोई कमेटी बने और उसके द्वारा इस रुपए का वितरण हो। परन्तु यह एक हजार रुपया नहीं, बल्कि कांग्रेस के ही सदस्य ने जैसे कहा कि कम से कम पांच हजार रुपए रखे जायें। यह बहुत ही आवश्यक है कि पांच हजार इसमें लिए जायें। परन्तु मैं इसकी परिभाषा में यह भी चाहता था कि जहां पर भी एंजिविशन होता है, जहां पर फिल्म दिखाई जाती है, सिनेमा हाल हैं, उसको भी अगर इसमें हम लाते और फिर उनके यहां जो काम करने वाले हैं, उनके वेलफेयर के लिए भी हम कुछ सोचते, तो ज्यादा अच्छा होता। आज उनकी संख्या भी बहुत है और वहां काम करने वाले का अत्यधिक एक्सप्लायटेशन होता है। हम समझते हैं कि जितना कम वेतन वहां पर काम करने वाले और उनके गेट कीपर को मिलता है, शायद और किसी उद्योग में कहीं मिलता होगा।

फिर जहां तक उद्योग की बात है, यह बात बहुत सही है कि इसे उद्योग घोषित करना चाहिये और फिर उद्योग जब एक बार घोषित हो जाएगा फिल्म इंडस्ट्री, तो उसके बाद जितने भी इंडस्ट्रियल कानून हैं, या वर्कर्स के कानून हैं, व सभी कानून इसके ऊपर लागू हो जायेंगे और कानून आज जब लागू होंगे, तो उन लोगों को सुविधा मिल सकेगी। लेकिन उसमें पीछे हटना यह कभी-कभी, तो मुझे ऐसी शंका होती है कि शायद फिल्म इंडस्ट्री में लगे हुए लोगों की ही तो कोई योजना नहीं है कि वहां से स्पान्सर करवा दिया गया है कि उद्योग की जो मांगें चारों तरफ हो रही हैं, तो उधर न जाकर वेलफेयर फण्ड दिखावा करके और उसमें हम लोगों को यह इस तरह की आवाज उठाने वाले को सन्तोष दिला दें। इस तरह से सन्तुष्ट होने की जरूरत नहीं है और उसे उद्योग घोषित करना चाहिये। आज बड़े-बड़े उसमें जो कलाकार हैं,

आर्टिस्ट हैं, उनको भी इस परिभाषा में नहीं लाना चाहिए जिससे कि उससे हम कोष जमा कर सकें क्योंकि आज फिल्म इंडस्ट्री में काम करने वाला एक-एक कलाकार 32-32 लाख रु० एक-एक फिल्म में काम करने के लिए लेता है। पांच, छह, सात लाख रुपया लेता यह तो मामूली बात है वहां। फिर वैसी हालत में उसको छोड़ने की जरूरत नहीं है। वैसे लोगों को भी इसमें लाकर एक काफी अच्छा फण्ड हम जमा कर सकते हैं और उससे उसी उद्योग में लगे हुए जो लोग हैं उनको सुविधा दे सकते हैं।

फिर यह एक हजार मासिक या पांच हजार रुपया तक की आमदनी वाले के ऊपर लागू करने की बात, यह भी मेरे ख्याल से बहुत कम है। एक हजार मासिक यह तो कुछ नहीं है। इसको बढ़ा कर दो हजार मासिक करना चाहिए। यह पांच हजार जो रखा गया है, उसको बढ़ा कर दस हजार करना चाहिए। एक हजार मासिक को ही सिर्फ लागू करना, उसके ऊपर के भी जो लोग हैं, उनको भी कोई कम परेशानी, कम दिक्कत नहीं है, बल्कि कभी-कभी तो जैसे हमारे एक भाई ने कहा भी कि जो एक्टरों वगैरह रहते हैं, उन लोगों को भी इसमें लाना चाहिए। आखिर उन लोगों की हालत वहां बहुत खराब हो जाती है। तो इसलिए मेरा अनुरोध है कि इन सारी बातों को ध्यान में रखते हुए हमारे मंत्री महोदय इन सुझावों के ऊपर ध्यान देंगे और इसके साथ मैं इस बिल का समर्थन करता हूँ।

SHRI BIJOY KRISHNA HANDI-  
QUE (Assam): Sir, I congratulate the hon. Information and Broadcasting Minister for bringing forward this Bill to provide for finances to promote the welfare of certain cine-workers. It has been criticised on grounds of

inadequacy and belated decision. Though generally speaking, I agree to these suggestions, we must admit that it is not material benefit so much at this stage but an expression of the social and moral obligation on the part of the Government to give due recognition to the creative talent not only of the film artistes but also of all performing arts and also those low paid technicians and others who operate behind the celluloid screen, unnoticed of and unsung for. The tragic circumstances in which great artistes of the past like Sadhan Bose and Uday Shankar died are a sad commentary on society's obligations—social as well as moral—to our artistes. If such steps are taken by the Government, at least it will keep track of those artistes who want some kind of assistance, financial or otherwise, some kind of propping up. Let us look at the Bill from this angle and in this respect we must admit that the Government speaks on behalf of the society.

Sir, creativity is the soul of all performing artistes and it is through the medium of creativity that the artistes reach the people. A complaint is heard too often, even in this House, that this medium is subjected to abject commercialized and that the artistes themselves are given to commercial gimmicks. The complaints, no doubt, are genuine but they need to be looked into realistically. Before making such complaints have we ever tried to track down the reason of such an attitude of our artistes? Have we, at the same time, realized that there is a gap between the artistes and the masses? And yet, at every daily round of our social existence, at a play or a movie, a poem or a piece of sculpture, a painting or an artefact, the creative artiste and the public meet, not only in the material world but also in the world of ideas. Yet we do not get to know each other. In past centuries this meeting place was simple and straightforward the creative artiste and his public were most clearly definable. Today the biggest

[Shri Bijoy Krishna Handique]

problem is that the artistes meet too large a public too frequently, but in contrast with the public of past ages, this public is not known to them. And if this heterogeneous public is not known to them, how can they establish rapport with them, how can they identify themselves with the sorrows and happiness of the teeming millions called human medley? If this rapport is lacking, the artistes will no doubt fail to play their role in society, to live their missions of life. So, Sir, the question arises—the most legitimate question—shall we take it that the artistes, the performing artistes, have then failed to live up to the expectations of the society? And to answer this question we have to pose another question: Are the artistes assured of the sympathy and appreciation of the people in return of their service in entertaining them, in making them smile and laugh and to relieve them of the burden of sorrows by identifying themselves with them? The answer is 'No'. It is ruthless, inhuman and vulgar too to look upon the artistes as a kind of entertainment machines and tend to forget them when the going is not good, as it were, they discard worn-out machines. We should bear in mind that social obligation is a two-way traffic. It is easy to sermonize to those who put themselves in our service and, I am afraid, we tend to forget our responsibility to them.

So, it is imperative that a climate of sympathetic understanding and communication must grow between the artistes and the people. The present Bill, Sir, recognising the service as well as the role—though in an implicit manner—of the artistes in the society will go a long way in preparing the ground. But one thing; however, needs to be made clear. Such State support to performing artistes runs the risk of being misunderstood or more precisely misinterpreted unless this Bill is hedged with well defined clarification and assurances. I would like to quote the cele-

brated French writer, Andre Marlaux, who was a decade ago the Minister of Culture of France. Defining the cultural policy, he said: "Support without influence". What is required is a clear and coherent cultural policy which, among other things, must make sure that the artistes are secure, that the material circumstances and the economic conditions of their works are assured. And so far as this aspect is concerned, the present Bills, touch only a fringe of the problem only. I would not join those critics who say that it is too inadequate to achieve anything. I take it as a beginning, a good beginning, in the society whose concerned, more precisely, rapport with the cine artistes last for a couple of hours only. So let us hope the hon. Minister will bring forward a comprehensive Bill at no distant date framing a clear and coherent cultural policy which will include extending much greater assistance to the performing artistes not only in their rainy days but must see to it that their sunny days or at least the promise of a sunny days ahead do not end up in wilderness.

Before I conclude, there is one point I would touch upon. It has been referred to by many others, but I look at it from a different angle. There is a blanket duty of Excise at the rate of Rs. 1000 for a film, irrespective of the budget, high or low, and particularly without keeping in view the distinct categories of regional and national pictures. I am definitely not in favour of a reduction of this rate for regional pictures. What I mean is that there should be a gradation start, a sliding scale, starting with Rs. 1000 or some such rate. It is absurd even to conceive of the idea that the regional picture of Assam or, say, of Manipur or even Orissa with a limited market potential pays at a similar rate as a Bombay film. How do you club together *Bhuvan Shome* and *Kranti* or *Aakrosh* and *Naseeb* or *Chakra* and *Silsila*? These things need to be looked into. I hope that the hon. Minister will

look into these suggestions, the suggestions made by me as well as those made by certain other hon. Members and see that they are implemented.

श्री दुर्जनदेव नारायण शास्त्र (बिहार):  
उत्तमाङ्गल महोदय, अभी जो यह विधेयक सदन में विचार के लिये प्रस्तुत है सभी माननीय सदस्यों द्वारा उस पर जो विचार व्यक्त किये गये हैं उस में कई बातें ऐसी बतायी गयी हैं जिन को सर्वमान्य रूप से सभी ने स्वीकार किया है कि ऐसा होना चाहिए। सरकार जो यह विधेयक लायी है उसको सदस्यों के सुझावों के अनुरूप व्यापक रूप से सोचना चाहिए। केवल सिनेमा कर्मचारियों के बोनस के बारे में ही नहीं, मैं तो चाहूँगा कि सरकार को ऐसी नीति भी बनानी चाहिए कि समाज और देश को सरकार जिस ओर ले जाना चाहती है और देश में जैसी व्यवस्था वह चाहती है उसके अनुरूप फिल्मों का निर्माण हो। उस तरह को व्यवस्था को मजबूत करने के लिये फिल्में देश में बनें जिस से देश के मस्तिष्क को ऊपर उठाने का काम किया जा सके, देश के चरित्र को बनाने का काम किया जा सके। इस पर भी सरकार को गम्भीरता से सोचना चाहिए।

अभी सरकार का प्रयास जरूर अच्छा है, लेकिन इस विधेयक के संबंध में एक बात मैं कहूँगा 'ग्रंथेर नगरी चौपट राजा, टके सेर भाजी टके सेर खाजा', एक रुपये सेर भाजी और एक रुपये सेर बंगाल स्विट हाउस को मिठाई। एक करोड़ कमाने वाला भी एक हजार देगा और जो एक लाख रुपये कमाये वह भी एक हजार देगा। एक हजार फिल्म पोछे दे, यह नहीं होना चाहिए। जितनी आमदनी है उस आमदनी का 1 प्रतिशत, 2 प्रतिशत, 3 प्रतिशत, यह तय कर दोनिये। जो जितना ज्यादा

कमाये वह उतना ज्यादा मजदूरों के वल्याण के लिये दे, जितना कम कमाये वह उतना कम दे। यह उसकी आमदनी के प्रतिशत के हिसाब से लगना चाहिए, न कि एक हजार के हिसाब से। कोई-कोई फिल्म ऐसी होती है जो चलती रहती है महीनों, वर्षों तक, उसकी ख्याति बन जाती है और उस से करोड़ों रुपया कमा लिया जाता है।

5 P.M.

कोई-कोई फिल्म दो महीने, चार महीने चल जाती है और बन्द हो जाती है। तो एक सिद्धांत के आधार पर इस को बताना चाहिए। एक और बात है जैसा कि अभी कई माननीय सदस्यों ने बताया कि सिनेमा में जो अच्छे नायक और नायिका का पार्ट अदा करने वाले लोग हैं उनके लिये कागज पर तो लिखा पढ़ी एक तरह की होती है और भीतर-भीतर रुपया कुछ और दिया जाता है। तो जो नीचे नीचे रुपया दिया जाता है बिना लिखा पढ़ी के, गुप्त रूप से जो धन उनको दिया जाता है उससे उनको बहुत ज्यादा आमदनी होती है और आज कल यह काला धंधा बहुत चल रहा है। इस काले धंधे को रोकने के लिये भी सरकार के पास कोई कारगर आधार होना चाहिए और सरकार को कारगर कदम इस के लिये उठाना चाहिए। इस को सरकार रोके, और जो सिनेमा के गरीब कर्मचारी हैं, जो काम करने वाले उसमें गरीब हैं उन को तो ज्यादा पैसा नहीं मिलता है। जो नायक और नायिका का पार्ट अदा करने वाले होते उनकी ख्याति बहुत होती है। छोटे कर्मचारियों को कहीं बुला लिया जाये तो उन को और कोई देखना नहीं चाहता लेकिन अगर बड़े नायक और नायिका को बोट क्लब पर बुला लिया जाये तो

[ श्री हुस्मदेव नारायण यादव ]

जिसने राजनीतिक नेता स भी ज्यादा लोग उनको देखने के लिये जमा हों जायेंगे, लेकिन छोटे कर्मचारियों को कोई देखने नहीं आयेगा। तो जिसको ख्याति अधिक होती है वह पैसा ज्यादा कमाता है और जो दिन रात उसमें लगा रहता है जो कर्मचारी अपनी मेहनत और पसीना उस में लगाता है, वहता है उसको कुछ नहीं मिलता है। इसलिये मेरा सुझाव है कि सिनेमा इंडस्ट्री में भी जो पैसा दिया जाय, जो मजदूरों को जाय वह मजदूरों काम करने वाले के शारीरिक श्रम के आधार पर तय होनी चाहिए। मजदूरों का आधार योग्यता ही नहीं होना चाहिए। जिस के शरीर से जितना पसीना जाय उसका उतना ज्यादा मजदूरी मिले, जिसके शरीर से जितना कम पसीना जाय उसको उतनी कम मजदूरी मिले यह आधार बंधा होना चाहिए। और जो सलाहकार समिति आपने बनायी है, बसा दो है उसमें उसके सदस्यों को आप मनोनीत करेंगे। आप नहीं करेंगे, वहीं न वहीं नोचे से नाम फिकमेंड हों कर आयेगा और ऐसा होने पर जो सिनेमा के निर्माता लोग हैं उन के हो नाम उसमें आ जायेंगे और मजदूरों के प्रतिनिधि उसमें नहीं आ सकेंगे। तो मजदूरों के प्रतिनिधि उसमें ज्यादा हों और मजदूरों को हिस्सेदारों उस में ज्यादा हो इस को व्यवस्था को जानो चाहिए। और मजदूरों के कल्याण के लिये जो पैसा आप इकट्ठा करते हैं उस पैसे को आप वेतन और भत्ते के नाम पर उस सलाहकार समिति के और केन्द्रिय सलाहकार समिति के सदस्यों पर खर्च नहीं करें बल्कि जिन मजदूरों के लिये यह प्रयास किया गया है वह पैसा उन मजदूरों पर हो खर्च किया जाना चाहिए। इस के लिये आपने कल्याण कोष की स्थापना की है। जो पैसा आयेगा वह उसमें दिया जायेगा। तो मैंने शिवा कल्याण कोष है, या सेनिक

कल्याण कोष है क्या यह पैसा उसी तरह से इकट्ठा होगा। क्या सारे सिनेमा गृहों से आप पैसा मांगेंगे या वह पैसा दान से आयेगा। कौन दान देगा। कहां से लायेंगे? इस पर सरकार को गहराई के साथ सोचना चाहिए। आपने दिया है कि निर्धारित समय में सरकार के द्वारा जो निर्धारित प्रपत्र है उसके अनुसार जो निर्माता विवरण नहीं देगा तो उस पर 2000 रुपया जुर्माना किया जायेगा। दो हजार जुर्माना इन निर्माताओं के लिये क्या है। दो हजार रुपया क्या चीज है। दो हजार रुपया तो वे जिधर थूक देंगे उधर से निकल आयेगा। दो हजार रुपया तो उन के थूक की कीमत है, उन के थूक की कीमत भी दो हजार से ज्यादा है। तो सिनेमा कानून का पालन न करने पर दो हजार रुपया जुर्माना यह उन के लिये कौन से भय की बात है जो करोड़ों रुपया कमाने वाले हैं साल भर में, जो इतने बाली धन की कमाई करने वाले हैं ऐसे लोग जुर्माने से नहीं डरते, केवल डरते हैं जेल से, हथकड़ी से, उन के लिये आप दो हजार रुपये जुर्माने को सजा को हटा दोड़िये, इस के बजाय उन को कहा जाय कि 5 दिन की जेल दोगे। अगर आप ऐसा कर दें तो हम समझेंगे कि आपने कुछ किया। हथकड़ी के हार से ही वे आप की बात मानेंगे, नहीं तो दो हजार रुपये आप दस हजार रुपये का भी जुर्माना लगा दें वह उसे दे देंगे। वह इतना कमाते हैं लाख बींलाख जुर्माने में हो दे देंगे। उस से उन का कुछ नहीं बिगड़ेगा। इस लिये इस बारे में सरकार को गौर करना चाहिए।

अंत में निवेदन करूंगा कि जैसे मैंने आप से कहा कि समाज के दृष्टिकोण से भी सिनेमा बनना चाहिए। आप इस की बात करते हैं और इसी प्रसंग में मैं एक बात कहना चाहता हूँ कि सरकार भी इस तरफ सोच रही है। सरकार

का दृष्टिकोण है और वह चाहती है कि देश में बलात्कार रुके और सरकार इस पर जोर दे रही है और कानून भी बनाना चाहती है। तो एक एक तरफ तो सरकार बलात्कार रोकने के लिये कानून बनाना चाहती है और दूसरी तरफ सिनेमा देखने जाते हैं हमारे बच्चे तो सिनेमा में उन को गीत सुनाया जाता है—लड़की कह देना और लड़का कह दे हां तो समझो प्यार होता है। आप क्या बलात्कार रोकेंगे ? इससे क्या बलात्कार रुकेगा। लड़की कह दे ना और लड़का कह दे हां तो समझों प्यार होता है। तो यह बलात्कार कैसे रुकेगा। इन मुद्दों पर सरकार को गहराई से और गंभीरता के साथ जरूर सोचना चाहिए तभी आप देश के लिये कुछ कर सकेंगे इसी ही मेरा निवेदन है।

SHRIMATI KANAK MUKHERJEE (West Bengal): Sir, this is a very important Bill, as the importance of the audio-visual mass media in our country cannot be exaggerated. Sir, cinema came to India in 1890 and today we are proud that India occupies the first place in the world so far as production is concerned. It has surpassed even America. But the strangest fact is that in India the cinema workers of all the three sectors—production, distribution and exhibition—who are about 3½ lakhs in number, do not enjoy any statutory laws as exist in other industries. So they do not enjoy minimum wages, medical benefits, gratuity and other retirement benefits, working hours, holidays and protection against occupational hazards. Sir, you will be surprised to know that the minimum average wage of these 3½ lakh cinema workers comes to Rs. 150 for unskilled workers and Rs. 200 for skilled workers. Is this not considered to be below the poverty-line considering the present state of cost of living in our country? So it is high time that the cinema indus-

try should be declared as an "industry" and it should come under the Industrial Disputes Act so that the workers may get their due benefits. Sir, the West Bengal Minister for Small Industries, Mr. Chittabrata Mazumdar only last month wrote to the hon. Minister to bring the cinema industry under "small industries". After that Mr. B. Bhattacharya, our Information and Culture Minister, wrote to the Minister concerning this. Moreover, the hon. Minister has received in this context many memoranda from various unions like the Cine Technicians and Workers Union of Eastern India, the Bengal Motion Pictures Employees Union and the Abhinetri Sangh.

Sir, I understand that the Information and Broadcasting Minister, Mr. Sathe, sometime ago promised to bring it under "Industry", but the Industry Minister, Mr. Chanana, did not agree to it. I do not know what is the mystery behind it. When even cold storages and godowns have been recognised as "industry", why not the film industry in India which is at the top of the world?

Sir, this Cine-Workers Welfare Fund Bill, as my colleagues have already mentioned, concerns only the workers of the production side. Why leave aside the exhibition side and the distribution side? I do not understand. So, this Bill is very insufficient because it covers only a small part of the total workers and only one part of their total demands. Why this discrimination? A comprehensive Bill, as my colleagues have mentioned, should come. Now, I understand that a Bill on the working conditions of the workmen employed in the film industry is pending in the file of the hon. Minister since 1966-67. May I know what is the present position of that Bill? On the 4th August, 1980, a delegation from the West Bengal Motion Pictures Employees Union, led by Mr. Somnath Chatterjee, M.P. and Mr. Hiren Mukherjee, ex-M.P., met the Minister to plead for the intro-



[Shrimati Kanak Mukherjee]

duction of this Bill, and he said he would see to it. How did he see to it? May I know? Sir, the Advisory committees suggested in this Bill at all levels should be welcomed, but those bodies should not be nominated; they should be properly elected at all levels because, we know the condition of the nominated lot.

The Asian Pacific Conference of Audio-Visual Workers' Unions in last May, 1981 to which even the Prime Minister herself sent a message of blessings, noted with grave concern and said:

"The decline in the regional trend in Eastern Region Film Industry reflected by dwindling number of laboratories and definitely Bengali Films are showing a steady decline."

I am very sorry to note that our hon. Minister hesitates even to pass the proposed West Bengal Bill on compulsory screening of regional films. Film production is confined to three regions of India: Calcutta, Bombay and Madras. Of these, Calcutta is the oldest and has the pride of place. I am again proud to say that eminent works of Satyajit Ray, Ritwik Ghatak, Mrinal Sen, etc. are done in Calcutta laboratories. And the conditions of these laboratories are practically miserable. Practically medieval working conditions are prevailing there. Now, the State Government of West Bengal, since its inception in 1977, is trying to do its best to help the cine workers. In Kerala since 1978 the Pension Act has been in operation under which all the cine workers are getting a pension between Rs. 100 and Rs. 300 per month. In West Bengal we are already giving Rs. 5000 to the relatives of the deceased and Rs. 4000 to the injured and invalid workers. Again the West Bengal Government has taken the

following measures to help the cinema industry:

(1) Take over of the existing studios under direct control and equip them with modern equipments.

(2) Build a colour laboratory in Calcutta.

(3) Giving grants to technician-directors for making artistic and healthy films--progressive film makers of other parts of India are also getting aid in this category.

(4) Increased number of documentaries and news reels.

(5) Children's film programme on regular.

(6) Building 3 art theatres as an alternative release chain to commercial circuit.

(7) Utilising the projectors the Government has at their disposal to exhibit progressive films in rural areas.

(8) Giving tax relief on some films the Left Front Government is trying to help the producers of small means.

Moreover, the Cultural Ministry of the Left Front Government has given lumpsum grants to the families of dead and disabled technicians and workers. But the problem is so acute here that the efforts of the Left Front Government are being frustrated because of the negative attitude of the Union Government.

I hope the hon. Minister, the Union Government, will take into consideration all these points, and bring forward a comprehensive Bill for the benefit of all sectors of workers in the film industry.

[The Vice-Chairman (Shri Dinesh Goswami), in the Chair].

SHRI U. R. KRISHNAN (Tamil Nadu): Sir, I wholeheartedly welcome these two Bills. The Government ought to have brought these Bills even before Mrs. Indira Gandhi is the champion of labour class. Long before the Minister should have brought a Bill declaring cinema as an industry. When cinema is declared an industry, then these two Bills will become infructuous. Now, what is the object of the Bills that you are going to enact? The definition of a cine-worker is given in the Bill as:

"Who has been employed, directly or through any contractor or in any other manner, in or in connection with the production of not less than five feature films to work as an artiste (including actor, musician or dancer) or to do any work, skilled, unskilled, manual, supervisory, technical, artistic or otherwise;... I do not know for what period, five years or ten years.

Another aspect to which the Minister has to give due consideration is this. Suppose one worker has worked in Bombay for some time and in Calcutta for some time and in Madras for some time. Will such category of workers be covered by this Act?

Some hon. Members have said that more than three lakhs of people are involved in this industry and barring a few, all others are very poorly paid and are not cared for. There are no Unions for them and the workers do not know their rights. I would in this connection say that Madras is one place where more than half of the films produced in the country are being produced and for this reason it has earned the pride of being called the Hollywood of India.

I would like to mention that cinema is in the State List. Now there is a move to bring it into the Concurrent List. I vehemently oppose that move.

Cinema should not be brought into the Concurrent List and it should remain in the State List.

About Black money, we all know that at least a portion of the black money is being used by the film industry, especially producers, exhibitors and cinema theatre owners.

We know that many cinemas are not screened at all after certification. They are also being asked to pay Rs. 1,000/-. The pictures are not even screened. I do not know whether the Minister would like to pay them Rs. 1,000/-.

Recently the Government of Tamil Nadu has set up a Film Industries Corporation with Rs. 2 crores in order to help film producers to produce quality films.

One word about the Committee. We do not know the term of the Committee. Will it be for one year or two years or three years? We also would like to know how the members of the Committee will be chosen. These have not been made clear in this Bill. Therefore, I would like to know from the Minister what is the term of the Committee.

Lastly while appointing these committees, the State Government should be given due representation on them. With these words, I support the Bills.

SHRI VASANT SATHE: I am obliged to the hon. Members who participated in the discussion and have made very valuable suggestions. As I said, this long due measure is just a beginning. I am conscious of the fact that much more needs to be done for not only film industry, but for all the entire performing artistes of all other branches of art. But at least a beginning has been made. I can assure the hon. Members who suggested that a comprehensive measure needs to be brought to cover the

[Shri U. R. Krishnan]

working conditions of the employees in this industry like any other industry—Dr. Shanti Patel suggested this—that as per my assurance in this very session I am introducing a Bill relating to the working conditions of cine-workers, in the Lok Sabha. The Bill is now ready. It had to go through so many stages. You know it had to go to the industry to get their suggestions, it had to go to the employees to get their comments and it had to go to the Labour Ministry for their reaction. Everyone here knows how from one Ministry to another it had to go and all this takes time. But as soon as I took over I had given an assurance that I would give this top priority. I have pursued the matter and the Bill is now cleared by the Law Ministry. And, Sir, I am happy to introduce it in this session itself which by itself will be a comprehensive and salutary measure. But then, Sir, these Bills are intended to serve a limited purpose. Once that Bill comes, then all the other measures like the Provident Act, Gratuity Act, Minimum Wages Act, etc. would be covered. But this will not cover even the ordinary laws and, in the field of industrial law, Sir, there are so many enactments, as everybody knows, and no one enactment can cover all the benefits and, therefore, these Bills are brought forward only to ensure some relief or some welfare to those who are in indigent circumstances and who have worked at least in five films, if not more, the minimum number, and who get either monthly pay of one thousand rupees or a lump sum of five thousand rupees per year. Well, it can always be argued and asked, considering the present cost of living, what is this one thousand rupees per month in the cinema field. So, the amount should be increased so that you can bring in more people. But, as I said, this is only the beginning and let us start from the lowest and then, as our fund grows, we can think of going higher up.

Then, Sir, I may tell Mr. Krishnan that a worker can work anywhere in the country and it is not that he should work in five films only in Madras or in five films only in Calcutta or in five films only in Bombay. He can work anywhere and it makes no difference as long as he has worked in five films.

SHRI U. R. KRISHNAN: But how are you to identify them?

SHRI VASANT SATHE: Whom?

SHRI U. R. KRISHNAN: Those workers.

SHRI VASANT SATHE: It is provided here. You see clause 10.

SHRI U. R. KRISHNAN: The Commissioner cannot do that.

SHRI VASANT SATHE: There you will find this that the Central Government may require a producer to furnish, for the purpose of this Act, such statistical and other information in such form and within such period as may be prescribed. We will make the rules and they will make the registers and other things so that any producer, who has produced with the help of any employee, will inform us in that form as to whom he has employed, how he employed, for how many months and what he paid and all that.

Then, the second thing is that Dr. Zakaria has made a suggestion that we should consider some other method of augmenting the income. Can we link it with the production? There is a constitutional problem. Can we link it with the production cost? There is a problem again. But then, Sir the suggestion that he made is a tempting suggestion and I shall keep it in mind and I will see whether we can link it, per print, so that the small-budget film-makers, regional film-makers, may produce

only a few prints and the film-makers with a bigger budget, may produce a larger number of prints. Can we do that? We shall see and we shall consider that. But today, Sir, at least we have taken the minimum which, we feel, no film maker, even the low-budget film maker, can grudge paying, that is, paying a thousand rupees. Therefore, we have begun with the lowest possible amount. But we shall keep all these things in mind. As I said, this is only a beginning and let us have some experience for a year or two and see how we go along. Then, Sir, as I said, it is not only this 7.5 lakhs, but also grants from the Central Government; grants from the State Governments may also come. But, you know, Sir, the honourable Members have been asking; why don't you include the exhibitors, the exhibition and the distributions workers also in it? But cinema exhibition is a State subject and distribution also is not under our control. Today, this racket which I have referred to earlier is at the exhibition and the distribution levels. The best young directors are producing good films of social purposes. But they cannot be sure because they do not get the theatres. As I have said, this is virtually a racket and we have to break it. You are in a system which, I hope, Dr. Shanti Patel will understand—We belong to the same school—is based on exploitation. It is a socio-economic system based on the law of demand and supply and the exploitation by the few of the many. As long as this system remains, the entire film industry will be based on the law of demand and supply. "We make this film because this will sell. If you have this *masala* in it, it will sell. This formula will sell and, therefore, I make this film." They get the money from the black money people at exorbitant rate of interest at more than 40 per cent. So, Sir, where do you begin? You must control exploitation. But how will you do it? Just now, Mr. Krishnan also said, "Don't bring it in the Concurrent List." Why?

The entire entertainment tax on exhibition is taken exclusively by the State. But how much do they spend from that entertainment tax for building cinema houses to show even good regional films? No. How much do they spend for helping cinema and theatre employees? Nothing. Some beginning has been made. 25 crores of rupees are earned annually in West Bengal from cinema exhibition. Rupees 30 crores or more are made by Maharashtra State and about 20 crores of rupees or so by Tamil Nadu. But how much do they utilise for the welfare of employees and for good cinema about which you have been talking? All that I have been saying is that we won't touch even a farthing of your entertainment tax. If you want good regional films to be shown in every region and on every circuit, unless it is at least in the Concurrent List, it cannot be done. I am not saying: Take it in the Central List. Now, what are you scared of? In that case, we can encourage good cinema throughout the country. Not only this. We can have cinema houses everywhere. Then, Sir, practically every Member who participated said that cinema in all its sectors, i.e. production, distribution and exhibition, should be declared an industry. I have said that in principle I agree with this proposition. But what do you mean by it? If it is only for the purpose of Industrial Disputes Act, then I am bringing that Bill and that will cover it. If it is for the purpose of giving the benefit of financial assistance to producers, that creates a problem because what is the security from the producer which a bank must have when it advances lakhs and lakhs or even crores of rupees. What is the security that the producer can give? These are some of the problems. Regarding the construction of cinema houses. I think that can be treated at par with the construction of a hotel and it should be considered. I have taken this matter up. Fortunately, the Finance Minister has come. If his Ministry approve of it, when they consider it. I would be

[Shri Vasant Sathe]

very happy to come forward with a proposal. I have dealt with practically all the aspects. I once again thank the hon. Members for giving this whole-hearted support to these two measures.

**SHRI RAMAKRISHNA HEGDE:** It is 'qualified' support.

**SHRI VASANT SATHE:** You are qualifying it now. Those who spoke at least welcomed it. Of course, I myself have given a qualified rider in the beginning. So, you are not doing any better than what I did, I myself said that this is a beginning and much more needs to be done.

**SHRI RAMAKRISHNA HEGDE:** I am supporting you.

**SHRI VASANT SATHE:** Thank you.

**DR. SHANTI G. PATEL:** What is the difficulty in putting a levy on what the producer has spent? After producing the film, instead of Rs. 1000 flat, you can have a percentage basis on the money that has been spent in producing the film.

**SHRI VASANT SATHE:** The question of double taxation and all that. But these things...

**Shri VASANT SATHE:** There is a will, there is a way.

**SHRI VASANT SATHE:** There is a print-wise method also. There are methods. We will keep all this in mind. Let us make a beginning. Let us see how it functions. And then we shall consider how to augment this so that we can help the employees.

Thank you, Sir, once again.

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** The question is:

"That the Bill to provide for the levy and collection of a cess on feature films for the financing of activities to promote the welfare

of certain cine-workers and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration.

*The motion was adopted.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** We shall now take up clause by clause consideration of the Bill.

*Clause 2 was added to the Bill.*

*Clause 3—Levy and collection of cess on feature films.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** There is an amendment to Clause 3 by Shri Shiva Chandra Jha.

**SHRI SHIVA CHANDRA JHA (Bihar):** Sir, I beg to move:

3. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-Workers Welfare Cess Bill, 1981, as passed by the Lok Sabha, namely:—

"That at page 2, line 7, for the words 'one thousand' the words 'two thousand' be substituted."

मंत्री महोदय ने बहुत जोरों से, बूलंदो से राबिनड्रुड बनने की कोशिश की है कि सिनेमा वर्कर्स के हम मददगार हैं, हमारी उनको शुभाशुभनाएं हैं।

दूसरी बात उन्होंने जिसपर जोर दिया है वह बहुत लिमिटेड है। उन्होंने कहा है कि आगे बढ़कर कम्प्रीहेंसिव आ रहा है उसमें सब कुछ मिल जायेगा जो चाहेंगे सब मिल जायेगा। मेरा संशोधन बहुत लिमिटेड है ... (व्यवधान) मैं संशोधन के मुताबिक बोल लेता हूँ। एक हजार जो बाद में बात आती है वह नहीं पर एक हजार से जो कम होते हैं,

और पांच सौ से तो चे वाले कितने लोग हैं जो सिनेमा वर्कर्स हैं टेक्नीशियन हैं अब आप यह बता दें। जितने लोग हैं उसमें पांच सौ... (व्यवक्रान)

**श्री उपसभाध्यक्ष (श्री दिनेश गोस्वामी) :** आप अमेन्डमेंट पर बोलिए ।

**श्री शिव चन्द्र झा :** खैर जब आयेगा तब कहूंगा। आप जो प्रोड्यूसर से लेते हैं एक हजार रुपया हालांकि उधर से कहा गया कि पांच हजार लोजिए मगर मेरा है दो हजार। यह भी बहुत कम है क्योंकि जो प्रोड्यूसर है वे तो बड़े मालदार होते हैं इसलिए आप दो हजार रुपया उनसे लें तब मैं समझ सकता हूँ कि प्रोड्यूसर भी कुछ कन्ट्रोब्यूट कर रहे हैं और तब आपका राबिन्हुड बनना भी ठीक होगा। यह मेरा संशोधन है।

*The questions were proposed.*

**श्री हुस्मदेव नारायण यादव :** दो हजार कम है इसलिए संशोधन छोड़ दीजिए।

**श्री वसन्त साठे :** एक हजार भी है दो हजार भी बही है बहुत ज्यादा लेना चाहिए सही मायने में। आगे आगे देखिए होता क्या है अभी तो इन्विदा ही है।

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) :** So, you are not in a position to accept the amendment.

**SHRI VASANT SATHE:** I cannot accept it.

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) :** I shall now put the amendment of Shri Shiva Chandra Jha to vote. The question is:

3. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-Workers Welfare Cess Bill 1981, as passed by the Lok Sabha, namely:—

"That at page 2; line 7, for the words "one thousand" the words "two thousand" be substituted."

*The motion was negatived.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) :** The question is:

"That Clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

**Clauses 4 and 5 were added to the Bill.**

**Clause 6—Power of Central Government to exempt.**

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI) :** There is one amendment by Smt. Kanak Mukherjee.

**SHRIMATI KANAK MUKHERJEE:** Sir, I beg to move:

1. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in Cine-Workers Welfare Cess Bill, 1981, as passed by the Lok Sabha namely:—

"That at page 3, clause 6 be deleted."

**Sir I want that Clause 6 be deleted.**

*The question was proposed.*

**SHRI RAMAKRISHNA HEGDE:** Sir, may I make a suggestion? In this matter, instead of taking the power into the hands of the Central Government, automatically all those films which receive State awards or Central awards should be exempted. I do not know why at every time, at every stage, the Government wants to keep the power to itself. There is likeli-

[Shri Ramakrishna Hegde]

hood of a discrimination being there. Therefore, those films which receive State Awards or International Awards or Central Awards should be automatically exempted.

**SHRI VASANT SATHE:** Howsoever a low-budgeted film may be, thousand rupees amount is actually nothing. Sometimes films are being produced which actually have no marketable value but are good quality films and, therefore, to encourage such things this enabling power is there. There is no desire to use it indiscriminately and allow more exemption; that is not the idea.

**SHRI RAMAKRISHNA HEGDE:** For that, the solution is to give subsidy to films.

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** The question is:

1. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-workers Welfare Cess Bill, 1981, as passed by the Lok Sabha, namely:—

"That at page 3, clause 6 be deleted."

*The motion was negatived.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** The question is:

"That clause 6 stand part of the Bill."

*The motion was adopted.*

Clause 6 was added to the Bill.

Clause 7—Penalty for non-payment of duty of excise within the prescribed period

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** We take up clause 7. There are two amendments.

**SHRIMATI KANAK MUKHERJEE:** Sir, I move:

2. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-workers Welfare Cess Bill, 1981, as passed by the Lok Sabha, namely:—

"That at page 3, line 14, for the words 'fifty rupees' the words 'one thousand rupees' be substituted."

**SHRI SHIVA CHANDRA JHA:** Sir, I move:

4. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-Workers Welfare Cess Bill 1981, as passed by the Lok Sabha, namely:—

"That at page 3, line 14, for the word, 'fifty' the words 'one hundred' be substituted."

*The question was proposed.*

**श्री शिव चन्द्र झा :** यह बात ठीक है कि अब आपने आगे देखा जाए कि जब बाक्स खुलेगा, क्या सब कुछ उसमें मिलेगा?

**एक माननीय सदस्य :** पिछोरा बाक्स ...

**श्री शिव चन्द्र झा :** यह मैं मानता हूँ कि जो एरियर नहीं देगा एक्साइस-ड्यूटी काउंटर पर जो एक हजार फाइन लगाते हैं, पचास रुपये की जगह ... मेरा संशोधन है कि पचास की जगह सौ कर दीजिए । बहुत साधारण है । सौ रुपा आप करेंगे तो कोई बड़ी बात नहीं है । इससे कोई आपका बिल रहता नहीं, या पास नहीं होता है । इसलिए पचास की जगह पर आसौ कर दीजिए ।

**श्री वसन्त साठे :** अब तो वैसे हो पचास की भी जरूरत नहीं पड़ने वाला है । लेकिन यह तो टोकन है । अभी इससे देखें कि पचास से या सौ से क्या होता है ।

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

2. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-Workers' Welfare Cess Bill, 1981, as passed by the Lok Sabha, namely:—

"That at page 3, line 14, for the words "fifty rupees" the words "one thousand rupees" be substituted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

4. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Cine-Workers' Welfare Cess Bill, 1981, as passed by the Lok Sabha, namely:—

"That at page 3, line 14, for the word "fifty" the words "one hundred" be substituted."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): The question is:

"That Clause 7 stand part of the Bill."

*The motion was adopted.*

*Clause 7 was added to the Bill.*

*Clauses 8 to 10 were added to the Bill.*

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

SHRI VASANT SATHE: Sir, I move:

"That the Bill be returned."

*The question was proposed.*

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Now, from the Janata side I have got three names.

I cannot permit all the three of you to speak.

श्री शिव चन्द्र झा : थर्ड रीडिंग पर दोनों को ज्वाइन कर दिया जाए। मुझे कुछ बातें कहनी हैं।

उपसभाध्यक्ष (श्री दिनेश गोस्वामी) : अब एक ही पार्टी के तीन आदमी कैसे बोलेंगे ?

श्री शिव चन्द्र झा : उपासभाध्यक्ष महोदय दोनों विधेयक के ऊपर थर्ड रीडिंग मेकहे देता हूँ। मंत्री महोदय को हमने सवाल किया था, श्रीर मंत्री जी ये जो आर्टिस्ट्स हैं कलाकार हैं, उनके बहुत शुभचिंतक हैं उनके लिए बहुत हमदर्दी है, मैंने पूछा था 500 रु० तक कमाने वालों की क्या संख्या है। लिमिटेड है उन्होंने कहा था। यदि लिमिटेड ही बनाना है आपकी क्योंकि जो बहुमत में लोग हैं—आर्टिस्ट्स, टेक्नीशियन्स, काम करने वाले ये लोग ज्यादा हैं बहुतायत में उनकी संख्या है। मैं जानता हूँ 1000 की तनख्वाह भोजाज की मंहगाई में कुछ ज्यादा नहीं है लेकिन 500 पाने वालों की संख्या बहुत है इसलिए सिनेमा वर्कर्स के वेल-फेयर के लिए जो आप एक कोष बनायेंगे उसमें 500 से ऊपर वाले के लिए आप गुंजाइश छोड़ देते हैं तो दुर्लभयोग हो सकता है। जो 500 रु० तक कमाने वाले हैं यदि आप उनके लिए कुछ व्यवस्था करत हैं तो आपका मकसद थोड़ा सा पूरा होगा। सिनेमा उद्योग में बहुत सी डिस्पेरिटीज हैं। एक तरफ 1000 रु० तक पाने वाले हैं और दूसरे हीरों की श्रेणी वाले हैं वह कितना कमाते हैं? क्या आप उनके बीच डिस्पेरिटी को खत्म करने का कोई सोच रखते हैं? सारे समाज में इनकम की डिस्पेरिटी को समस्या अलग है। आप का क्षेत्र सिनेमा का क्षेत्र है और आप अपनी आंखों से देखते हैं कि



[श्री शिव चन्द्र झा]

सिनेमा स्टार को आमदनी का हिसाब लाखों लाख हैं और सोढ़ो उठाने वाले की आमदनी 500 रु० से नीचे हैं। तो यह जो ग्लेरिंग डिस्पेरीटी है जो बिल्कुल कल्पना से बाहर की बात हो जाती है, इस को कम करने के लिए आप क्या कर रहे हैं ... (व्यवधान) ... मेरे कहने का मतलब यह है कि वहां पर यदि सीलिंग आफ इनकम आप लगाते हैं तो कम से कम हजार रुपया उसको जरूर मिले और उस से ऊपर का अनुपात 1 या 20 रखें या 1 या 30 रखें—एक स्टार को मिलेगा इतना। तो इस लिमिटेड क्षेत्र में आप मजे में एक ईक्वेलिटी की भावना ला सकते हैं। आखिरी बात सिनेमा शिक्षा का माध्यम है। मैंने पहले भी कहा लेकिन उनका दृष्टिकोण क्लियर नहीं है।

संज्ञोद्य कार्य विभाग मे राज्य मंत्री (श्री सोताराम केसरी): कैसे जानते हैं।

श्री शिव चन्द्र झा: वह उदाहरण में शुरू करता हूँ।

उपसभाध्यक्ष (श्री दिनेश गोस्वामी): सिनेमा शो है 7 बजे, विज्ञान भवन में। आपको भी वहां जाना होगा।

श्री शिव चन्द्र झा: जब हम लोग यहां काम कर रहे होंगे तो उस वक्त दिखाने को उनको नीति है। एक तरफ शोर हो रहा है बच्चों का कि चलना चाहिए। मैं यह मोनेटरी फण्ड के ऊपर डिस्कशन छोड़ना नहीं चाहता हूँ। आपका जो फिल्म शो दिखाने का प्रोग्राम होता है वह भोगलत है और जो सिनेमा आप सेलेक्ट करते हैं वह भी ठीक नहीं है। मैंने कुछ सजेन्स दिए हैं कुछ इस तरह के फिल्मस और पिक्चर आप खिणिएं।

उपसभाध्यक्ष महोदय यह माध्यम तो बड़ा महत्वपूर्ण है विकास के लिए और शिक्षा के लिए लेकिन यदि आप सारी इंडस्ट्री को नेशनलाइज करते हैं तो फिल्म डिस्ट्रीबूशन को क्यों नहीं आप अपने हाथ में लेते हैं ....

उपसभाध्यक्ष (श्री दिनेश गोस्वामी): अब समाप्त कीजिए।

श्री शिव चन्द्र झा: ये डिफेक्टस हैं दोनों बिलों में और यह पंडार का बाक्स जब खुलेगा तब खुलेगा। मैं चाहता हूँ, समस्या का हल हो लेकिन ये हल नहीं कर सकते हैं।

उपसभाध्यक्ष महोदय, इमरजेन्सी के वक्त में मैं जेल में था ....

श्री सोताराम केसरी: ... कौन से जेल में?

श्री शिव चन्द्र झा: डाल्टनगंज में 18 महीने जेल में था। हम लोगों को जर्दस्ती सिनेमा दिखाया जाता था; जर्दस्ती सब वार्ड को बंद कर दिया जाता था। कहते थे उस वार्ड में जाना है। "काहे भाई, क्या है?" वहां सिनेमा देखिए। क्या सिनेमा होता था—अवर प्राइम मिनिस्टर प्रधान मंत्री आती है कलर्ड साड़ी में। फौव्वारा चलता है ... (व्यवधान) ...

उपसभाध्यक्ष (श्री दिनेश गोस्वामी): इसका बिल से क्या संबंध है?

श्री शिव चन्द्र झा: कुछ तरह की बातें करके फिर काम पर बैठ जाती दिखायी देती हैं। 1 बजे तक काम कर रहीं हैं। तो इस तरह से पर्सनलटी कल्ट को पैदा करने का जो मिसयूज होता है यह नहीं हो। विकास और शिक्षा का दृष्टिकोण बने। ऐसे चित्रों को दिखाया जाए। इसकी शुरुआत आप विज्ञान भवन से करे।

SHRIMATI PURABI MUKHOPADHYAY (West Bengal): Mr. Vice-Chairman, Sir, the Minister has brought forward a very important Bill for persons in the sector which has all along been neglected. There is no security in service for them. When they are disabled, they are thrown out. For old age they have nothing to fall back on and there are no other facilities for them while they are working there. I know the purpose of this Bill is very limited, but I must say that it is a well beginning. We can expect other things to come, not only for this section of workers, but for others also who are there in the film industry. So, this is the first step and I congratulate the Minister for that.

Secondly, Sir, this Bill relates to the film industry and we may discuss in different forums about the subject matter, what should be shown and what should not be shown, but the one thing that I know is that even talented directors and play writers do not get the recognition very easily or very early. I know about Shri Satyajit Ray himself. When he first applied to the West Bengal Government, the whole Cabinet sat to discuss whether the Cabinet or the Ministry should at all go in for giving any help or subsidy for production of a film. Then ultimately, it was decided that since it was done before it does not mean that it will not be done now or in future.

SHRIMATI KANAK MUKHERJEE: Which year?

SHRIMATI PURABI MUKHOPADHYAY: It was in 1954. Now the present State Government of West Bengal—I have read it in the papers, I have no personal experience—has given Rs. 40 lakhs as help to this industry for making films and as a result, revolutionary subjects which can revolutionise the whole society are now being picturised in films. Well, the State Government has come forward to give help: it is a good thing that they did. So, when we

talk about cinema, it does not include only cine stars or directors or producers. Think of the persons who were down below, who were silent workers there and they have been neglected all through. This is high time that something is done for them also.

The Minister in both the Bills has shown us how to get money and how to spend the money and I think it is a good job that he has done and we need some more measure like this.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Hegde, would you like to speak?

SHRI RAMAKRISHNA HEGDE: Actually I have something to say on the second Bill.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): We are taking both the Bills together. So, you can speak now.

SHRI RAMAKRISHNA HEGDE: In that case, I would like to make a couple of suggestions if it is not too late even at this stage. Without prejudice to my evaluation about Mr. Sathe's work as Minister of Information and Broadcasting, I must say that he deserves congratulations for bringing forward this Bill, but I am afraid, whatever might be his laudable intention, the purpose will not be served fully. Firstly, the money that he wants to raise will not be adequate. I suggest that it should be raised to Rs. 5000/-. The way he has suggested to collect the money is the best way. If you go in terms of income, it is difficult to assess and similarly, no other way can also be foolproof. Sir, a film at the minimum budget today costs about Rs. 2½ lakhs and a man who spends Rs. 2½ lakhs does not mind to pay Rs. 5000/- as additional cess on that. Secondly, I was rather intrigued by clause 4 of the second Bill. Sub-clause (1) says, "any other expenditure which the Central Government may direct to be defrayed

[Shri Ramakrishna Hegde]  
from this Fund". What is this Why do you want to keep a kind of a loop-hole in this. Eliminate it. All the purposes have been specified in the earlier sub-clauses.

Thirdly, Sir, there are provisions relating to the appointment of Advisory Committees. There will be as many Advisory Committees at the regional level as you may think fit and there will be a Central Advisory Committee and a Welfare Commission. Instead of that, may I suggest to him to have three Regional Committees, each to be headed by a retired High Court Judge—one in Calcutta, second in Bombay and a third one in Bangalore or Madras or wherever you may decide? I am afraid that those Advisory Committees will be hot-beds of politics. There is no clear-cut definition about who is entitled to the benefit and to what sort of benefit or relief; so there will be a lot of nepotism. Therefore, there should be three Committees in three different regions and each should be added by a retired High Court Judge, with one representative from the industry and another representative from the workers.

Fourthly, I feel that a big establishment is going to be established, if I understand the Bill correctly. A lot of money is going to be spent—money that is collected for the benefit of the workers—on those establishments. Therefore, I would, in the end, like to suggest that if it is not too late, the Bill should be referred to a Joint Select Committee so that we can give concrete suggestions.

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): Mr. Mallick, will you conclude in two minutes?

SHRI HAREKRUSHNA MALLICK (Orissa): I want to mention only one point. I think it will be very good thing if something is spent on housing for the cine-workers because in places like Bombay it is time for us

to remove those dirty slums and curb black money because everybody falls a prey to it. Either one area of the slum can be cleared, or a separate township can be set up. So also in Calcutta and Madras.

You must also appreciate that present stars are the future stars. Stars cannot just be born only in Bombay, Madras or Calcutta. Just as there is a science talent search scheme, similarly from every school and college in different places artists can be kept on rolls and given scope to play a role in future.

The last point...

THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI): You started by saying that you want to make only one point.

SHRI HAREKRUSHNA MALLICK: This is the last part of it. It is said that one of the famous actors of the day was sleeping on the footpaths of Bombay. Let us not see that all those heroes of future will be sleeping on the footpaths of Bombay. We should protect these people who are serving for a great cause. As I said earlier, cinema industry can actually be augmented as an entirely new industry and for this, housing, health-care and curbing black money have to be taken into consideration so that we can really look after these people who are engaged in this meaningful purpose.

SHRI VASANT SATHE: Actually, Sir, most of the speeches were made in advance on the bill that is going to come. Therefore, I reserve my comments on those points and suggest that when that bill is piloted by me, we will have a longer discussion on many items. As far as this small step is concerned, I entirely agree...

SHRIMATI PURABI MUKHOPADHYAY: We said this in advance for you to re-model that bill.

**SHRI VASANT SATHE:** I will take advantage of your advice in that. What Shri Hegde has suggested, I myself said. I am aware of this. But now there is a hope that at least a beginning is made. It will be a recognition, as Mr. Handique has pointed out. For the first time there is a recognition of the artistes in indigent circumstances in a very major performing art like this, and the will of the Government to help the artistes is being brought forth by the Bill. Let it be gone through. All this advice we will keep in mind and come forward with any amendments as we go through it.

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** The question is:

"That the Bill be returned."

*The motion was adopted.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** We shall now take up the Minister's motion. The question is:

"That the Bill to provide for the financing of activities to promote the welfare of certain cine-workers, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** We shall now take up clause-by-clause consideration of the Bill. Clause 2—there are three amendments.

#### *Clause 2—Definitions*

**SHRIMATI KANAK MUKHERJEE:** Sir, I beg to move:

1. "That at page 1, line 13, for the words 'five feature films' the words 'three feature films' be substituted."

2. "That at page 1, after line 15, the following be inserted, namely:—

'(ia) who has been employed directly or indirectly or through any contractor or in any other manner in connection with distribution or exhibition of cinema films.'"

**SHRI SHIVA CHANDRA JHA:** Sir, I beg to move:

3. "That at page 1, line 19, for the words 'one thousand' the words 'five hundred' be substituted."

*The question were proposed.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** I shall put Shrimati Kanak Mukherjee's amendments to vote. The question is:

1. "That at page 1, line 13, for the words 'five feature films' the words 'three feature films' be substituted."

2. "That at page 1, after line 15, the following be inserted, namely:—

(i) who has been employed directly or indirectly or through any contractor or in any other manner in connection with distribution or exhibition of cinema films.'"

*The motions were negatived.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** I shall now put Shri Jha's amendment to vote. The question is:

3. "That at page 1, line 19, for the words 'one thousand' the words 'five hundred' be substituted."

*The motion was negatived.*

**THE VICE-CHAIRMAN (SHRI DINESH GOSWAMI):** The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

**Clause 2 was added to the Bill.**

**Clauses 3 to 11 were added to the Bill**

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

**SHRI VASANT SATHE:** Sir, I beg to move:

"That the Bill be passed."

*The question was put and the motion was adopted.*