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Rajya Sabha passes Cinematograph Amendment Bill, 2023 aimed at curbing film piracy

The Bill proposes a jail term of up to three years and a fine up to 5% of a film's production cost for persons involved in film piracy. It also introduces new age ratings for films.

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Union Minister of Information and Broadcasting Anurag Thakur speaks in the Rajya Sabha during the Monsoon Session of Parliament, in New Delhi on July 27, 2023. | Photo Credit: ANI/Sansad TV

The Rajya Sabha on July 27 passed the **Cinematograph (Amendment) Bill, 2023** that introduces stringent anti-piracy provisions, expanding the scope of the law from censorship to also cover copyright.

The Bill proposes a jail term of up to three years and a fine up to 5% of a film's production cost for persons who "use any audio-visual recording device in a place licensed to exhibit films with the intention of making or transmitting ... an infringing copy of" a film, or trying to do so.

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The Bill seeks to amend the Cinematograph Act, 1952, which authorises the Central Board of Film Certification (CBFC) to require cuts in films and clear them for exhibition in cinemas and on television.

Information and Broadcasting Minister Anurag Thakur termed piracy as a "termite".

"The Government will not have revisional powers [over the CBFC's decisions] even after this Bill," he said. Earlier this week, Mr. Thakur had written to the CBFC seeking an explanation for a scene from the film *Oppenheimer* that had upset some viewers. The Government was, however, unable to order the CBFC to direct further cuts, as the Supreme

Court had in 1991 ruled against such powers. The Amendment Bill formalises this curtailment of power, by striking off the clause from the statute.

Age ratings

The Bill also introduces three age ratings for films requiring adult supervision. Such films currently get a U/A rating, but this has been split into U/A 7+, U/A 13+ and U/A 16+. The IT Rules, 2021 had implemented these graded age ratings for streaming platforms.

Films rated for adults have largely been prohibited on television for years, following a 2004 Bombay High Court order. As such, broadcasters often cut films voluntarily, and re-apply with the CBFC for a U/A rating. The Bill formalises this practice, with language that allows films to be recertified for TV and “other media”.

A committee of experts chaired by filmmaker Shyam Benegal had in 2017 recommended amendments to the film censorship regime; the graded-age classifications are in line with the report of the committee. However, the government has not implemented the key recommendation of the committee that the CBFC’s power to require cuts be taken away.

To become a law, the Bill will have to be passed by the Lok Sabha.



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