

You've got only snail mail

OUR CORRESPONDENT

New Delhi, April 20: The next time you need to send an urgent letter, you may have to depend on snail mail.

The government today proposed amendments to the Indian Post Office Act, 1898, banning private courier companies from carrying letters weighing less than 300 gm.

The private courier industry is livid, but the government's defence is that it needs this monopoly to be able to fund cheap postal services in remote areas.

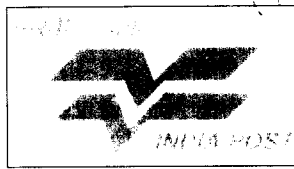
"The monopoly over a specific part of the letter mail of all descriptions up to a specified weight limit is essential as the department of posts is required to fulfil the universal

service obligation, which involves postal coverage to financially non-viable areas also at affordable rates for the common man," a statement said.

It's not clear if the department can match the value-added services offered by private couriers, such as pick-up from home and tracking the movement of the letter on the Net.

As much as 65 per cent of the private courier service industry's total revenue of Rs 5,000 crore comes through ordinary mail that weighs less than 300 gm, sources said.

"We use the private courier service to despatch a huge nu-



MONOPOLY MAIL

number of bills to subscribers every day," said an executive of a private cellular service provider. "We aren't sure the postal depart-

ment can handle such huge volumes."

Similar fears were expressed by banks that send credit card bills, monthly account statements and other letters.

"Any weight restriction would be denying a choice to the consumer," said R.K. Saboo, chairman of the Express Industry Council of India.

The Centre has another, paradoxical argument: the amendments will make the sector more "liberal and competi-

tive". Its reasoning is that the current act says letters lighter than 500 gm can be carried only by the department. But the act doesn't define a letter, making it easy for private couriers to carry them as "documents", the minister of state for communications and IT, Shakeel Ahmad, explained recently.

The amendments, which define a letter to plug the loophole, bring the limit down to 300 gm — and to the Centre, this signifies liberalising the sector.

The courier industry said it would "like to enter into a constructive dialogue with the government and work on ways to ensure (its) survival".

The Centre has invited suggestions from the public by May 5.

A.P. ban on *Da Vinci Code* quashed

Irresponsible action: High Court

Legal Correspondent

HYDERABAD: The Andhra Pradesh High Court on Wednesday quashed the State Government's order prohibiting the screening of *The Da Vinci Code*, based on Dan Brown's best-selling novel. It also imposed costs on the Government for resorting to such "irresponsible" action.

Justice Goda Raghu Ram allowed three writ petitions — two by film distributors Sony India and Lakshmi Ganesh Films, and another by a citizen, M.M. Reddy — challenging the ban imposed by the Home Department a day prior to the scheduled State-wide screening on June 2.

Protests by Christians

Citing the protests lodged by Christians and Muslims, the Government banned the film. They held that the film's story attacked the basic tenets of the Holy Gospel. The Government contended that the film might hurt their religious sentiments and lead to law and order problems.

Rejecting these arguments, Mr. Justice Raghu Ram, in his 48-page judgment, said, "The Constitution does not confer or tolerate such individualised hyper-sensitive private censor intrusion into and regulation of guaranteed freedom of others."

Tracing the concept of freedom of speech and expression and its necessity for the blossoming of the human mind, he noted that the Censor Board had

cleared the film with appropriate conditions. A film was not like a billboard or hoarding that involuntarily affected innocent passersby. Those who purchased tickets to see the film made a conscious decision, and the state had no role to stop the screening.

Authorities criticised

Mr. Justice Raghu Ram said the authorities who passed the ban order had not even seen the film. The officer "mechanically certified" the veto of a few objectors rather than arriving at a decision based on informed satisfaction. This was "arbitrary, casual and [a] wholly irrational exercise of a very sensitive and responsible executive power, namely the regulation of a cherished, valued and guaranteed fundamental freedom of expression."

The judge, who saw the film at a special screening, recalled various works on different interpretations of Jesus Christ.

The court said, "Freedom of speech and expression contributes to the richness and equilibrium of human existence." Terming the Government's action wholly negligent and an irresponsible exercise of executive power, the judge directed the Government to pay Rs. 10,000 each to the distributors and Rs. 2,500 to Mr. Reddy.

Meanwhile, the distributors are planning to screen the film later this month.

Token breather for Aamir's *Fanaa*

OUR CORRESPONDENT
AND AGENCIES

New Delhi/Ahmedabad, June 5. The Supreme Court today gave limited relief to Aamir Khan's *Fanaa*, allowing theatre owners in Gujarat to ask the government for police protection if they want to show the film but dismissing filmmaker Mahesh Bhatt's petition that sought its uninterrupted screening.

The film has been released across the country but faced protests in Gujarat after Aamir voiced his support for Medha Patkar's Narmada Bachao Andolan.

A vacation bench of Justices Arjit Pasayat and C.K. Thakker refused to entertain the petition as Bhatt is not a party to the case. "If any exhibitor wants to exhibit the film and wants protection, it can be given," the judges said.

"You may have the right to see a

film but you cannot compel the exhibitor. Let the exhibitor come here," the bench said.

Gujarat's multiplex owners today ruled out screening *Fanaa*.

"The ground situation has stayed the same. Unless Aamir Khan apologises to the people of Gujarat for hurting their sentiments, our stand remains unchanged," said Chirag Shah, spokesman for the state's Multiplex Owners' Association.

"The Narendra Modi government was willing to give security but we did not want to screen the film because of Aamir Khan's obstinacy."

Single-screen theatre owners will hold a meeting tomorrow to decide whether or not to screen the film. But they are expected to toe the multiplex association's line.

Ashok Purohit, the owner of Pulse, a multiplex in Gandhinagar, said: "Now it is too late to exhibit *Fanaa*.

Fanaa is over for Gujarat."

Advocate Mukul Sinha of the NGO Jan Sangharsh Manch, Bhatt's co-petitioner, said he was "not disappointed with the court ruling. It is the situation in Gujarat that is disappointing.... The government wants us to believe that it is the voluntary decision of theatre owners not to screen the film. In reality, they are being threatened."

Amit Thaker, the BJP Yuva Morcha national general secretary who was responsible for the ban, was jubilant. "Just like Aamir Khan is entitled to his opinion, we are free to protest. The protest will continue till Aamir apologises," he said.

In Mumbai, Aamir refused to apologise and said he would stand by the Narmada campaign.

"I have lots of love and regard for the people of Gujarat and I appeal to them not to get caught in politics. Let them look at me and they would find

love in my eyes," the actor told reporters at his Bandra home.

"I have said whatever the Supreme Court has said earlier. I am a simple man, I do not know to play politics."

Aamir said he felt "sad" that the people of Gujarat were not being allowed to see his film, adding that the BJP and its youth wing should find a solution as they were behind the theatre owners' move.

Fanaa's director Kunal Kohli urged "all theatre owners of Gujarat to come forward and release the film".

He said his film has lost "approximately Rs 6 to 7 crore of business in Gujarat. However, it's not about the money... it is about the democratic right of every Indian citizen. Aamir has the right to say what he said. Even the people of Gujarat, who are protesting, have the right to say so in a democratic fashion and not by burning posters and threatening people".



Aamir Khan speaks to reporters in Mumbai on Monday. (Fotocorp)

Upper castes dominate national media, says survey in Delhi

"No Dalit or Adivasi among top 300 journalists"

Special Correspondent

NEW DELHI: In the first-ever statistical analysis of its kind, a survey of the social profile of more than 300 senior journalists in 37 Hindi and English newspapers and television channels in the capital has found that "Hindu upper caste men" — who form eight per cent of the country's population — hold 71 per cent of the top jobs in the national media. Women, non-upper castes, and Muslims are grossly under-represented in relation to their share in the population.

The survey notes that Dalits and Adivasis "are conspicuous by their absence among the decision-makers. Not even one of the 315 key decision-makers belonged to the Scheduled Castes or Scheduled Tribes."

The survey was designed and executed by Anil Chamaria, freelance journalist, Jitendra Kumar from the Media Study Group and

Yogendra Yadav, senior fellow at the Centre for the Study of Developing Societies (CSDS).

If men and women are taken together, the share of upper caste Hindus or 'dwijas' in the upper echelons of the media is 85 per cent. These castes account for 16 per cent of the national population.

Brahmins alone, the survey found, hold 49 per cent of the top jobs in national journalism. If non-'dwija' forward castes like Marathas, Patels, Jats and Reddys are added, the total forward caste share stands at 88 per cent.

In contrast, OBCs, who are estimated to constitute around 40 per cent of the population, account for an "abysmally low" four per cent of top media jobs. In the English print media, OBCs account for just one per cent of top jobs and in the Hindi print media eight per cent. Muslims too, the survey noted, are "severely under-represented in

• Hindu upper caste men hold 71 per cent of top jobs

• Muslims account for only three per cent among key decision-makers

the national media": they account for only three per cent among the key decision makers in the national media, compared with 13.4 per cent in the country's population.

Muslims do better in the Hindi electronic media, forming six per cent of key decision-makers. In the English electronic media, the survey found there were no Muslims at the senior-most levels in Delhi. Christians, however, are proportionately represented in the media (mainly in the English media). Their share is about four per cent compared with their population share of 2.3 per cent.

Doubly disadvantaged sections of the population, such as women Other Backward Classes or backward caste Muslims and Christians, are nearly absent

among the key decision-makers. The survey, for example, found that there was not a single OBC woman among the 315 journalists enumerated.

Gender balance

When it comes to gender balance, the English electronic media does best, with women accounting for 32 per cent of the top jobs. Women account for 16 per cent of top editorial positions in the English print media and 14 per cent and 11 per cent in the Hindi print media and electronic media.

Explaining the survey methodology, Yogendra Yadav said details of designation, age, religion, caste, gender, mother tongue, and domicile of up to a maximum of 10 key decision-makers from 37 national media organisations were collected on a standard pro-forma between May 30 and June 3, 2006. In most cases, the data were generated by journalists from within each newspaper or television channel being surveyed. But he cautioned that the data might still contain some errors.

'Pujari man' opens fire in Bhatt's office

TIMES NEWS NETWORK

Mumbai: An unidentified gunman on Wednesday fired a shot inside the Juhu office of film-maker Mahesh Bhatt. While Bhat was at home at the time of the incident, no one in the office was injured.

Ten minutes after the firing, a person made an abusive call to Bhatt's office claiming to be a member of the Ravi Pujari gang. He accused Bhatt of being a Chhota Shakeel man and paying him money. DCP Dhananjay Kamlakar told TOI that Pujari was trying to gain mileage by claiming responsibility for the incident. "Using the firing on Bhatt's office to his advantage, Pujari will call up his extortion victims tonight and extort lakhs of rupees," he said.

Taken by surprise, Bhatt said he had no idea why someone would want to attack him. "I have always fought for the under-privileged. It's for the police to find

out the motive of the attacker. I've been never been threatened before, even when the underworld activity was it's peak, and therefore, wasn't given police protection. Even now, I'm not going to ask for police cover since I don't think my life is that precious," he said.



The incident occurred at about 11.40 am. A man, clad in jeans and a brown T-shirt, rode up on a bike and went to the fourth-floor office of Mahesh and Mukesh Bhatt. "He seemed to be in his twenties and sported a light stubble. When a cook opened the door to Bhatt's office, the man said, "Boss kida har hai?" He placed his revolver on a box next to the door," said a probe officer.

The office staff told him that Bhatt was in Dubai for the IIFA awards. The man then started abusing and threatened a female staffer and an accountant. Eventually, he loaded the revolver and fired a shot on the floor.

15 JUN 2006

THE TIMES NEWS NETWORK

e-Bharat to connect rural India

Manmohan Govt Plans To Launch The World's Biggest Online Governance Project

Mini Joseph Tejaswi | TNN

Bangalore: Be it Gadhinglaj in Maharashtra, Chingleput in Tamil Nadu, Menasur in Karnataka, Phulbani in Orissa, Motihari in Bihar or Bastar in Chattisgarh, over 600,000 villages in India could soon be linked by a common strand, a highway that bridges the digital divide. To be christened 'e-Bharat', this is said to be the most comprehensive e-governance exercise being planned by any country.

This Rs 6,000-crore mass IT empowerment drive, spearheaded by the National e-Governance Action Plan (Ne-GAP) of the Union ministry of information technology, is expected to provide direct, last-mile, technology and net access to thousands of entrepreneurs through over 100,000 multipurpose info kiosks by December 2007.

These kiosks will function as single-point contacts for a variety of community services like e-learning, e-training, e-teaching, e-health, tele-medicine, e-farming, e-tourism, e-entertainment and the entire gamut of e-commerce. These user-friendly kiosks are currently being



DIVINE CLICK: e-Bharat will give net access to six lakh villages

designed by a specially constituted tech team drawn from various institutes. "It will truly connect our villages on

a single thread. It's going to change the face of rural India. e-Bharat is about taking technology and broadband infrastructure to the doorstep of over 70% of Indians living in remote villages," said a source. It will be a collective initiative of the Union and state governments, corporates, NGOs, telecom service providers, entrepreneurs, universities, hospitals, insurance firms, tourism and entertainment entities.

The ministry has no plan to re-invent the wheel. "We are studying all successful e-governance projects in India—like Ashok Jhunjhunwala's n-Logue in Tamil Nadu, e-Choupal of ITC, NGO-run Drishti in UP, e-Serve in Andhra Pradesh and the acclaimed Akshaya in Kerala. We will draw the best practices from all these to design the most suitable model for the country," the official said.

The ministry is constituting a special purpose vehicle, to be headed by former IT secretary of Kerala, Aruna Sundarajan, who recently relinquished her role in Gesis, a UN tech initiative. IL&FS is expected to be the key funding agency for the project.

05 MAY 2006

Dasmunsi stops screening of 'Da Vinci Code'

To view film with Catholic Church representatives, CBFC members

Anita Joshua

NEW DELHI: Information and Broadcasting Minister Priyaranjan Dasmunsi has directed the Central Board of Film Certification (CBFC) not to clear the film 'Da Vinci Code' — based on Dan Brown's bestseller by the same name — for screening till the Government takes a final view.

In an interaction with the media here on Tuesday, Mr. Dasmunsi said he would view the film — due for worldwide release on May 19 — along with official representatives of the Catholic Church in India, some CBFC members and officials.

Since the film is scheduled for release in India this weekend also, the screening is likely to be held within the next 24 hours.

290 representations

According to the Minister, he had received representations



"BAN IT !": Nuns on hunger strike in Mumbai on Tuesday demanding a ban on screening of "Da Vinci Code". - PHOTO: PTI

from 290 Christian organisations asking the Government to satisfy itself before taking any decision on releasing the film. Though the Ministry has also re-

ceived representations from some Christian organisations stating that they had no objection to the release of the film, he said the concerns expressed in

the 290 representations could not be ignored.

"Keeping in mind the sensitivities of the community, I have decided to take the views of the official representatives of the Catholic Church in India," the Minister said. He also hinted that he was aware of a political conspiracy to destabilise the Government by creating a controversy over the film.

Referring to past instances of controversial films, Mr. Dasmunsi said he had cleared 'Rang De Basanti' after viewing it five times. Stating that such caution was best in the case of controversial films, he referred to the manner in which Anand Patwardhan's award-winning film 'War and Peace' ran into trouble every time Doordarshan made plans to show it. "So, there is no harm in consulting all concerned so that their sensitivities are addressed."

17 MAY 2006

THE HINDU

Issues of broadcast regulation

The Union Government is finally moving forward with the long-talked-about proposal for the creation of a regulatory authority for television content and the formulation of a content code. A Bill is set to be tabled in Parliament. While terrestrial television, still a virtual state monopoly, is governed by the Prasar Bharati Act, the signals from the sky remain largely unregulated. Of course, the cable channels, which constitute the predominant platform for the medium, are governed by the Cable Television Networks (Regulation) Act, 1995. Among other things, the Act bans the redistribution of certain types of content. There has been a proliferation of channels in the past decade, their number now standing at a hundred-plus. Here, the levers of control are the Cable Television Act, and the regulations relating to uplinking. There is a felt need to redefine and codify existing guidelines under the informal programme and advertising code and to create a mechanism to guard against unacceptable content. It has been pointed out that the industry is capable of self-regulation, and the laws of the land relating to freedom of expression including the laws of defamation and obscenity would in any case apply. In a situation where players whose approach, style and intent vary, broad guidelines may still be useful. The existing practice is for the Information and Broadcasting Ministry to intervene when warranted, while the Telecom Regulatory Authority of India remains the regulator for carriage, resulting in a great deal of ad hocism.

The print media are, admittedly, a different kettle of fish, given their very nature and historical record. They have been treated differently by the law as well. The broadcast media have a distinct profile and are subject to a greater degree of regulation in almost all countries, largely because they are licensed to use the radio frequency spectrum that is public property. Nevertheless, it needs to be ensured that any regulatory mechanism does not impinge on the creative potential of the dynamic medium. Regulation certainly should not amount to censorship of any kind or prior restraint on broadcasting. In particular, any curb on news coverage, either in television or radio, cannot be justified. There are lessons to be drawn from the experience of other countries, including the U.K. and the U.S., which moved early in the field and have mechanisms in place to monitor public TV output systematically and move promptly against violations. The issue needs to be debated widely, with all the stakeholders participating in the process.

Glamour and glitz with *Da Vinci Code*

Arnab Banerjee

CANNES, May 16: For the next few days, the Clearstream bank account scandal plaguing President Jacques Chirac and Prime Minister Dominique de Villepin will not be the only news emanating from France.

An extravagant inauguration awaits the 59th edition of the Cannes film festival tomorrow evening. The world premiere of Ron Howard's *Da Vinci Code*, undoubtedly the most awaited Hollywood blockbuster of the year, is to officially open the festivities. Dan Brown's bestselling story will be brought to life on screen by Tom Hanks and Audrey Tautou (Amélie).

The film's choice marks a media goldmine for the festival. Complete with religious scandal (church authorities have challenged the author's discourse on biblical history), and accompanied by commercial activity like special European tourist circuits, *Da Vinci Code* will ensure that media representatives the world over (The Statesman included) flock to Cannes. Furthermore, a major part of the film has been shot in Paris, and represents one of the largest film shoots that the city has ever experienced. What better way for France to evoke glamour and glitz



A poster of the *Da Vinci Code* on the Calton hotel in Cannes. ■ AFP

along with the country's cherished secular principles? The film is, of course, presented out of competition.

While international stars throng Cannes's red carpets, Bollywood's big names have decided to come down to take a look. Karan Johar, Preity Zinta, Bobby Bedi and Ravi Chopra will lead a large private Indian delegation, who shall, no doubt, make their presence felt. With far less money but much more prestige, India's official representatives include Anirban Datta from SRFTII as well as Dev Benegal, director of *English August*.

The stage is thus set. This evening, the world will find out if all the hype behind the film version of *Da Vinci Code* was really worth the fuss.

And then the show begins...

For the record

LONDON, May 16: Tom Hanks and other principals in the movie *The Da Vinci Code* set off from London today on a specially named train in pursuit of a world record for the longest non-stop international train journey.

The high-speed Eurostar train, named *The Da Vinci Code*, was headed for the Cannes Film Festival in southern France for the film's world premiere on Wednesday. Going non-stop over 1,421 km would put the train in the Guinness Book of World Records.

Hanks posed for pictures at Waterloo station with co-stars Audrey Tautou, Sir Ian McKellen, Paul Bettany, Jean Reno and Alfred Molina, director Ron Howard and author Dan Brown. ■ AP

17 MAY 2006

THE STATESMAN

Decision on film by Friday

Dasmunsi watches The Da Vinci Code along with representatives of Christians

Special Correspondent

NEW DELHI: A final view on the release of the film 'The Da Vinci Code' in India will be taken latest by Friday morning after the views of the Christian community are communicated to the Central Board of Film Certification (CBFC).

This was announced here on Wednesday by Union Information and Broadcasting Minister Priyaranjan Dasmunsi after he watched the film along with official representatives of the Christian community.

Briefing mediapersons after the screening, Mr. Dasmunsi said: "Only the views of the representatives of the Christian community will be communicated to the Censor Board and hopefully they will take a decision by tomorrow evening. I will request CBFC to take a decision by tomorrow evening. Otherwise, the decision will be known latest by Friday morning." The film is due to be released globally on Friday.

Various sensitivities

Asserting that only the Christian community's views would be communicated to the Censor Board, Mr. Dasmunsi said, "The Ministry or the Minister will never interfere with the functioning of the Board." The representatives of the Christian community who viewed the film have been asked to submit their views by noon on Thursday. Besides the Catholic Bishops Conference of India, the film was watched by official representatives of other Churches in India. "We have been asked to formulate a collective response," Donald D'souza of CBCI told *The Hindu*.

Based on Dan Brown's bestseller by the same name, the film suggests that Jesus married Mary Magdalene, had a child and that his bloodline exists right into this century, all of which has been covered up by the Church.



FURY OVER FILM: Actors Tom Hanks and Audrey Tautou pose with Dan Brown, author of 'The Da Vinci Code,' during a photocall for the out of competition film version of the novel at the 59th Cannes Film Festival on Wednesday. - PHOTO: REUTERS (REPORT ON PAGE 16)

18 MAY 2006

THE HINDU

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DELHI TO GIVE VERDICT TODAY

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Code director in India appeal

Cannes, May 17: Ron Howard, director of *The Da Vinci Code*, today sent a message through *The Telegraph* to the Indian Catholics who have urged the Indian government to ban the film and have even threatened a fast unto death if the movie is shown.

Howard and the cast of the film, including its stars, Tom Hanks, Audrey Tautou and Sir Ian McKellen, spoke in Cannes hours before the most hyped film of decades was due to stage its gala screening.

Howard appeared aware of the extreme opposition of representatives of India's Christians, who constitute 2.37 per cent of its 1.1-billion population. They have come from figures such as Joseph Dias, secretary of the Catholic Secular Forum, who has spoken of a hunger strike.

Although this is unlikely, Howard responded earnestly to *The Telegraph* when asked whether he could reassure Indian Catholics in some way.

"Given the controversial nature of this story, there is no question that the film is likely to be upsetting to some people," he began.

"My advice is that, firstly, no one is releasing the movie yet (in India). (Secondly, it) is not good to see the movie if you think you are going to be upset. Wait, talk to somebody who has seen the movie. Discuss it and then ar-



Howard in Cannes. (AFP)

rive at an opinion about the movie itself.

"But again this is supposed to be entertainment. It's not

Da Vinci Code review from Cannes Page 6

theology. It should not be misunderstood as such. Yes, it stimulates conversation but that's what good fiction does. And I think in that spirit it's ultimately positive."

Information and broadcasting minister Priya Ranjan Das Munshi saw the movie today with representatives of the Catholic Church and said a decision on whether or not to show it would be announced tomorrow.

As the red carpet was being laid down for the 59th Cannes Film Festival's opening movie — an astonishing 20,000 prints will be distributed worldwide from tomorrow — there was a lone Catholic protester outside in the form of a nun, Sister Mary Michael.

She carried a crucifix the airline, Easyjet, had taken off for the flight but the weapon she deployed was altogether more devastating. She put it about that she had spoken to journalists who had seen last night's press screening.

"I heard it was not good — it's boring," she said sweetly. She had read Dan Brown's book — "well, snatches of it" — and found he had repeated long-discredited stories.

She told *The Telegraph* the hunger strike unto death Indian protesters had threatened was morally indefensible, indicating a lack of support in the West.

"I have fasted myself but fasting unto death is just wrong," she declared.

"The Catholics in India are good, just as the Hindus are. But on this they are wrong. They should spend their time in prayer."

Film cleared but with ^{media} conditions

Special Correspondent ^{HD 1}
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NEW DELHI: The Central Board of Film Certification (CBFC) on Thursday cleared 'The Da Vinci Code' for release in India with an 'A' certificate provided the producers agree to insert a disclaimer at the beginning and the end of the film. It should state that the film is a work of fiction and has no intention of hurting anyone's sentiments.

With the producers, Sony Pictures, yet to respond to the CBFC's communication, Information and Broadcasting Minister Priyaranjan Dasmunsi said the release of the film in India might be delayed by a few days.

The Board cleared the film after factoring in the views of the official representatives of the Christian community. They watched it at a special screening organised here on Wednesday. While stating that the storyline of 'The Da Vinci Code' was "unacceptable" to Christians as it tried to "present fiction as truth," the signatories to the one-page communication to the Government sought an 'A' certification for the film and a bold disclaimer. The disclaimer, they said, should last at least 15 seconds — at the beginning and end of the film — and should state: "This film is a work of pure fiction and has no correspondence to the historical facts pertaining to the Christian religion or the Church."

Another report on Page 13

19 MAY 2006

Code gets a coded all-clear

Movie cleared for screens with 'A' certificate, disclaimer

EXPRESS NEWS SERVICE
NEW DELHI, MAY 18

THE censor board today cleared the controversial *The Da Vinci Code* for screening without any cuts but with an 'A' certificate and a disclaimer — just as some Christian groups wanted.

The clearance comes after Information & Broadcasting Minister P R Dasmunsi watched the movie with Christian leaders yesterday. The Christian leaders had sought "strong and lingering dis-

Notice to Censors

MUMBAI: The Bombay High Court on Thursday issued notices to the Censor board and Sony Pictures asking them to respond to a petition seeking a ban on the controversial *The Da Vinci Code*.

claimers" describing the work as fiction "with no resemblance to historical truth." They wanted the disclaimers to be made at the beginning and the ending of the movie.

They had also asked for the 'A' certificate so that it would be viewed only by adults who

could discern fact from fiction. The movie suggests that Jesus married Mary Magdalene and started a family and that this was suppressed by the Vatican.

At a press conference, Dasmunsi said the Censors, who had received suggestions from Christians this morning, would inform producers Sony Pictures.

"The film's release may at the most be delayed by a day or two if it takes time to contact the producers," Dasmunsi said. The movie was set for release in India and worldwide on Friday.

INDIAN EXPRESS

19 MAY 2006

A FLEA IN YOUR EAR: Demanding a ban on a film or a book is a manifestation of a feudal society.

Heresy against democracy

BY BHASKAR GHOSE

THE KIND of reaction that we saw when the film *The Da Vinci Code* was set to be released was interesting for one particular reason, among many others. The demand that it be banned was made most insistently by a number of Christian groups, mainly Catholics, and was of a piece with the mayhem caused by the release of the Bollywood film *Jo Bole So Nihal*, except that the louts who stopped the latter from being shown were violent and viciously destructive.

But what lies beneath the reaction to both is what is interesting. I have no doubt at all that, on any other occasion, those demanding that *The Da Vinci Code* be banned will be vociferous in supporting freedom of expression, will declare themselves ardent votaries of that most sacred freedom. So would the goons who took to vandalising and burning cinemas when the other film was released — that is, if they are able to comprehend what it means. In fact, if they were stopped from observing some event or the other organised by them, they would lose no time publicly to whine about minorities being suppressed, being denied their rights and all the rest of that cant.

Freedom of expression is, to them, something that works for their own ends, never mind if their expression affects someone else, just so long as their ability to say or do what they like is kept intact. But do something that offends them and you have an almost Pavlovian reaction — ban, suppress, gag.

This is by no means their preserve alone. We have had spectacular examples of this over the years, by different groups. Hindu zealots outdid themselves when Deepa Mehta was shooting her film *Water* in Varanasi. And to take this kind of action a little further, we had the edifying spectacle of their reaction to Valentine's Day and to girls wearing dresses they, the goons, didn't approve of. And, as I said, these goons will be loud in their affirmation of the inviolable nature of the freedom to speak and express oneself in anyway one wants.

Some of them will immediately point out that they respect freedom of expression but it should not,



therefore, hurt someone's sentiments. Really? Is free speech really to be abridged in that way? The reaction is, however, not surprising. Generations of living in societies that have never known what freedom of expression really means breeds some instinctive reactions, reactions that have no rational basis but are taken to be true expressions of freedom of expression.

What, may one ask, is the difference then when a political personality vilifies his opponents in a public speech and when a film is perceived to hurt the sentiments of some members of a community? Is the political leader not hurting the sentiments of his opponents? But that is placidly accepted by those who demand that films and books be banned. They will explain laboriously that it is a valid political statement, one that can be made in a free society.

But what is the difference? Can sentiments be hurt selectively? Can offence be taken to some acts, and a demand made to ban that act or suppress a book or film or whatever, and not to others? In a society such as ours, an unnecessary premium cannot be put on religious sentiments. True, these are very commonly used for political ends when the numbers involved are large so that the political dividend is substantial. But that does not validate any premium on these sentiments in a secular society.

If the freedom of expression

means that a political leader can make a statement vilifying his political adversaries, it must also mean that another kind of statement — a book or a film — can also be made and no one has the right to demand that it be banned or suppressed. Sadly, it has been done, time and again. Salman Rushdie's *The Satanic Verses* was banned, as was Taslima Nasreen's *Shame*.

It is usual for the authorities to hide behind the spectre, imagined or otherwise, of a huge communal conflagration. Even if there are some violent reactions, that is no excuse to ban and suppress books. The plain fact is that most of us don't really believe in freedom of speech and expression. We're used to a world where all this is ordered, whether it was the feudal, oppressive rule of monarchs or that of colonial rulers. It fits in well with our propensity to compromise, something we give the comforting name of the middle path.

Film censorship is, finally, no different. Having had to administer the law on film censorship, one has to say without any ambiguity that the best form of censorship is the censorship that film-makers would work out for themselves. Incidentally, I am not saying I administered the law with secret anguish. I did it as best as I could. It was my job, and I did it. No apologies. But I did realise that the State should not have any role in this affair, although

legislators have on more than one occasion stated, both in Parliament and outside, that the censorship law must be made more comprehensive. That censorship of films should be, if anything, even stricter than it is.

The perceived dangers that prompt them to advocate censorship are certainly there. But it is — and one says this with the benefit of hindsight — not the State's business either to lay down what the dangers are, far less to decide how they should be handled. If we as a society believe in freedom of speech and expression we simply have to leave this to the mechanisms that will emerge from society itself, through confrontation, if you will, or through debate, and above all through the perceptions of the makers of films. This is not to say that the Central Board of Film Certification be done away with. It is to say that the board should be a body which consists of and is managed by film-makers and others in the film world, not a body of the State to which the State appoints film personalities. The decisions of such a board may lead to angry protests on occasion. But these have to be resolved through means other than through executive fiat. The exercise of this freedom is not always palatable to all. Indeed, it usually is not. It's time, though, that we realised this and lived with it.

Criticism of all kinds is a part of our democratic polity. If someone is offended by a film or book, for whatever reason, he or she can always make it public. Even collective protests are a part of the normal and expected reactions that a film or book can provoke. (It always is, of course, because of the attitudes or beliefs or assumptions in a book; never, alas, on account of its literary merit. How wonderful it would be if there was, even once, a public protest because a book was down-right bad!)

Criticism, however, cannot mean a demand that a book or film be banned. That is a manifestation of subliminal feudal or neo-colonial postures that still exist among far too many people, and must be removed if we really want true freedom of speech and expression.

Gujarat screens to blank 'Fanaa'

TIMES NEWS NETWORK

Ahmedabad: Superstar Aamir Khan may have turned activist, but many people in Gujarat are obviously not happy with his real life heroics. The Cinematograph Exhibitors Association of Gujarat has pulled the plug on his *Fanaa* even before it's released this Friday. The association has decided not to show any film starring Aamir in the state until he tenders an apology for his recent anti-Narmada statements.

Last month, Aamir's film *Rang De Basanti* was withdrawn in Gujarat after the BJP protested his anti-Narmada remarks. However, the BJP now refuses to say whether the ongoing campaign against the actor's movies has anything to do with his comments on the government's handling of the Vadodara riots.

In a statement released on Tuesday, association president Harish C Patel said that no film featuring Aamir Khan, including *Fanaa*, would be screened in any of the cinema halls in the state. National general secretary of the BJP yuva morcha Amit Thak-

er told TOI, "We found Aamir's comments on Narmada very prejudiced and insensitive. He should not be commenting on issues he knows little about, that's why we banned *Rang De Basanti*."

Asked if their ire was directed against Khan's remarks on the Vadodara riots, Thaker said, "Aamir should realise he is



a reel hero and not a real one... he should not be commenting on sensitive issues. The ban on *Fanaa* is also because of his stand on Narmada." Thaker said the movie would be permitted for screening only after a public apology from

Khan. "Even I will watch it then," he added. The Multiplex Association of Gujarat has also endorsed the ban. "We will not screen the movie as it would be morally wrong. Khan has offended the feelings of the people of the state, and it would be improper to release his movie," said president of the association Manubhai Patel. Added manager of Wide Angle multiplex, Neeraj Ahuja, "It has been a unanimous decision to stop the film's screening on account of Khan's anti-Narmada stance."

29 MG

THE TIMES OF INDIA

Dev Anand: Stir against Aamir's film unjustified

TIMES NEWS NETWORK

Nagpur: Bollywood's 'Evergreen Hero' Dev Anand says the threat to boycott Aamir Khan-starrer 'Fanaa' in Gujarat was "unjustified".

The veteran actor said culture and politics should not be mixed and that as an individual, Aamir was entitled to his personal views on social issues.

Dev Anand was here on Wednesday for a public felicitation function organised by a newspaper group along with the Nagpur Municipal Corporation on recent conferment of lifetime achievement award on him. In a lively interaction with the media revealing secret of his 'youthful' image, Dev Anand said the work kept him going and even at 82, he kept himself engrossed with film production. "You are as young as you feel," he said. To a question on BJP-sponsored boycott on *Fanaa* because Aamir Khan joined Medha Patkar's anti-Narmada stir and allegedly criticised Narendra Modi regime over Vadodara violence, Dev Anand said a film actor could hold forth his personal views on different issues in a democracy. "Many people have spoken against the dam that does not mean they should be targeted," Dev Anand said.

Asked what difference he perceived in Hindi film industry today after spending 50 years as an actor, he said, "There is no difference. Films are still made with the same passion and have same ingredients. He noted that the film industry did manage to withstand onslaught of multiple TV channels, globalisation and communication revolution. However, he lamented the excessive show of flesh in the name of romanticism in modern day films. "We also did romantic films but never crossed limits of decency," he remarked.

Fanaa in crossfire, curtain-up for Code

Aamir says no to apology demand

HT Correspondents
New Delhi/Kolkata, May 25

COMPARED TO near unanimity among those opposing *The Da Vinci Code* a week ago, opposition to the Aamir Khan-starrer *Fanaa* has been a divided one.

BJP general secretary Arun Jaitley had a day earlier said the party had nothing to do with the stir. But, on Thursday, the party's deputy leader in the Lok Sabha, V.K. Malhotra, said, "We can end this row if he (Aamir) apologises to the people of Gujarat for his stand on Narmada and Vadodara."

With Aamir refusing to do so — "by apologising I'll be letting down all those people who are losing their land to the dam" — the spotlight is going to remain on the movie, though not in Gujarat.

BJP spokesperson Prakash Javadekar said, "It's the voluntary decision of exhibitors (in Gujarat) not to show the film. The party has nothing to do with it." When asked if the Gujarat government had provided security to theatre-owners willing to screen the movie, Javadekar said nobody had sought protection. Jaitley added it was for the state to decide if police help was needed to show the film. Javadekar, however, said the people of Gujarat "were unhappy" over Aamir's recent remarks.

In the same breath, BJP deputy leader in Rajya Sabha Sushma Swaraj added that the issue "concerns the people of Gujarat", and opposition had even spread to the Congress camp.

Taking a different line altogether, film star and MP Shatrughan Sinha thinks the "attempt to stop a product" from circulation is unfair. "A film doesn't concern a single actor. It involves other actors, actresses, producers, directors... who have to bear the consequences," Sinha said. But he too felt that "Aamir had made rather harsh comments about the dam."

Whatever the BJP's actual stand, the issue has given the Left an excuse to attack the Narendra Modi government. "The state government is behaving as if it is above the Constitution of India," the CPI(M) politburo said in a statement. It dismissed as "eye-wash" Modi's assurance to provide police protection to any theatre screening *Fanaa*.

A retired Delhi high court chief justice, Rajinder Sachar, said the Theatre Association of Gujarat's decision not to screen *Fanaa* was of "grave emergent concern".

In Kolkata *Fanaa* is not releasing in multiplexes due to a tiff between producers Yash Raj Films and multiplex associations over profit-sharing.

HT Correspondent
Kolkata, May 25

THE WAIT is over. You'll get to see *The Da Vinci Code* alright. The show opens in city theatres on Friday. And, this time, nobody's complaining.

The Ron Howard film, based on the controversial novel of the same name by Dan Brown, was scheduled to release last week but protests across the country from Christians led to a re-look by the censor board. A 15-second disclaimer was agreed upon at the beginning and at the end of the movie, and the film was finally cleared for screening in India. The film is rated for adult viewing. Ticket bookings for the Tom Hanks-starrer opened last Wednesday.

Even before the film was made, *The Da Vinci Code* ran into controversy all across the globe. Many Christian organisations had sought a ban on the book and on the film. The Vatican had urged followers to shun it. There were demonstrations against the

movie in many countries. Even at Cannes, where the film premiered, there were loud protests.

Although it has been called a work of fiction, *The Da Vinci Code* refers to Jesus' alleged marriage with Mary Magdalene. This has angered those who practise the Christian faith.

The controversy has helped. The book and the movie got huge publicity and the film is on almost everybody's mind. "In all multiplexes, advance booking is almost 80 per cent for the first week. Single-screen theatres have 20 per cent booking everyday," says Arijit Datta, distributor of the film in Kolkata.

Christian organisations in the city seem to have no problems with the film anymore, now that the film carries a disclaimer. "We are not against the release of the film now. We are not planning any protests either," said Eugene Gonsalves of the Catholic Association of Bengal.

However, to avoid trouble, hall owners have asked for security from local police stations. The security system will very much be in place on Friday and throughout the first week of release.

Those who have read the book want to see how it has been visualised. Says Tapashree Guha, a student, "I've read the book, am eager to see the film."

The Da Vinci Code releases at Nandan, Priya, Globe, Fame, 89 Cinemas and Inox in English. Navina, Basusree, Jaya, Puspashree and Purabi will screen it in Hindi.

Lanka bans Da Vinci, on P14



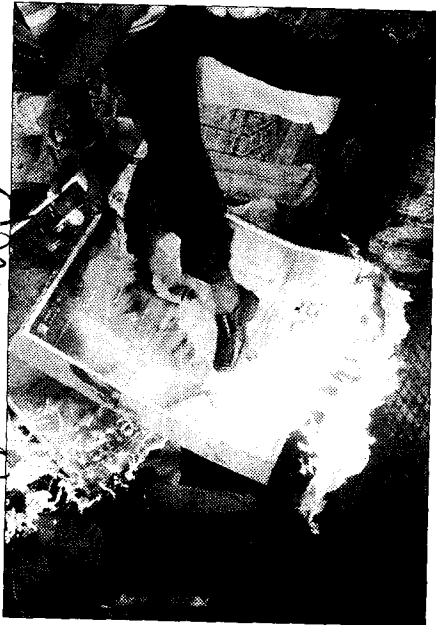
'Aamir apology can end Fanaa row'

PRESS TRUST OF INDIA
NEW DELHI, MAY 25

THE BJP is willing to revoke its anti-Fanaa stand if actor Aamir Khan steps back from his views on the Narmada Dam Project and his criticism of the recent demolition in Vadodara. Fanaa, Aamir's latest film, has hit a hurdle before its release slated for tomorrow, with many movie halls not ready to screen it and the BJP threatening to stall it.

"We can end the row if he (Aamir Khan) apologises to the people of Gujarat (for his stand on the two issues). That's all," senior BJP leader Vijay Kumar Malhotra told reporters. The actor is under BJP fire for his support for the Narmada Bachao Andolan and his criticism of the Gujarat administration for the Dargah demolition in Vadodara that had sparked violence.

Meanwhile, BJP leader Sushma Swaraj said the issue had now spread to the Congress camp and "it is now an is-



Maharaja Sayajirao University students burn posters of Fanaa in Vadodara on Thursday. Express photo by Chandan Giri

sue concerning the people of Gujarat." However, party spokesman Prakash Javadekar told reporters that the BJP's central or state units had nothing to do with the screening of the movie.

"It is the voluntary decision of the exhibitors not to show the film. The party has nothing to do with it," he said.

He, however, added that the people of Gujarat "are not happy" with Khan's remarks.

The CPI(M), meanwhile, urged the BJP and the Modi



Aamir Khan addresses a press conference at his residence in Mumbai on Thursday. PTI

'Apology will let down cause'

MUMBAI: Aamir Khan on Thursday said he would not apologise for his statement demanding rehabilitation of people affected by the Sardar Sarovar Dam.

Addressing a press conference here, Aamir said that by apologising, he would be letting down all those who are losing their houses and land to the mega-dam and whose voices he had aired by demanding proper rehabilitation.

"I want to tell the people of Gujarat that I have lots of love for them... In fact, the people should join me in taking up the cause of thousands of people who are losing homes and lands due to the (Sardar Sarovar) dam," he said.

—PTI

26 MAY 2006

Storm rages over 'Fanaa' on eve of release

Aamir dismisses Gujarat demands for apology; Manmohan defends actor's right to freedom of expression

NEW DELHI: Bollywood star Aamir Khan found himself in the eye of a storm on Thursday with a virtual ban on screening of his new film "Fanaa" in Bharatiya Janata Party-ruled Gujarat, an action which was disapproved by Prime Minister Manmohan Singh as also the Congress party, while the CPI (M) dubbed it as a case of "extreme intolerance" over the actor's stand on the Narmada dam.

The actor stuck to his guns and dismissed demands for an apology even as the BJP said it was willing to put an end to the row over the actor's movie if he said he was sorry for the stand he had taken on the Narmada project and the recent Vadodara demolitions.

The saffron camp, however, seemed divided over the issue with BJP spokesman Prakash Javadvkar saying the party had nothing to do whatsoever with the controversy over the film



Shukla expressed himself against banning or preventing screening of any movie. Noting that building of the Narmada dam and the movie were two different issues, he said it was wrong to club them. He wondered why the film's producer Yash Chopra should be deprived of the chance of release of his film when he had nothing to do with the dam construction.

Asking the Narendra Modi Government in Gujarat and the BJP to "uphold" the law of the land, the CPI (M) Polit Bureau in a statement said that the virtual ban on "Fanaa" in Gujarat reflected "extreme intolerance" of the ruling party and its affiliated outfits.

In Mumbai, the Bollywood star told reporters that if he apologised he would be letting down all those people who are losing their houses and land for the mega-project and whose

voices he had aired by demanding their proper rehabilitation.

"I want to tell the people of Gujarat that I have lots of love for them...in fact, the people should join me in taking up the cause of thousands of people who are losing homes and lands due to the dam," said Aamir Khan.

The Film and Television Producers' Guild of India, meanwhile, criticised "extra-Constitutional" forces who are disrupting screening of films in the country.

In a statement, the Guild said that "in a democracy freedom of expression is a fundamental right and given our rich and diverse socio-cultural tradition, it is disturbing to see extra-Constitutional forces disrupting exhibition of films". - PTL.

See also Page 2, 5 and 14

while another BJP leader, Shoma Swaraj, said "it is now an issue concerning the people of Gujarat".

The Prime Minister in a virtual defence of the actor said every citizen in the country has the

freedom of expression. "Every citizen has the freedom of expression as long as he does not indulge in unconstitutional activities," said Dr. Manmohan Singh in Srinagar.

Congress spokesman Rajeev

Films released amid protests

SNS & PTI

MUMBAI, May 26: *Fanaa* and *The Da Vinci Code* were released in theatres across the country today, amidst protests in Gujarat and other places.

In Gujarat, *Fanaa* will not be shown because theatre owners feared vandalism following protests by BJP activists over Aamir Khan's recent statement on rehabilitation of those affected by the Sardar Sarovar dam.

While *Fanaa* marks the return of Kajol to the silver screen after a gap of more than five years, it is also the first time that she has been paired with Aamir. The film will also be the last music score for duo Jatin-Lalit



who parted ways after this. The other film, *The Da Vinci Code*, which has attracted its own share of controversy, was banned by the Goa, Nagaland and Punjab governments.

Christian leaders met the Punjab minister for culture and archives, Mr Pratap Singh Bajwa, requesting a ban. Mr Bajwa took up the issue with the chief minister, Capt. Amarinder Singh, and the ban was decided. *Fanaa* was in trouble with the demand for a higher profit margin by Yashraj Films, producer and distributor of the film, but a compromise was reached yesterday with all but two multiplexes.

Screening of *Fanaa* was suspended at a theatre in Jabalpur following protests by BJP workers, police said.

Over to the viewers... *over*

KOLKATA, May 26: Distributors of both films in the city are confident of outdoing the other. In fact, the other big release today - *X-Men*, *The Last Stand* - has been swamped in the deluge of controversy generated by *Fanaa* and *The Da Vinci Code*.

Mr Amit Sengupta, manager of Globe cinema, said the films "merit" will show from Monday onwards; the initial bookings he's put down to curiosity. "We have had a very good response and are expecting to be sold-out over the weekend," said Mr Arijit Dutta, owner of Globe and Priya where *The Da Vinci Code* is showing. He claimed that *Code* will do better business than *Fanaa* because "it has been released in the best theatres across the city". *Fanaa* has not been released in any of the multiplexes and that will definitely affect business, he added.

Distributors of *Fanaa*, however, are not worried. "People are saying that because they are jealous of us," said Mr Pritam Jalan of Jalan Distributors. "*Code* is peanuts compared to *Fanaa* in terms of the business likely to be generated." His point: no English film, whatever the global controversy surrounding it, can ever compete with Hindi - especially Yash Chopra - film!

Over to the viewers... ■ SNS

27 MAY 2006

THE STATESMAN

Boost for Google in privacy case

The judge says Government must not keep track of Internet users

Suzanne Goldenberg

WASHINGTON: Privacy campaigners in the U.S. hailed a victory of sorts for Internet search engine Google on Wednesday after a court case focusing on demands from the Bush administration for access to its data appeared to swing in Google's favour.

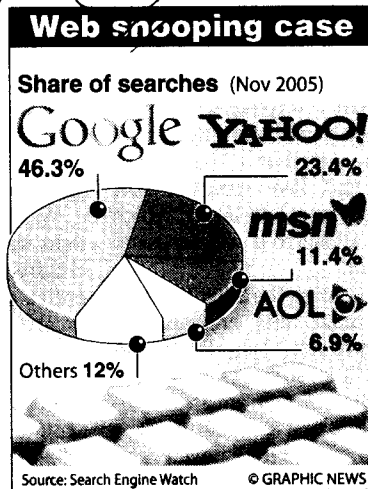
The White House had served a subpoena on several web search giants demanding data on billions of search requests and website addresses as part of its defence of an online pornography law.

Data trove

But a U.S. district judge in San Jose, California, indicated repeatedly on Tuesday that he shared Google's concerns about privacy, and he did not want to create the impression the Government could keep track of individuals searching the Internet.

Although Judge James Ware said he would probably ask the search engine to turn over some of its records, it is highly unlikely the Bush administration will see more than a sliver of Google's vast data trove.

"The judge is clearly quite sensitive to the privacy issues that are raised by this," said Barton Carter, a communications and law tutor at



Boston University, adding that it seemed the judge would give the Government much less than it wanted.

Judge Ware may rule within days on how much data Google must share. But it was clear on Wednesday the administration will not be granted a week of search requests, which would have numbered in the billions, and a million web addresses.

Earlier on Tuesday the Department of Justice said it had scaled back its demand to a random sam-

pling of 5,000 search requests, and 50,000 website addresses contained in the Google archive. The struggle between Google and the Bush administration, played out at a time of heightened sensitivities after a domestic wiretapping scandal, has been seen as a test case for privacy safeguards in the age of the Internet.

Impact on business

"It is the leading search company in the world, and the implications for Google if the Government is able to routinely make these requests would have a big impact on business and internet privacy," said Marc Rotenberg, executive director of the Electronic Privacy Information Centre.

The administration did not ask for information that would identify individual internet users, or their internet protocol addresses. Some search giants including Yahoo!, Microsoft and AOL, complied, handing the administration billions of internet search records.

Google alone has fought the subpoena, arguing the demand violates the privacy of its users. — ©Guardian Newspapers Limited 2006

THE HINDU

Online child porn racket busted in US

Chicago: US and international authorities have charged 27 people in connection with an international online child pornography ring, federal officials said.

Federal authorities said on Wednesday the accused included suspects from Australia, Britain and Canada as well as 13 US citizens.

The accused took part in the Kiddypics & Kiddyvids

“The behaviour in the chat room and the images sent around the world... are the worst imaginable form of child pornography,” Gonzales said at a news conference in Chicago.

Investigators identified seven children who were molested on the streaming video, Gonzales said. Four molesters are among those charged, prosecutors said.



Thirteen people have been indicted in nine US states on charges that include possession, receipt, distribution and manufacture of child pornography. The other 14 have been charged in Australia, Canada and Britain. One person remains at large.

The probe began with an arrest in

Edmonton last May. US Immigration and Customs Enforcement, a unit of the Homeland Security Department, led the US investigation.

Undercover agents gained entry to the chat room and identified the 27 people, initially through their screen names, officials said.

Gonzales has made crimes against children and online pornography top priorities for the United States Justice Department. Agencies

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Gonzales has made crimes against children and online pornography top priorities for the United States Justice Department. Agencies

17 MAR 2006

THE TIMES OF INDIA

Implement CAS within four weeks, court orders Centre

Staff Reporter

NEW DELHI: The Delhi High Court on Friday directed the Union Government to implement within four weeks the "consumer-friendly" Conditional Access System (CAS) for viewing satellite television channels.

For availing of this technology, viewers are required to buy a Set-Top-Box, which costs between Rs. 6,000 and 7,000. With the Set-Top-Box in place, they will have the option of viewing channels of their choice and pay for those only.

Justice Vikramjit Sen of the High Court passed the judgment

on a petition by Hathway Cable Datacom Private Limited and others. The petitioners had sought a direction to the Government to implement CAS or pay damages to them on the ground that they had already invested several crores of rupees for building up the infrastructure to implement it.

Mr. Justice Sen also imposed a fine of Rs. 1 lakh as costs on the Government for "unfairly compelling the petitioners to approach this Court" saying that "no valid or even debatable defence whatsoever has been raised".

Referring to an interim order

by the Madras High Court in the matter in April 2004, Mr. Justice Sen said that order also had the effect of mandating the Government to implement CAS in Delhi as well as in Kolkata and Mumbai.

It had already been implemented successfully in Chennai but not in the other three cities, the judgment noted.

The judgment also quoted a submission by the Government that CAS had been viewed by it as a consumer-friendly initiative. "Yet the Government had in January 2004 stayed its implementation saying that its proposed introduction had caused

conflicting political interests to arise in view of the impending General Elections," it added.

"The fact that a political party apprehends that a lawful measure beneficial to the public may cause an embarrassment in an election year is no ground to illegally suspend an action which has already come into force," Mr. Justice Sen observed.

The Union Government had in 2003 directed implementation of CAS in four metros.

Additional Solicitor-General P.P. Malhotra had last year assured the Court that the Government would shortly take a decision in the matter. However,

he had later on January 4, 2006, informed the Court that the Centre still required one month to finalise the matter. Till date, the requisite action had not been taken, the judgement stated.

The Government had notified implementation of CAS with effect from September 1, 2003, after making an amendment to the Cable Television Networks (Regulation) Act, 1995.

The notification had sparked a widespread public controversy with many TV watchers protesting against it, questioning the need to impose an unnecessary system that would entail a huge expenditure on their part.

Supreme Court notice to political parties, media

Petition seeking ban/regulation of exit polls

J. Venkatesan

NEW DELHI: The Supreme Court on Monday issued notice to three major political parties, four newspapers and five television channels on a petition seeking a proper ban/regulation of opinion and exit polls during elections.

A Bench consisting of Justice A. R. Lakshmanan and Justice Dalveer Bhandari, issued the notice to the Congress; the Bharatiya Janata Party and the Telugu Desam Party; *The Hindu*, *The Times of India*, *The Hindustan Times* and *The Indian Express*; and the Sahara, Zee, Star, NDTV and TV Today television channels, asking them to file their reply to the petition filed by D. K. Thakur in 2004. The court had already issued notice to the Centre, the Election Commission and the Press Council.

• Congress, BJP, TDP get notice

• 'Exit polls influence voters'

• Centre says no law to prohibit them

Notice was issued on the application seeking that the political parties and the media organisations be impleaded.

The petitioner submitted that the telecast or publication of opinion/exit polls was having a deleterious effect and influence on the electors when they were in the process of making up their minds to vote or not to vote for a certain political party or candidate.

The methodology followed in conducting such opinion/exit

polls varied from organisation to organisation. As a result, such polls were always off the mark and affected free and fair elections.

The petitioner said the voters generally were influenced by such poll results and this was nothing but undue influence as it affected their psyche.

In its reply, the Centre said that at present there was no law to prohibit the publication of exit/opinion polls on the basis of the reasoning that it unduly influenced the voter's mind. It said that it would be for the Election Commission to issue due directions/frame guidelines without infringing the fundamental right of freedom of speech and expression.

The Press Council said that it had laid down certain guidelines, but these did not prohibit the conduct of such polls.

Media
HD 101
2/12 ✓

THE HINDU

Google rejects US search snoop bid

San Francisco: Google on Friday formally rejected the US Justice Department's subpoena of data from the web search leader, arguing the demand violated privacy of users' web searches and its own trade secrets. Responding to a motion by US Attorney General Alberto Gonzales, Google also said in a filing in US District Court for the Northern District of California the government demand to disclose web search data was impractical.

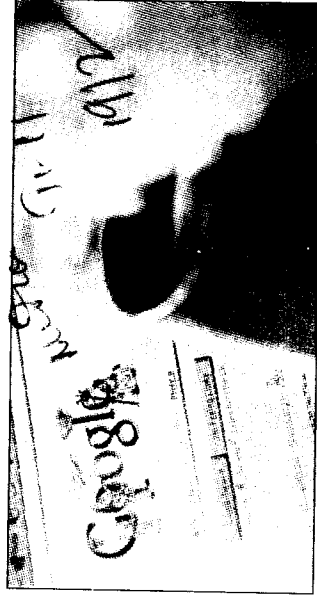
The Bush administration is seeking to compel Google to hand over web search data as part of a bid by the department to appeal a 2004 Supreme Court injunction of a law to penalise web site operators who allow children to view pornography.

Google is going it alone in opposing the US government request. Rivals Microsoft and Yahoo are among the companies that have complied with the Justice Department demand for data to be used to make its case.

Google's lawyers said the company shares the government's concern with materials harmful to minors but argued that the request for its data was irrelevant. They offered a series of technical arguments why this data was not useful. The California-based company said complying with the government's request for "untold millions of search queries" would put an undue burden on the company—a "week of engineer time to complete".

Complying with the request would also force Google to reveal how its search technology works—something it zealously guards as trade secret—the company argued. It refuses to disclose even the total number of searches conducted each day.

Google's resistance contrasts with a deal the company



has struck with the Chinese government to censor some searches on a new site in China, a move that has drawn sharp criticism from members of the US Congress and human rights activists.

"Google users trust that when they enter a search query into a Google search box... that Google will keep private whatever information users communicate absent a compelling reason," attorneys for Google said in the filing.

Privacy activists have rallied to the defense of Google for fighting the request while some conservative and religious organisations have criticized the company for failing to help the government combat child pornography. The American Civil Liberties Union, with other civil rights groups, bookstores and alternative media outlets filed a friend of the court brief on behalf of Google.

The hearing on the motion to compel Google to divulge the search data is scheduled to take place on March 13 in San Jose before US District Judge James Ware. ^{AP}

BUSH WHACKED

San Francisco: Google on Friday criticised the Bush administration's demand to examine millions of its users' internet search requests as a misguided



fishing expedition that threatens to ruin the company's credibility and reveal its closely guarded secrets. The company delivered its indignant critique in a 25-page brief that marked its initial legal response to the US Justice Department's attempt to force the online search engine leader to comply with a 6-month-old subpoena.

The Justice Department has until Feb. 24 to respond to the papers that Google filed on Friday. A hearing for oral arguments is scheduled March 13 before US District Judge James Ware in San Jose, California. ^{AP}

'LACK OF PROPER COVERAGE'

Three news channels face Assam ire

Statesman News Service

GUWAHATI, Feb. 16. — Three top-bracket news channels of the country, Zee News, Star News and Aaj Tak are under fire in Assam for failing to cover properly Friday's Kakopathar carnage and its follow-up that plunged the state into a turmoil.

The Assam Cable Operators Confederation and the Greater Guwahati Cable Operators Association have decided to black them out these three news channel on 17 and 18 February.

"This is an insult to the people of Assam. Kakopathar is just one instance — these news channels have the habit of not highlighting events unfolding in Assam and the Northeast. They can't do this to the people of Assam which is very much part of India. They are mopping up revenue without giving due importance to the state. This can't continue," said Mr Sanjeeb Narayan, a

spokesman for cable operators.

"This is only a token protest action. These three news channels should remain prepared to face an indefinite black-out if they fail to change their attitude," he said. Protests against the 10 February killings of at least nine unarmed persons who had been agitating against the death of Ajit Mahanta in the Army's custody, in police and CRPF firing at Kakopathar in Upper Assam continued to rage in different parts of the state much to the discomfort of Congress government.

Besides Opposition parties led by the Asom Garmut Parishad (AGP), NGOs and human rights organisations have orchestrated mass protests all over the state against the Kakopathar killings, demanding withdrawal of the Army from Assam so the nascent peace process with the banned rebel outfit, the Ulfa, can fructify.

2005 THE STATESMAN

BSNL tariff goes into free fall

Statesman News Service



NEW DELHI, Feb. 10. — BSNL and MTNL today announced the much awaited "OneIndia" tariff plan reducing STD rates by almost 58 per cent and local tariff by about 20 per cent. This makes it the cheapest telecom service in the world, distance-wise and call-wise.

As per the joint announcement made by MTNL and BSNL, the two companies would offer a minimum tariff of 40 paise a minute for calls on its local network, and Re 1 for all STD calls made anywhere in the country. Both companies, however, have increased the rental from Rs 250 to Rs 299 for those who intend to avail of the "OneIndia" plan. The local rate will be Re 1 for three minutes.

The new tariff will come into force from 1 March.

Though BSNL and MTNL were not in favour of the "OneIndia" tariff scheme and sought more time

OneIndia



- Re 1 call to anywhere in the country
- Local rates Re 1 for 3 mins
- Rental fixed by Rs 49

Mobile

- Re 1 a call to anywhere in the country

before offering it, the telecom ministry forced the telecom companies to go ahead with the plan before the Election Commission could notify Assembly elections in five states scheduled for April this year.

The Union communication minister, Mr Dayanidhi Maran, has been eager to get the "OneIndia" tariff plan rolling for the past year.

As per initial estimates, the companies are likely to suffer Rs 3,000 crore losses if the traffic does not

increase. But senior officials of the company expect that the loss would be compensated by the increase in traffic which is estimated to go up by 50 per cent. As of now, the APSU (average revenue per user) for mobile phone is around Rs 300 and Rs 500 for landline. The companies would get about Rs 300 crore by increasing the rental from Rs 250 to Rs 299.

For its post-paid mobile services, BSNL has proposed a rental of Rs 299 and calls to other BSNL subscribers could be made at the rate of 40 paise a minute. Calls to any other network across the country would attract a tariff of Re 1 a minute, he said. For pre-paid subscribers, BSNL has offered a package of Rs 799, which would include a talk time of Rs 550 with a validity period of 30 days. As part of the package, calls made to BSNL subscribers would be at the rate of 60 paise a minute, while for other networks Re 1 a minute.

Telecom industry hails OneIndia.
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THE STATESMAN

Cartoon storm reaches France

Paris, Feb. 1 (Reuters): Newspapers in France and Germany reprinted Danish caricatures of the Prophet Mohammed today, saying press freedom was more important than the protests and boycotts the cartoons have sparked across the Muslim world.

The Danish embassy in Damascus was evacuated after a bomb threat that turned out to be a hoax and Syria recalled its ambassador from Denmark in protest against the cartoons, one of which shows the Prophet Mohammed wearing a turban shaped like a bomb.

In Copenhagen, security police met Islamic leaders in a bid to calm reactions there. Muslims consider images of prophets distasteful and caricatures blasphemous.

Dalil Boubakeur, head of the French Muslim Council, denounced the publication of the drawings as a "provocation".

Two large Danish companies reported their sales falling in West Asia after the incident led to protests in the Arab world and calls for boycotts.

"Enough lessons from these reactionary bigots!" *France Soir* editor Serge Faubert wrote in a commentary explaining why his newspaper had printed the cartoons. "Just because the Quran bans images of Mo-

ammed doesn't mean non-Muslims have to submit to this."

Germany's *Die Welt* printed a similar piece to accompany the cartoons. "There is no right to be shielded from satire in the West," it said. "Being able to make fun of the holiest things is a non-negotiable core tradition in our culture."

French foreign ministry spokesman Jean-Baptiste Mattei said France supported press freedom, which "should be exercised in a spirit of tolerance and respect for beliefs and religions".

Jyllands-Posten, the Danish newspaper that first published the cartoons last September, has apologised for any hurt they may have caused.



A man reads the front page of the *France Soir* tabloid in Paris whose lead headline reads: "Yes, we have the right to caricature God." (AFP)

10 JAN 2006

US demands Google data, Net giant says no

VERNE KOPYTOFF

San Francisco, January 21

WATCH WHAT you search for on the Internet. It could come back to haunt you.

That point was hammered home in recent court filings by the federal government demanding that the Internet's major search engines turn over vast amounts of data about what people have searched for.

Google has promised to fight the order, which is part of the Bush administration's effort to resuscitate laws protecting children from Internet pornography, blocked by the US Supreme Court two years ago.

The government's request and Google's subsequent refusal set up a potential court battle that could have

major privacy implications for Internet users. If the government prevails against Google, privacy advocates fear that the floodgates will open to even more demands for search data. Ultimately, they say, the snooping would have a chilling effect on how people use the Internet.

"If the government wins, it will continue pushing for more information from Google, and so will private parties," said Kurt Opsahl, staff attorney for the Electronic Frontier Foundation, an organisation that advocates online privacy.

In papers filed on Wednesday in US district court in San Jose, the department of justice (DOJ) said Google had failed to comply with a subpoena issued last year for a sample of one million web addresses in the company's

Companies behind search engines retain vast amounts of information, including records of user queries and numeric IP address of computers from which the queries were submitted. With a little legwork and legal authority, attorneys often can trace the queries to specific individuals.

The government emphasised that it was seeking data stripped of any information identifying the people who entered the queries. But privacy advocates say searches of full names or addresses would show up in the data. What if, they asked, the queries also included a sensitive term such as "Nazi sympathiser," "homosexual" or "terrorist"?

"I certainly imagine some searches, even if divorced from a person's identity, could easily reveal confidential in-

formation that is not clear that the DOJ should have access to," said John Morris, staff counsel for the Centre for Democracy and Technology, a Washington DC, public policy group.

Yahoo and Microsoft have complied with the request, turning over millions of search queries to the government, although both firms insist they did not violate users' privacy.

The Bush administration hopes to use the search engine data to defend the Child Online Protection Act in a Pennsylvania federal court. In its filing, the government asserted that the search information will help it establish that the law is "more effective than filtering software in protecting minors from exposure to harmful materials on the Internet."

The New York Times

Stocks tumble as market gets whiff of trouble

GOOGLE STOCK posted its largest single-day loss ever on Friday as investors showed concern about prospects for the Internet advertising market and the company's role in a Justice Department lawsuit about Internet searches. Shares in Google sank \$36.98 to \$399.46 — about 8.5 per cent — in heavy trading on Nasdaq. Volume of 31 million shares was nearly triple the normal daily average. The loss was the largest in both dollar and percentage terms. The shares previously lost 8.31 per cent on November 5, 2004.

Agencies, New York

index. In addition, the government wanted a list of all search terms entered by Google's users over a one-week period.

Google argues that the demand is overly broad, costly and could reveal

trade secrets. Nicole Wong, an associate general counsel for Google, added in a statement that after lengthy discussions with the justice department to resolve the issue, "we intend to resist their motion vigorously."

Pakistan lifts ban on Bollywood films

By Bharti Dubey/TNN

Mumbai: Islamabad has finally given Bollywood films a formal visa. With an amendment having been made in Pakistan's censor board law, cinema halls there can now screen Indian films. Speaking to TOI, Saeed Rizvi, president of the Pakistani Film Producers Association, said, "The censor board on Friday deleted the word 'Indian artiste' and 'Indian director' from the guidelines which had earlier prevented the release of films of Indian actors and directors in Pakistan."

The first Indian film to be officially released after 40 years will be F C Mehra's 1984 production *Sohni Mahiwal*. Directed by Umesh Mehra, the film stars Sunny Deol and Poonam Dhillon. "This film was held up by the Pakistani censor board although it was a joint venture between a Russian company



and Mehra's Eagle films," Rizvi said. Asked if Indian actors and directors would now be allowed to perform, act and shoot in Pakistan, Rizvi said, "This is but obvious, now that the word 'Indian' has been deleted from the board's guidelines."

The Pakistani film industry saw a

downslide after 1965 as Indian films were banned by the government there following war between the two neighbours. With the ban resulting in the local industry failing to meet the demands of the market and Pakistani audiences, there was a decline in the numbers of the movie-going public. The 1,300 cinema houses that existed in Pakistan in 1970 have now been reduced to just 270. In the last two decades, Pakistani movie lovers have turned to pirated videos or DVD versions of Indian films, which have a huge market today.

Rizvi is optimistic that soon they will see joint ventures between Indian and Pakistani film-makers.

"We have wanted this to happen for a long time. With this notification things definitely look bright for our industry," he added.

► A watershed event: Bhatt, Page 8

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THE TIMES OF INDIA

89 journalists killed in 2005

BRUSSELS: A record number of media professionals died last year in the course of their work, as a trend towards the targeted assassination of journalists intensified, the International Federation of Journalists (IFJ) said on Monday.

At least 89 journalists were murdered because of their professional work, the IFJ said, out of a total of 150 media deaths in 2005.

"The numbers are staggering," IFJ general secretary Aidan White said in an annual report, "It was an unprecedented year ... the IFJ has counted 89 who were killed in the line of duty, singled out for their professional work. In 2005, the trend towards targeted assassination of editorial staff has intensified."

The largest number of targeted killings, 38, was recorded in West Asia, including 35 in Iraq, making the region "by far the world's most deadly beat for reporters in the field," the report said.

63 journalists killed in 2005

Duncan Campbell

LONDON: A total of 63 journalists and five of their assistants were killed carrying out their work last year, the highest number for a decade. Iraq remains the most dangerous country for media workers, with 29 journalists and assistants killed there in 2005.

China tops the poll as the country in which the most journalists are in prison and Nepal has the highest annotated total of censorship, according to the annual report on press freedom published on Wednesday by the Paris-based organisation, Reporters sans Frontieres.

Since the start of hostilities in Iraq in March 2003, 76 journalists and their assistants – fixers, interpreters and drivers – have been killed. While the majority died in explosions and attacks by insurgents, the U.S. army is listed as responsible for three deaths.

The Philippines, with seven deaths, is the country with the second highest total of media fatalities. There were at least two media deaths in Afghanistan, Bangladesh, Haiti, Russia, Somalia and Sri Lanka. Two journalists died in Mexico investigating drug smuggling and petrol racketeering.

There have also been many physical attacks on journalists doing their work in Nigeria and Peru. Reporters sans Frontieres says there were more than 50 incidents of media workers being beaten up by police, military or henchmen of local politicians.

With 32 journalists jailed, China has the worst record for imprisoning reporters. The survey also suggests that China jails most “cyber-dissidents,” with 62 behind bars for producing independent news Web sites or blogs. At least 807 journalists were arrested worldwide.

The death total is the highest since 1995, when 64 journalists were killed, 22 in Algeria. More journalists have died in Iraq than were killed in the Vietnam war between 1955 and 1975. – ©Guardian Newspapers Limited 2005

THE HINDU

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