Court No. - 2

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 728 of 2022
Petitioner :- Kuldeep Tiwari And Another
Respondent :- Union Of India Thru. Secy. Ministry Of Information And Broadcasting And 13 Others
Counsel for Petitioner :- Ranjana Agnihotri,Sudha Sharma
Counsel for Respondent :- A.S.G.I.,Ashwani Kumar Singh,C.S.C.

Hon'ble Rajesh Singh Chauhan,J.
Hon'ble Shree Prakash Singh,J.

(Order on Impleadment Application No. I.A./04/2023)

1. Heard Ms Ranjana Agnihotri, learned counsel for the petitioners, Sri S.B. Pandey, learned Senior Advocate and Deputy Solicitor General of India, assisted by Sri Ashwani Kumar Singh for opposite party no. 1 and 3, Sri Vinod Kumar Shahi, learned Additional Advocate General of U.P. assisted by Sri Shailendra Kumar Singh, learned Chief Standing Counsel for the State and Sri Vivek Shukla, learned counsel for opposite party no. 2.

2. By means of this application, the learned counsel for the petitioners has prayed that the dialogue writer of the film 'Adipurush' i.e. Sri Manoj Muntashir @ Manoj Shukla be impleaded in the array of opposite party as opposite party no. 15.

3. The reasons shown in the application appears to be appropriate, therefore, the impleadment application is **allowed.**

4. Let Sri Manoj Muntashir @ Manoj Shukla be impleaded as opposite party no. 15 with his correct address during the course of the day.

5. Let notices be issued to opposite party no. 15.

6. Steps to be taken within seven days.

7. Office is directed to proceed accordingly.

(Order on Writ Petition)

1. Ms. Ranjana Agnihotri, learned counsel for the petitioners has filed the amended copy of the writ petition and the same is taken on record.

2. In the aforesaid amended copy of the writ petition, she has drawn attention of this Court towards annexure no. 1 whereby coloured photographs of some part of the film in question, i.e,

'Adipurush' have been annexed. She has shown some objectionable portion from the aforesaid photographs. She has further drawn attention of this Court towards the Guidelines for Certification of Films for Public Exhibition issued under Sub-section 2 of Section 5-B of the Cinematograph Act, 1952 (hereinafter referred to as "the Act, 1952"), to show that not only some dialogues of the film but the picturisation of Lord Rama, Devi Sita, Lord Hanuman, Ravan and wife of Vibhishana etc have not been depicted in terms of the guidelines.

3. Para 2 (viii), (ix) & (xii) of the Guidelines framed under the Act, 1952 reads as under:-

*"**2.** In pursuance of the above objectives, the Board of the Film Certification shall ensure that-*

(viii) such dual meaning words obviously cater to baser instincts are not allowed;

(ix) scenes degrading or denigrating women in any manner are not presented;

(xii) visuals or words contemptuous of racial, religious or other groups are not presented."

4. Therefore, Ms. Rajana Agnihotri has requested that the aforesaid movie may immediately be banned inasmuch as the aforesaid movie may not only affecting adversely the sentiments of the people at large, who worship Lord Rama, Devi Sita, Lord Hanuman etc., but the manner in which the character of Ramayana has been depicted would create serious disharmony in the society also. Ms. Rajana Agnihotri has further stated that she failed to understand from where the content of the film has been borrowed as nothing in that manner has been narrated in Valmiki Ramayana or Tulsikrit Ramcharit Manas.

5. Sri S.B. Pandey, learned Deputy Solicitor General of India has submitted that if, scenes of the film which have been filed with the petition and dialogues thereof, which have been reproduced in the writ petition are from the film, he can verify this fact after seeking the instructions from the competent authority. He has also referred Section 6 of the Cinematograph act 1952, which provides that in such circumstances, the revisional power vests with the Central Government. He has also stated that the Board of Films certification may not revisit on the certificate already issued to the film. Sri S.B. Pandey has further submitted that he has been told that before starting of

the film, the disclaimer has been shown to the effect that the film is not the Ramayana. On that, Sri Pandey has been confronted to the effect that when the film maker has shown Lord Rama, Devi Sita, Lord Laxman, Lord Hanuman, Ravan, Lanka etc., then as to how the disclaimer of the film would convince the people at large that the story is not from Ramayana. Sri Pandey has submitted that he will have to seek instructions on that point.

6. Having regard to the fact that Sri S.B. Pandey has not received complete instructions from the Union of India, more particularly, from Ministry of Information and Broadcasting, opposite party no. 1 and Board of Film Certification, opposite party no. 3, he is granted 24 hours' time to seek complete instructions. While producing complete instructions, he shall also apprise the Court as to whether opposite party no.1 is considering to take appropriate steps in the interest of public at large by invoking its revisional power under Section 6 of the Act, 1952.

7. List/put up this case tomorrow i.e. 28.06.2023 at 02:15 PM sharp along with WPIL No. 586 of 2023, Naveen Dhawan vs Union of India and another.

(Shree Prakash Singh, J.) (Rajesh Singh Chauhan, J.)

Order Date :- 27.6.2023
Mayank