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## CINEMATOGRAPH (AMENDMENT) BILL, 2023 GETS APPROVED BY THE PARLIAMENT

THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "CINEMATOGRAPH (AMENDMENT) BILL, 2023 GETS APPROVED BY THE PARLIAMENT". THIS TOPIC IS RELEVANT IN THE "POLITY AND GOVERNANCE" SECTION OF THE UPSC CSE EXAM.

### WHY IN THE NEWS?

The Cinematograph (Amendment) Bill, 2023, was recently approved by both the Lok Sabha and Rajya Sabha. This bill extends the jurisdiction of the law beyond censorship to encompass copyright matters and introduces rigorous measures against piracy. Its primary objective is to make amendments to the current Cinematograph Act of 1952.

### SIGNIFICANT PROVISIONS OF THE BILL

#### Combating Film Piracy

- **Stiffer Penalties:** The bill aims to deter film piracy by introducing stricter punishments for unauthorised recording and distribution of copyrighted content. Offenders could face jail terms ranging from 3 months to 3 years and fines between Rs. 3 lakhs and 5% of the film's production cost.

#### Streamlined Television and Online Broadcasting

- **Recertification for Other Media:** Previously, adult-rated films were banned from television. Broadcasters often made voluntary cuts and sought re-certification for a U/A rating from the CBFC. The bill formalises this practice, allowing films to be recertified for television and "other media" platforms.
- **Perpetual Validity of Certificates:** The 10-year validity period for CBFC certificates has been removed, granting them perpetual validity. This eliminates the need for filmmakers to re-certify their films after a decade.

#### Expanding Copyright Protection

- **Beyond Censorship:** This amendment broadens the scope of the Cinematograph Act, which currently focuses primarily on censorship, to encompass copyright protection. This aligns with

the evolving film distribution ecosystem and aims to safeguard the intellectual property rights of filmmakers and content creators.

### **Limited Government Intervention in CBFC Decisions**

- **CBFC's Autonomy:** The bill emphasises the autonomy of the Central Board of Film Certification (CBFC). This move aligns with the 2000 Supreme Court judgement in *K.M. Shankarappa vs Union of India*, which limited the government's revisional powers over CBFC decisions.

### **Enhanced Age-Appropriate Viewing**

- **Granular Age Ratings:** The amendment introduces a new age rating system for films that require parental guidance. The current U/A category will be **split into three distinct categories:**
  1. **U/A 7+**,
  2. **U/A 13+**,
  3. **U/A 16+**

This aligns with age-based classifications already existing for streaming platforms and recommendations put forward by the **Shyam Benegal Committee**.

### **THE NEED FOR A MODERN FILM LAW**

The Indian film industry faces a significant challenge: rampant online piracy. While the Cinematograph Act of 1952 governs film certification for theatrical release, it lacks provisions to address the piracy crisis plaguing the digital age.

### **Limitations of the Existing Law**

- The 1952 Act focuses solely on theatrical releases, leaving online content vulnerable to piracy.
- Its age-based film certification categories are limited, lacking the granularity needed for today's diverse audience.

### **The Rise of Piracy and OTT Platforms**

- India has emerged as a global leader in pirated content consumption, highlighting the urgency for legislative action.
- The booming OTT industry operates under separate regulations, creating inconsistencies in content governance.

### **Efforts Towards Modernization**

- Recognising these issues, the government has made attempts to update the Cinematograph Act.
- Committees led by Justice Mukul Mudgal and filmmaker Shyam Benegal were formed to address film certification and legal frameworks.

### **The Need for a Comprehensive Solution**

- These efforts underscore the need for a modernised film law that effectively combats piracy across all platforms – theatrical, online, and emerging media.

- A robust legal framework is crucial to safeguard intellectual property rights, promote content creation, and ensure a healthy and sustainable film industry in India.

### **ABOUT THE CINEMATOGRAPH ACT OF 1952**

The Cinematograph Act of 1952 serves as a cornerstone for film regulation in India. Enacted by the Parliament, it aims to ensure that films exhibited publicly adhere to societal norms and sensitivities.

#### **Key Provisions**

- **Certification Guidelines:** The Act establishes principles for film certification, considering factors like national security, public order, decency, and respect for the judiciary.
- **Central Board of Film Certification (CBFC):** Section 3 empowers the establishment of the CBFC, popularly known as the Censor Board. This statutory body under the Ministry of Information and Broadcasting regulates film exhibitions by following the Act's provisions.
- **Appellate Tribunal:** The Act allows for the formation of an Appellate Tribunal to address appeals against decisions made by the CBFC.

### **MAINS PRACTISE QUESTION**

**Q1. How important is it for cinematic laws to strike a balance between artistic freedom and societal norms, especially concerning content available on OTT platforms?**

**Himanshu Mishra**

## **RELEVANCE OF THE UNITED NATIONS SECURITY COUNCIL COUNCIL IN THE CURRENT GEOPOLITICAL CONTEXT**

**UN Security Council calls for cease – fire in Gaza**

**SOURCE – THE HINDU AND PIB**

**GENERAL STUDIES – INTERNATIONAL RELATIONS, INTERNATIONAL ORGANIZATIONS, UNITED NATIONS, UN SECURITY COUNCIL IMPORTANCE AND POWERS, NEED FOR CHANGE IN UNITED NATIONS SECURITY COUNCIL**

**WHY IN THE NEWS ?**



- Recently, on 25 March 2024, the United Nations Security Council (UNSC) has called for an 'immediate ceasefire' and the release of all hostages by Hamas, five and a half months after Israel launched its attack on Gaza.
- About 32,000 Palestinian civilians have been killed and about 74,000 people have been injured in the Gaza-Israel war.
- In this war, more than 90 percent of Gaza's population has been displaced and almost all the population is in dire straits of starvation.
- America, which has vetoed every resolution in the United Nations for an immediate ceasefire in Gaza, remained absent from this voting. This indicates a change in the policy of the Biden administration regarding this war.
- All UNSC members, including Britain, have voted in favor of the ceasefire proposal.
- Israeli Prime Minister Benjamin Netanyahu has canceled a previously scheduled visit to Washington by two of his close Cabinet aides in anger over a ceasefire proposal, and by China and Russia in the context of the unconditional release of hostages pending a ceasefire. This supported proposal has also been strongly criticized.
- About 1,200 Israeli civilians were killed after Hamas declared a cross-border war on October 7, 2023.
- On the day of the attack on Israel by Hamas, the entire world was in sympathy and solidarity with Israel. But what Israel did in the next few months to punish the entire population of Gaza for the actions of Hamas has turned international opinion against it.
- In such a situation, if Israel makes an objective assessment of the situation on humanitarian grounds, then it should immediately follow the UNSC resolution and declare a cease - fire.

### **UNITED NATIONS SECURITY COUNCIL (UNSC):**

- The United Nations Security Council is considered the largest forum for managing the security of various countries at the global level.
- The responsibility of maintaining peace and order in the world and ensuring compliance with the principle of collective security rests with the United Nations Security Council.
- The temporary membership of the United Nations Security Council changes from time to time.

### **INTRODUCTION TO THE UNITED NATIONS SECURITY COUNCIL :**





- The United Nations Security Council is the most important body of the United Nations, which was formed in the year 1945 during the Second World War.
- Headquarters of the United Nations Security Council located in New York City.
- The Security Council has five permanent members – the United States, China, France, Russia, and the United Kingdom (UK) – collectively known as the P5.
- The United Nations Security Council originally had only 11 member countries, which was expanded in the year 1965 into an international organization with members from 15 countries.
- The permanent member countries of the Security Council have the power of veto, while apart from these permanent member countries, 10 other countries who are included in the Security Council as temporary members for two years, have the power of veto. Is not provided.
- The membership of these countries on the Security Council was designed to reflect the post-World War II balance of power.

### IMPORTANCE AND POWERS OF THE UNITED NATIONS SECURITY COUNCIL :



- The United Nations Security Council is the most powerful body of the United Nations whose primary responsibility is to maintain international peace and security of all countries.
- Its main powers also include contributing to peacekeeping operations, enforcing international sanctions and taking military action through Security Council resolutions.
- It is the only UN body with the authority to issue resolutions binding on UN Security Council member states.
- It was established through a Charter of the United Nations in which all member states are bound to follow the decisions of the Security Council.
- Currently the five permanent members of the United Nations Security Council have the right to veto power. **Veto power means – 'Prohibition power'.**

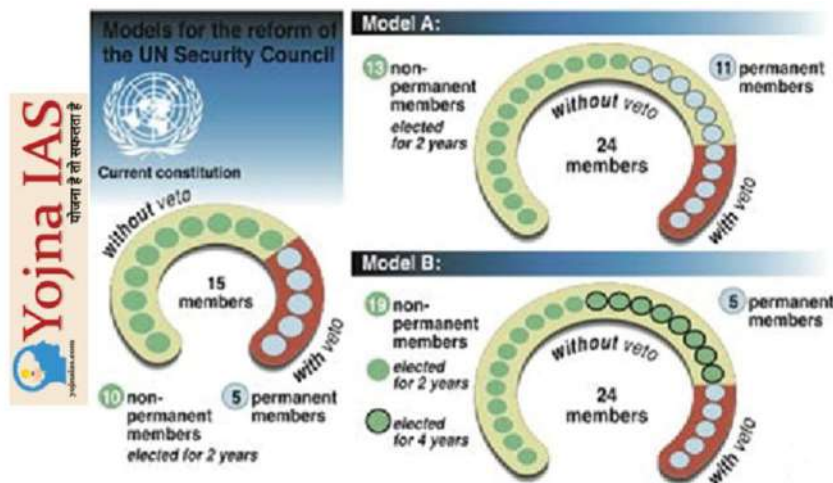
- If any one permanent member does not agree with the decision of the permanent members, then he can stop that decision by using veto power.

## **BENEFITS OF GETTING PERMANENT MEMBERSHIP IN THE UNITED NATIONS SECURITY COUNCIL :**



- The United Nations Security Council is a major decision-making body of the United Nations.
- To impose any sanctions on any country or to implement any decision of the International Court of Justice, member states require the support of the Security Council.
- By getting India permanent membership of the United Nations Security Council, India may be able to have a stronger say in global geopolitics.
- After getting permanent membership in the United Nations Security Council, India will also get the power of veto power.
- Permanent membership of the Security Council will help strengthen a mechanism to address external security threats and state-sponsored terrorism against India.

## **NEED FOR CHANGE IN THE UNITED NATIONS SECURITY COUNCIL IN PRESENT ERA :**



- The United Nations Security Council is the principal global body for maintaining international peace and security, but it is in constant need of reform in order to better respond to the diverse challenges arising globally in the twenty-first century.
- In the twenty-first century, countries all over the world are facing global challenges like various types of cyber crimes, bio-crimes and the increasing spread of nuclear bombs. In such a situation, there is a need for comprehensive changes in the United Nations Security Council as per the trends of increasing crimes at present.
- The United Nations Security Council was established in 1945 according to geopolitics. Present-day geopolitics is now quite different in nature from the backdrop of the Second World War.
- The need for reform has been felt in the world since the end of the Cold War. It requires a number of reforms, the most important of which are organizational structure and procedural reforms.
- At present, Europe has the highest representation among the five permanent countries of the United Nations Security Council. Whereas only 5 percent of the total world population resides in Europe.
- No country from Africa and South America is a permanent member of the Security Council. Whereas more than 50 percent of the work of the United Nations is related to African countries alone.
- Despite playing an important role in peacekeeping operations at the global level, the stance of other countries like India is being ignored by the current members. India, the world's largest and emerging fifth economic superpower, needs permanent membership in it as per the present times. Is.
- There is a need to reform the structure of the United Nations because it is dominated by America, while at the global level other countries also stand as emerging economic superpowers in relation to America. America has also been ignoring the United Nations and other international organizations on the strength of its military and economic power, which no economic superpower country can tolerate at present. Therefore, there is an urgent need to make changes in this organization according to the global needs of the present time and the changing nature of crimes.

**ARGUMENTS GIVEN IN FAVOR OF INDIA GETTING PERMANENT MEMBERSHIP IN THE UNITED NATIONS SECURITY COUNCIL :**





- India is the second most populous country in the world, with a population of about one billion and forty crore. Where about 1/5th of the total population of the world resides.
- At present, India is an emerging economic superpower of the world. India's growing status as an economic superpower on the global stage further strengthens India's claims for permanent membership of the UN Security Council. At present India is the fifth largest economy in the world. Apart from this, India is also among the three largest economies of the world in terms of GDP based on PPP.
- India is now counted among the most influential countries in economic organizations like WTO, BRICS and G-20.
- India has also successfully hosted an economic organization like G-20 in the year 2023.
- India's foreign policy has historically been to promote world peace and brotherhood, and India has always believed in the concept of "**Vasudeva Kutumbkam**".
- India is also the country sending the largest number of troops to the United Nations.

### CONCLUSION / PATH TO SOLUTION :



- India's temporary membership of the United Nations Security Council will certainly be an important effort to move towards permanent membership.
- Permanent membership will bring India at par with America, Britain, France, China and Russia at the level of global politics.
- Therefore, India also needs to make more serious efforts for permanent membership in the United Nations Security Council.
- The United States has historically used its veto power to shield Israel from Security Council decisions.
- Nearly a third of its negative votes since 1972 have been on resolutions critical of Israel.
- China has used the veto more frequently in recent years, although it has historically been more restrained than the United States or Russia, with Beijing now rejecting twenty resolutions.
- The full name of the Soviet Union was the Union of Soviet Socialist Republics. Russia was the principal republic of the USSR.
- Since the dissolution of the USSR in 1991, China and Russia have vetoed more than a quarter of the time. In contrast, France and the United Kingdom (Britain) have not used their veto power since 1989 and have also asked other P5 members to use it less.
- The ongoing war between Israel and Hamas is increasing tensions in Israel's relations with its closest allies, including the United States.



- If Israel continues this war, it will further increase its domestic and international challenges. In addition, many more lives will be lost in the unprotected, battered, besieged, bombed Gaza Strip.
- Israeli Prime Minister Benjamin Netanyahu now has only two options.
- It should seriously consider the appeal of the UNSC and stop this war, allow rapid humanitarian assistance to Gaza and continue dialogue and dialogue with Hamas through international mediators for the release of all hostages and withdrawal of its forces from the Gaza Strip. Keep. Or
- Benjamin Netanyahu should push his country Israel into the darkness of permanent war.
- Israeli Prime Minister Benjamin Netanyahu should continue negotiations and dialogue with Hamas through international mediators for the withdrawal of its forces, following the UN Security Council's call for a ceasefire in Gaza, in order to save more lives. Can be saved and human sensibilities, human identities and humanity can be protected on this earth.

### **PRACTICE QUESTIONS FOR PRELIMINARY EXAM :**

#### **Q.1. Consider the following statements regarding the United Nations Security Council.**

1. Headquarters of the United Nations Security Council in the United States Washington DC. Located in the city.
2. The Security Council has five permanent members – the United States, China, France, Russia, and the United Kingdom (UK) – collectively known as the P5.
3. It was formed in the year 1943 during the Second World War.
4. The permanent member countries of the Security Council have the power of veto, while the non-permanent member countries do not have the power of veto.

#### **Which of the above statement / statements is/are correct?**

- (A). Only 1 and 3  
 (B). Only 2 and 4  
 (C). Only 1 and 2  
 (D). Only 2 and 4

**Answer – (B)**

### **PRACTICE QUESTIONS FOR MAIN EXAM :**

**Q.1. Explaining the 'Power of Veto', Discuss what is the relevance of the work and powers of the United Nations Security Council in the current geopolitical context ? Is there a need to change its current form ? Give a logical answer.**

**Akhilesh kumar shrivastav**