

IN THE HIGH COURT OF MADHYA PRADESH PRINCIPAL SEAT AT JABALPUR

WRIT PETITION NO. /2024 (PIL)

PETITIONER:

Jabalpur Sikh Sangat &Anr.

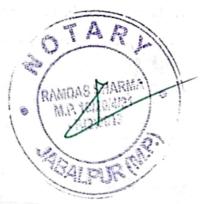
Versus

RESPONDENTS:

Union of India &Ors

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PART- B- CHRONOLOGY OF EVENTS

| Date | Events |
|-----------------|---|
| 14.08.2024 | Trailer of movie 'Emergency' uploaded on social media platforms including YouTube (Res. No. 9), Instagram (Res. No. 10) and Facebook (Res. No. 11) among others. |
| 22.08.2024 | Members of Sikh Community of Jabalpur, Indore and entire Madhya Pradesh watched the trailer and found many objectionable scenes in it. |
| 27.08.2024 | Meeting of Executive Members of all Gurudwaras of Jabalpur was held in Gurudwara Gorakhpur, Jabalpur. It was resolved to register protest by giving representations, and by filing a PIL before this Hon'ble court. |
| 28.08.2024 | Representation sent to Respondent No. 1 against the movie by the Petitioner No. 1. |
| 29.09.2024 & | Representations sent to Respondent No. 1 against the movie by the Petitioner No. 2. The newspapers reported the objection of |
| | 14.08.2024 22.08.2024 27.08.2024 28.08.2024 29.09.2024 |

CS CamScanner



| | 30.08.2024 | Sikhs against derogatory scenes. |
|---|--------------|---|
| | | On this day, the petitioners saw that the film 'Emergency has been granted UA certificate |
| 6 | . 06.09.2024 | The date on which 'Emergency' is due to be released. |

Jabalpur

Dated: 30/08/2024

Narinderpal Singh Ruprah Counsel for the Petitioner





IN THE HIGH COURT OF MADHYA PRADESH PRINCPAL SEAT AT JABALPUR

WRIT PETITION NO.

/2024 (PIL)

(Public Interest Litigation)

PETITIONER:

Jabalpur Sikh Sangat,

A society registered under M.P.
Societies RegistrikaranAdhiniyam
(Registration No. 04/14/01/21424/20)
1415/03/A, Kali Badi Mandir Road,
Gupteshwar Ward, Madan Mahal,
Jabalpur
Through its Authorised
Representative/Joint Secretary,
S. Dalveer Singh Jassal

Shri Guru Singh Sabha, Indore

A Society registered under M.P. Societies Registrikaran.Adhiniyam (Registration No. 22/1944-45) 83, Jawahar Marg, Guru Nanak Chowk, Indore Through its President, S. Manjeet Singh Bhatia, S/o S. Devendra Singh Bhatia, Age about 50 years,

Versus

Union of India,

Through Secretary, Ministry of Information and Broadcasting,





Room No. 655, A Wing, Shastri Bhawan, New Delhi.

- Central Board of Film Certification
 Through its Chairman,
 Head Office: Films Division
 Complex, Phase I, Building 9th Floor,
 Dr. G. Deshmukh Marg, Mumbai –
 400026
- Union of India,
 Through Secretary,
 Ministry of Home Affairs,
 North Block, New Delhi 110001.
- 4. State of Madhya Pradesh,
 Through Secretary,
 Ministry of Home Affairs,
 Vallabh Bhawan, Mantralaya,
 Government of Madhya Pradesh,
 Bhopal, (M.P.) 462004
- State of Madhya Pradesh,
 Through Secretary,
 State Commission for Minorities,
 E-Block, Old Secretariat, Bhopal
 (M.P.) 462001
- Manikarnika Films Pvt. Ltd.,
 A company registered under
 Companies Registration Act, 1956,
 Registration No. 236186,
 Registered Address: Row House No.
 5, Ground Floor, Chetak CHS Ltd. 41
 Pali Hill, Bandra West, Mumbai –
 400050





Through its Director.

6. Kangna Ranaut, Member of Parliament, Lok Sabha Constituency Mandi, Himachal Pradesh R/o 41/4, Nargis Dutt Road, Pali Hill, Bandra, Mumbai, Maharashtra –

7. Zee Studios Ltd.

400050

A company registered under Companies Registration Act, 1956, Registration No.: 198648, 18th Floor, A Wing, Marathon Futurex NM Joshi Marg, Lower Parel, Mumbai – 400013. Through its Director

Umesh Kr. Bansal, Chief Business Officer, Zee StudiosLtd., 18th Floor, A Wing, Marathon Futurex, NM Joshi Marg, Lower Parel, Mumbai – 400013.

9. YouTube,

Through its parent company, Google India Pvt. Ltd., Registration No.033028, No 3, RMZ Infinity - Tower E, Old Madras Road, 4th & 5th Floors, Bangalore, Bangalore, Karnataka, India – 560016. Through its Director







10. Instagram,

Through its parent company,
Meta Platforms Inc.,
FCRN No. F06741,
Unit 28 & 29, Level 18, DLF Cyber
City, Building No 5, Tower A, PhaseIII, Gurgaon, Haryana, India – 122002
Through its Authorised Representative

11. Facebook India Online Services Pvt. Ltd.,

A company registered under Companies Act, 1956 Registration No. 068332, 14th Floor, Skyview 10, The Skyview, Survey No.83/1 of Raidurg (Panmaqtha) Village, Serilingampally Mandal, Ranga Reddy District, Cyberabad, Hyderabad, Shaikpet, Telangana, India – 500081. Through its Director.

(PUBLIC INTEREST LITIGATION REGULAR)

Particulars of the cause/order against which the petition is made:

(1) Date of order : 29.08.2024 (not yet available)

(2) Passed in : Not available yet.

Certification of the upcoming film, 'Emergency' scheduled to be released

on 06.09.2024

(3) Passed by : Central Board of Film Certification

(Respondent no. 2)





(4) Subject matter in brief:

The present petition is being filed praying to prevent the release of the film 'Emergency' produced and directed by Respondent No. 5 to 8 and one Ms. Renu Pitti. The film contains scenes which violate the fundamental rights of the Sikh Community whose interest the present Petitioners are espousing.

When the petition was being drafted, the news has come that the film has been granted UA certificate by the CBFC (Res. No. 2) on 29.08.2024 and the movie has passed censorship.

It is to be released on 06.09.2024 and it is likely to cause irreparable loss to the otherwise congenial relations between two important communities of the country. Sikhs being directly affected have chosen to move this Hon'ble court with a prayer for protection of their dignity and honour enshrined and read in Article 14 and 21 of the Constitution of India.

The Petitioners have filed representations invoking the powers of the Respondent No. 1 under S. 6 of the Cinematograph Act, 1952 but to no avail. Other representations have been filed as well. No response has been received on any of the representations yet.

Hence, this PIL.





2. The antecedents of the petitioners:

The Petitioner No. 1, Jabalpur Sangat is a society registered under the M.P. Societies Registrikaran Adhiniyam, 1973. It voices the sentiments of 20 Gurudwaras, 15 schools, 5 colleges and many other social and charitable organizations run in Jabalpur by Sikh community. The Petitioner No. 1 has authorized its Joint Secretary, Sardar Dalveer Singh Jassal to sign all the relevant papers like Vakalatnama etc. on its behalf for the purpose of filing of the present petition. The registration certificate of Petitioner No. 1 dated 17.03.2020 is filed herewith as Annexure P-1. The resolution dated 28.08.2024 authorising Sardar Dalveer Singh Jassal to file the petition is filed herewith as Annexure P-2. The Adhar Card of Sardar Dalveer Singh Jassal is filed herewith as Annexure P-3.

The Petitioner No. 2, Shri Guru Singh Sabha, Indore is also a society registered under the M.P. Societies Registrikaran Adhiniyam and it manages 7 Gurudwaras of Indore City, including the main Gurudwara at Imli Sahab, Indore. It also voices the feelings of 32 Gurudwaras of Indore city. The number of voters of Shri Guru Singh Sabha is 1167, all belonging to Sikh community of Indore. The Petitioner No. 2 has authorised its President, Sardar Manjit Singh Bhatia to sign all the relevant papers including Vakalatnama for the purpose of filing the present petition. The registration certificate of Petitioner No. 2 is filed herewith as Annexure P-4. The resolution authorising its President,



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Sardar Manjit Singh Bhatia to file the instant petition is filed herewith Annexure P-5.

3. Facts in brief constituting the cause:

- 1. That, on 14.08.2024, Zee Studios (Res. No. 7) uploaded the trailer of upcoming movie by the name of 'Emergency' on their social media handles including but not limited to YouTube (Res. No.9), Instagram (Res. No. 10), Facebook (Res. No. 11). The trailer also displayed that the movie was Directed by Kangna Ranaut (Res. No. 6), and it was produced by Kangna Ranaut, Renu Pitti, and Umesh Kr Bansal (Res. No. 8). All persons have been made parties except Renu Pitti, whose whereabouts could not be traced by the Petitioners.
- 2. That, gradually the general public came to see the said trailer. The Sikhs of Jabalpur, Indore and entire Madhya Pradesh also saw the said trailer of the movie 'Emergency' within a period of one week.
- 3. That, in the said trailer of 'Emergency', amritdhari Sikhs donning beard and turbans have been shown brutally killing innocent persons. To make the trailer catchier to the base passions, a sentence was loudly spoken, 'तोहाड्डी पार्टी नू वोट चाहीदे

ने, ते सात्रू चाहीदा है खालिस्तान", which means "Your party wants votes, and we want Khalistan". The YouTube link of the said

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trailer is https://www.youtube.com/watch?v=UZwHMnFv110.

The screenshots of the objectionable moments shown in the trailer are filed herewith as Annexure P-6.

- 4. That, the first sight of the trailer gives the impression that the movie depicts some historical fact of independent India which includes a very cruel and brutal image of the Sikh community. It also gives the wrong impression that the Sikh community is a protagonist of secessionist designs for a separate Sikh state out of the present-day India. The movie undoubtedly is going to create a very wrong impression about the Sikh community.
- 5. That, the trailer depicts Amritdhari Sikhs, recognizable by their beard, turban and wearing kirpans as perpetrators of a misdirected violence, who are shown killing innocent individuals. Furthermore, a provocative statement, "We want Khalistan," is made in the trailer, which fuels base emotions and misrepresents the Sikh identity.
- 6. That, the history of India is a witness to the fact that Sikh community has a long history of sacrifices made in the defense of others, particularly Hindus, and stands firmly against religious persecution. A great example of this commitment is the martyrdom of Shri Guru Tegh Bahadur Ji, the ninth Guru of the Sikhs, who laid down his life at the hands of the Mughal regime to protect Hindus and their religion from forced



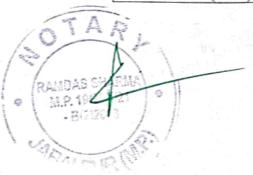
conversions. His sacrifice serves as a testament to Sikhism's core principles of defending those oppressed due to their faith in a particular religion and upholding justice, irrespective of religious differences.

- 7. That, the correct fact is that in our Indian society, the mere presence of a Sikh donning a turban and beard, especially an Amritdhari Sikh, is traditionally seen as a symbol of protection and peace. A Sikh is seen as a protector of the weak. Depicting them as oppressively violent or promoting separatist ideologies like 'Khalistan', goes against the very ethos of Sikhism, as encapsulated in the quote, "सूरा सो पहचानिए जु लरे दीन के हेत, पुरजा पुरजा किट मरे कबहु न छाड़ै खेतु" (A true warrior is one who dies on the battlefield fighting for the rights of the downtrodden, even if it costs him his life) and "ना को बैरी नहीं बिगाना, सगल संगि हम कउ बिन आई" (No one is my enemy and no one is a stranger. I am closely associated with everyone.). The question of Sikh community approving the killing of innocent persons, and that also in the name of religion is beyond imagination.
- 8. That, there were approximately 1.5 lakh Sikhs in Madhya Pradesh as per the 2011 census. Today there may be more than 2 lakh Sikhs in M.P. They have made significant contributions across various sectors from government service to business,

Gurudwaras, 15 schools, and 5 colleges and many other social and charitable organizations run by the Sikh community. Similarly, Indore alone has 32 Gurudwaras, along with several schools, colleges, and social welfare organizations run by the Sikh community. The Langar Seva of Sikhs has been witnessed by the world, be it during covid pandemic, or a natural disaster such as Kedarnath floods. Help always arrives from Gurudwaras. Many international organisations such as Khalsa Aid help the poor, downtrodden, hunger driven countries. Such organizations are always the first, sometimes even before Red Cross, to reach the hotspots of natural disaster, from Australia's forest fires, to Nepal's deadly earthquake.

9. That, apart from this, the patriotism of the Indian Sikh community and their commitment to the unity and integrity of the nation is one of the greatest strengths of India. India has seen many war heroes belonging to the Sikh Regiment or Sikh religion. A rough data indicating the participation of the community in the armed forces is given hereunder:

| No. of martyrs | | |
|--------------------------|---------------------------------|--|
| Conflict/War | Estimated No. o Sikh Martyrs | |
| Indo-Pak War (1947-1948) | 1000 | |
| Indo-China War (1962) | 300 | |
| Indo-Pak War (1965) | 2000 | |



| Indo-Pak War (1971) | 2500 |
|--------------------------------------|-----------------|
| Kargil War (1999) | 50 |
| United Nations Peacekeeping Missions | 50-100 |
| Other Counter-Insurgency Operations | Several Hundred |

| Awards V | Von by Sikhs | in the armed forces |
|------------------|---------------------------|---|
| Award | No. of Sikh Recipients | Notable Recipients |
| Param Vir Chakra | 3 | Lance Naik Karam Singh |
| | | Subedar Joginder Singh (Posthumous) |
| Mahavir Chakra | 46 | Brigadier Kuldip Singh Chandpuri |
| | | Lieutenant Colonel Balbir Singh Randhawa |
| Vir Chakra | 170+ | Flying Officer Nirmal Jit Singh Sekhon |
| | | Lieutenant Colonel Jaswant Singh Rawat |
| Ashoka Chakra | 2 | Naib Subedar Chhering |
| | 4 44 3 | Mutup (Posthumous) |
| | | Havildar Bachittar Singh |
| , | | (Posthumous) |
| Kirti Chakra | 15+ | Major Manjeet Singh |
| Shaurya Chakra | Chakra 50+ | Major Shabeg Singh |
| - J | | Captain Harbhajan Singh |

Sikhs comprise around 2% of India's population, but have historically contributed more than 20% of the Indian Army's personnel, reflecting their long-standing martial tradition. The data given above are approximate figures found on google and other online sources and platforms and subject to verification





from government. However, the idea is to convey, that Sikhs have been integral part of wars and armed forces in India.

10. That, the Sikh and Hindu communities share deep historical, cultural and religious ties. Many families in the region have intermarried (i.e. arranged marriages), and their religious traditions often overlap. The Sikhs consider their holy book Shri Guru Granth Sahib ji as their Guru incarnate, and in Shri Guru Granth Sahab ji there are numerous stanzas glorifying Hindu deities. For example, to quote from Ang (means page) No. 988 of Shri Guru Granth Sahib Ji:

धनि धंनि ओ राम बेन् बाजै ॥ Blessed, blessed is that flute which the Ram (Lord) plays. मध्र मध्र ध्नि अनहत गाउँ ॥१॥ रहाउ ॥ The sweet, sweet unstruck sound current sings forth. [1] Pause[धनि धनि मेघा रोमावली ॥ Blessed, blessed is the wool of the sheep; धनि धनि क्रिसन ओढे काम्बली ॥ Blessed, blessed is the blanket worn by Lord Krishna; धनि धनि त् माता देवकी ॥ Blessed, blessed are you, O mother Davki; जिह ग्रिह रमईआ कवलापती ॥२॥ In whose home the Lord Krishna was born. [2] धनि धनि बन खंड बिंदाबना ॥ Blessed, blessed are the forests of Vrindavan; जह खेलैं सी नाराइना ॥३॥ Where Sri Narayan, the Supreme Lord played. ||3|| बेन् बजावै गोधन् चरै।। He (i.e. Krishan) plays the flute, and herds the cows; नामे का सुआमी आनद करै ॥४॥१॥ The Master of Namdeo (Krishan) rejoices and plays happily. ||4||1||





After two lines, the hymn proceeds: सभै घट रामु बोलै रामा बोलै ॥ Within all hearts, the Lord speaks, the Lord speaks. राम बिना को बोलै रे ॥१॥ रहाउ ॥ Who else speaks, other than the Lord? ॥१॥Pause॥

Here Ram, Krishan, Ramaiya, Narayan – all have the same meaning. The purpose of quoting the aforesaid two lines is only to demonstrate the extent to which, Shri Guru Granth Sahib, the Guru incarnate of Sikhs, has owned and appreciated the glorification of Hindu deities which should also serve as vivid reminders of the intertwined philosophy and history of the two communities.

11.That, the Petitioners draw the kind attention of this Hon'ble court to Fundamental Duty (e) under Article 51A of the Constitution of India, which calls for promoting harmony and brotherhood, transcending religious and regional differences. This idea is rooted in the Sikh principle of "मानस की जात सबै एक पहचानवो" (Recognize the entire human race as one). Although, the constitution applies to all Indians equally, it is expected that as far as elected Members of the Parliament are concerned, such as Res. No. 6, they would be more cautious to uphold these constitutional values in their personal and professional capacities especially when working for their commercial gain.

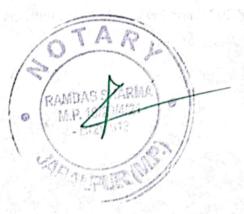


- 12. That, Article 25 of the Constitution includes Sikhs, along with Jains and Buddhists, under the broader reference to Hindus, emphasizing the unity between these communities. Sikhism and its adherents are not separate from the cultural and legal framework of the country.
- 13. That, the Board of Film Certification, i.e. the Central Board of Film Certification (for short CBFC), i.e. the Respondent No. 2 herein is constituted under Section 5-B(1) of the Cinematograph Act 1952 which is quoted hereunder:

A film shall not be certified for public exhibition if, in the opinion of authority competent to grant certificate, the film or any part of it is against the interest of the sovereignty and integrity of India the security of State, friendly relations with foreign States, public order, decency or morality, or involves defamation of contempt of court or is likely to incite the commission of any offence.

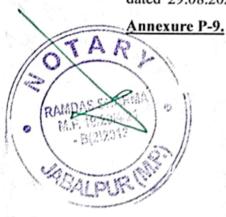
The Petitioners have received information from online sources that on 29.08.2024, the CBFC has granted U/A certification to the movie 'Emergency' and the movie has passed censorship.

14.That, Section 5-E of Cinematograph Act, 1952 empowers the Central Government to revoke the certificate granted by the CBFC, if it is satisfied that, "the film or any part thereof is being exhibited in contravention of the provisions of this Part or the rules made thereunder."



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- 15.That, the Central Government is also clothed with the revisional powers as per Section 6 of the Act. The Central Government may direct that, "a film which has been granted a certificate shall be deemed to be uncertified film in the whole or any part of India;" A copy of the Cinematograph Act, 1952 is being filed herewith as Annexure P-7.
- 16.That, there has been a big agitation in nearly all the cities of Madhya Pradesh of Jabalpur and Indore against the objectionable depiction of Sikh community in the trailer of the movie 'Emergency'. One such agitation was held in Jabalpur on 28.08.2024 in Gurudwara Gorakhpur, Jabalpur which was attended by the office holders of all the Sikh Gurudwaras and other institutions of Jabalpur.
- 17.That, the Petitioner No. 1 represented to Respondents on 28.08.2024 through email venting the aforesaid grievances. A copy of this email along with representation dated 28.08.2024 is being filed herewith as <u>Annexure P-8.</u>
- 18.That, the Petitioner No. 2 represented to Respondents on 29.08.2024 and 30.08.2024 through email venting the aforesaid grievances. A copy of this emails along with representations dated 29.08.2024 and 30.08.2024 are being filed herewith as





19. That the respondents are not appreciating the urgency of the matter which calls for an immediate drastic action to check the spread of wrong message which will advocate communal disharmony. Hence there is no other alternative but to move this Hon'ble court.

Hence, this public interest litigation on the following grounds:

4. Source of information:

The source of information is Youtube, Facebook and Instagram which are the most popular social media platforms of the world today.

5. Nature and extent of injury caused/ apprehended.

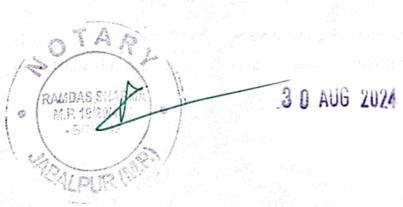
The screening of the film, 'Emergency' is likely to disturb communal harmony in the State of Madhya Pradesh. There can be nothing more important than the unity and integrity of the nation, and the communal harmony. Hence, this public interest litigation.

6. Issue raised was neither dealt with nor decided:

To the best of the knowledge of the petitioners, the issue has not been raised in Madhya Pradesh.

Any representation etc. made:

The Petitioners and in fact the entire Sikh community of M.P. have registered their protest against the film, Emergency vide



Annexures P-8 and P-9. The Petitioners have also made representations before the Secretary of Ministry of Information and Broadcasting (Res. No. 1) who is clothed with wide powers including revisional powers under S. 6 to declare that a film which has been certified by Respondent CBFC (Res No. 2) shall be deemed to be uncertified. But the Respondent No. 1 is not moving in the matter. It is not seeing the writing on the wall so glaringly highlighted by so many agitations across the State of M.P. and even outside. Any delay in adjudication of the representations will cause irreparable damage to the social fabric of the country. Hence petitioners' prayer to this Hon'ble court for kind and urgent indulgence in the matter.

8. Grounds urged:

- A. That the inaction on the part of Respondents in not acting before the release date will cause irreparable damage to the social fabric of the country. The Respondent No. 1 is not appreciating this thereby infringing the fundamental rights of the Sikhs to life and personal liberty and their right to equality before the laws and equal protection of the laws.
- B. That the certification of the oncoming film, 'Emergency' is in flagrant violation of the principles for guidance in certifying film as stated in Section 5-B of the Cinematograph Act, 1952.
- C. That the portraying of the Sikhs as brutal murderers indulging in cruel cold-blooded murders in the name of religion is violation of

the fundamental rights of each and every Sikh namely their right to live with dignity and respect. This is more so because not only the Sikhs but the whole nation hails the Sikh community for their commitment to the cause of the weak. Violence in the name of religion is opposed to the philosophy on which the Sikh religion is based.

- D. That the greatest ambition of every Sikh family is to serve the country in the army. Service in the Indian army is glorified in Sikh families than any other avocation. Patriotism is in the blood of every Sikh. But the trailer of the film, Emergency gives the impression that Sikhs want a separate nation out of present India. This impression is a great insult to Sikh community. Screening of such a film is violative of the fundamental right of every Sikh.
- E. That, under Article 19(2) of the Constitution of India, the right to freedom of speech and expression is subject to "reasonable restrictions" concerning public order, decency, morality, and security of the State. Given the nature of the portrayal in this film, these restrictions should be applied to prevent potential communal violence and unrest in Madhya Pradesh.
- F. That, Article 21 of the Constitution guarantees the "right to life and personal liberty." This portrayal of Sikhs is detrimental to their dignity and security, violating their fundamental rights under this



1 41500

article. The Supreme Court of India has time and again ruled that the right to life includes the right to live with dignity.

G. That, the Respondent Kangna Ranaut is a Member of Parliament (Lok Sabha) from the constituency of Mandi, Himachal Pradesh and has taken an oath under Article 99 of the Constitution of India which is quoted hereunder:

99. Oath of affirmation by members: Every member of either house of Parliament shall before taking his seat make and subscribe before the President or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the third schedule.

The third schedule gives the following form of oath:

I, AB, having been elected as a Member of House of People, do swear in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established, ...

...emphasis supplied

This means that a more onerous duty is cast on a Member of Parliament to uphold the unity and integrity of our country. However, the action of Respondent Kangna Ranaut is just to the contrary wherein, she has tried to separate a patriotic community from the mainstream.





9. Details of remedies exhausted:

The petitioner declares that he has availed of all statutory and other remedies.

10. Delay, if any, in filing the petition and explanation therefore.
The petitioner declares that there is no delay in filing the instant petition.

11. Relief (s) prayed for:

It is therefore most humbly prayed that this Hon'ble court be pleased to issue writs in the form of mandamus, certiorari, direction or the like:

- (i) To direct the Respondent No. 1 to immediately order that the UA certificate of the oncoming film, 'Emergency' which scheduled to be released in theaters on 06.09.2024 be cancelled and it be ordered that it is deemed to be an uncertified film.;
- (ii) To direct the Respondent No. 1, 2, 3, 4 not to permit the screening of the film 'Emergency' in India and specially in the State of Madhya Pradesh.



- (iii) To direct the Respondent No. 2, CBFC to produce the record of proceedings resulting in certification of the full movie Emergency as also the full movie 'Emergency' for an examination of this Hon'ble court;
- (iv) To order the respondents nos. 5, 6, 7, and 8 to tender unconditional apology to the entire nation for making such an irresponsible film, Emergency and also to pay exemplary damages to any Sikh charitable organization/institution;
- (v) To order the Respondents not to permit the certification any film touching upon religious sentiments including the film, 'Emergency' unless the same is approved by Shriromani Gurudwara Prabandhak Committee, Amritsar and by the petitioners;
- (vi) To pass such other orders as it may deem fit under the circumstances of the case.

12. Interim order, if prayed for:

Pending final decision, the respondents be restrained from releasing/screening the film in theaters, 'Emergency' produced and directed by Kangna Ranaut, respondent no. 6, and other private respondents till further orders. This Hon'ble court be further pleased to



pass such other orders as it may deem fit under the facts and circumstances of the case.

13. Caveat:

That no notice of lodging a caveat by the opposite party is received.

An affidavit in support is filed herewith.

Jabalpur

Dated: 30.08.2024

Narinderpal Singh Ruprah

Counsel for the Petitioners



0 AUG 2024



IN THE HIGH COURT OF MADHYA PRADESH PRINCIPAL

SEAT AT JABALPUR

WRIT PETITION NO.

/2024 (PIL)

PETITIONER:

Jabalpur Sikh Sangat&Anr.

Versus

RESPONDENTS:

AR

Union of India&Ors.

<u>AFFIDAVIT</u>

I, S. Dalveer Singh Jassal, age about 58 years, S/o Mohinder Singh, Occupation: Transport, R/o Behind Mahanadda Talab, Gupteshwar Ward, Jabalpur, and Joint Secretary of Jabalpur Sikh Sangat, 1415A, Kali Badi Mandir Road, Gupteshwar Ward, Jabalpur, the deponent, do hereby solemnly affirm on oath and declare as under:

- 1. That, I am the Joint Secretary of petitioner no. 1 and I am duly authorized to sign this affidavit on behalf of both the Petitioners.
- That, I have read and understood the contents of paras 1 to 13 of my writ petition (PIL) attached and also examined documents as per Index.
- 3. That the contents of paras 1 to 13 of my said petition are correct and true to the best of my personal knowledge and belief and the documents annexed therewith are true copies of their respective originals.

1336/24

DEPONENT

VERIFICATION

hereby verify and sign at Jabalpur, this 30th day of August, 2024 that the contents of paras 1 to 3 above are correct and true to the best of my personal knowledge and belief.

ENTIFY BY ME

13 D AUG 2024

DEPONENT

S. Dalveer Circh Forcon Stolen on the has been identified by Sor. W. S.

who is personally known 'n wixee

Crail,



IN THE HIGH COURT OF MADHYA PRADESH PRINCIPAL SEAT AT JABALPUR

WRIT PETITION NO.

/2024 (PIL)

PETITIONER:

Jabalpur Sikh Sangat &Anr.

Versus

RESPONDENTS:

Union of India &Ors

LIST OF DOCUMENTS

| S.No. | Ann. | Description | Date | Org/ Copy | No. of Pgs. |
|-------|------|--|---------------|--------------|-------------------|
| 1. | P/1 | Registration Certificate of petitioner no. 1 | | Сору | 1 |
| 2. | P/2 | Resolution of petitioner no. 1 | 28.08.2024 | Copy | 1 |
| 3. | P/3 | Adhar Card of Dalveer Singh | | Copy | 1 1 |
| 4. | P/4 | Registration Certificate of petitioner no. 2 | | Сору | 1 |
| 5. | P/5 | Resolution dt. by petitioner no. 2 | 28.08.2024 | Сору | 1 |
| 6. | P/6 | Objectionable photos of 'Emergency' | | Copy | 2 |
| 7. | P/7 | Cinematagraph Act, 1952 | | Copy | 20 |
| 8. | P/8 | Representation dt. by petitioner no. 1 through counsel | 28.08.2024 | Copy | 5 |
| 9. | P/9 | Representations dt. by petitioner no. 2 | 29/30.08.2024 | Copy | 917 |

Jabalpur

Dated: 50 /08/2024

Narinderpal Singh Ruprah

Counsel for the Petitioner



ANNEXUREP/1

रूप क्रमांक 2 (देखिये नियम 7) मध्य प्रदेश शासन



समिति का पंजीयन प्रमाण पत्र

क्रमांक 04/14/01/21424/20

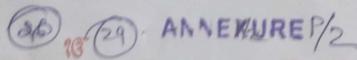
यह प्रमाणित किया जाता है कि जबलपुर सिक्ख संगत,समिति जो 1415 3/ए काली बाड़ी मंदिर रोड़ गुप्तेश्वर वार्ड मदन महल तहसील जबलपुर जिला जबलपुर में स्थित है, मध्य प्रदेश सोसायटी रजिस्ट्रीकरण अधिनियम, 1973 (सन् 1973 का क्रमांक 44) के अधीन 17 मार्च 2020 को पंजीयित की गई है।

दिनांक 17 मार्च 2020

Signature valid Digitally Signed By SANUA MAR TIMARI (Personal) समितियों वे जिस्ट्रार

Note: This is a Digitally Signed document On 17/03/2020 01:41 PM Server Name: KAVFR!

v(91,71, 0.4/14/01/21424/20/17/8/20



कदादापुर सिस्तासमाता (संद्या)

रजि. पता : 1415/3/ए, काली बाड़ी मंदिर रोड, गुप्तेश्वर वार्ड, जबलपुर (म.प्र.) फोन : 9893312202, 9425800388, 9425656789 E-mail : jabalpursikhsangat@gmail.com

Jabalpur Sikh Sangat (Regd.)

Regd. Add.: 1415/3/A, Kali Badi Mandir Road, Gupteshwar Ward, Jabalpur (M.P.) E-mail: jabalpursikhsangat@gmail.com ਜਬਲਪੁਰ ਸਿੱਖ ਸੰਗਤ (ਰਜਿ.)

ਰਜਿ. ਪਤਾ :1415/3/ਅ, ਕਾਲੀ ਬਾੜੀ ਮੰਦਿਰ ਰੇਡ ਗੁਪਤੇਸ਼ਵਰ ਵਾਰਡ, ਜਬਲਪੁਰ (ਮ.ਪ੍ਰ.) E-mail : jabalpursikhsangat@gmail.com

ऑफिस : बेलासिंह हायर सेकेण्डरी स्कूल, दशमेश द्वार, मदन महल चौक, जबलपुर (म.प्र.)

Ref. No.

Date

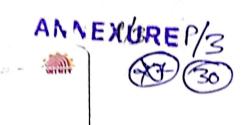
RESOLUTION DATED 28.08.2024 OF EXECUTIVE COMMITTEE OF JABALPUR SIKH SANGAT

The Sikh Community of Jabalpur is shocked to see the trailer of the film the EMERGENCY directed by Ms Kangana Ranaut and produced by Ms Kangana Ranaut and Renu Pitti. The trailer depicts a negative picture of the Sikh Community and the film is likely to damage the image of Sikhs and create a communal disharmony. As the film is likely to be released on 06.09.2024, it is hereby resolved that its release should be checked by filing a PIL in the High Court of Madhya Pradesh of M.P. at Jabalpur.

Sardar Dalveer Singh Jassal, Joint Secretary is authorised to sign the Vakalatnama and other documents as required for the purpose.

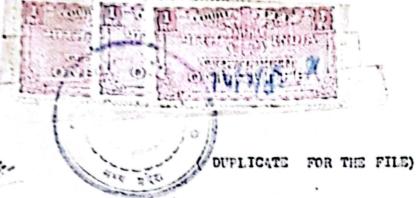
PRESIDENT Sardar Manohar Singh Reel

Signature of S. Dalveer Singh Jassal duly attested









ANNEXUREP/4

MONOG RAM

Certificate of Registration

No. 22 / 19 11 11-15

6949/12 1.9.12 बावक.....दिनांक...... पत्र जारो किया गया।

I hereby certify that the Shri Guru Singh Sabha Indore is this day registered under the Societies Registration Act No. II of 1976.

Given under my hand at Indore the Plat day of December One Thousard Nine Hundred and forty four.

Seal

Sd /_

Registrat of Companies

TRUE_COPY

हो रवदर फर्न एवं ग्रेसाएँ,

918182



(DUPLICATE FOR THE FILE)

MONOGRAM Certificate of Registration

I hereby certify that the Shri Guru Singh Sabha Indore is this day registered under the Societies Registration Act No. II of 1926.

Given under my hand at Indore the 21st day of December One thousand Nine Hundred and forty four.

Seal

Sd/-

Registrar of Companies

True-Copy

Read. No. 22/1944-45



न मिंथ मङा, रि

83, ਜਵਾਹਰ ਮਾਰਗ, ਗੁਰੂ ਨਾਨਕ ਚੌਕ, ਇੰਦੌਰ (ਮ.ਪ੍ਰ.)

SHRU GURU SINGH SABHA, INDORE (REGD.)

श्री गुरू सिंघ सभा, इन्दौर (रजि.)

| Ref. No | |
|---------|--|
| Date : | |

RESOLUTION DATED 28.08.2024 OF EXECUTIVE COMMITTEE OF SHRI GURU SINGH SABHA, INDORE

The Sikh Community of Indore is shocked to see the trailer of the film the 'EMERGENCY' directed by Ms Kangna Ranaut and produced by Ms Kangna Ranaut, Renu Pitti, and Mr Umesh Kr Bansal. The trailer depicts a negative picture of the Sikh Community and the film is likely to damage the image of Sikhs and create a communal disharmony. As the film is likely to be released on 06.09.2024, it is hereby resolved that its release should be checked by filing a PIL in the High Court of Madhya Pradesh of M.P. at Jabalpur joining hands with Jabalpur Singh Sangat,. Sardar Manjeet Singh Bhatia, President is authorised to sign the Vakalatnama and other documents as required for the purpose.

83, Jawahar Marg, Guru Nanak Chowk, Indore 452004 (M.P.) Ph.: 0731-4029820 Library: 0731-2340876









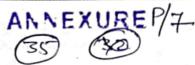
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The Cinematograph Act, 1952¹ (Cinematograph Act, 1952)

[Act 37 of 1952 as amended upto Act 18 of 2023]

[21st March, 1952]

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- 5-D. Constitution of Appellate Tribunal
- 5-DD. Qualifications, terms and conditions of service of Chairman and Member
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PART 4

REPEAL





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18. Repeal

Cinematograph Act, 1952

[Act 37 of 1952 as amended upto Act 18 of 2023] [21st Mail 1952]

An Act to make provision for the certification of cinematograph films for exhibition and for regulating exhibitions by means of cinematographs

Be it enacted by Parliament as follows:—

Statement of Objects and Reasons as attached to Act 49 of 1981.—(1) A Bill to amend the Cinematograph Act, 1952 with a view to streamline the machinery for examination of films and to transfer the appellate jurisdiction of the Central Government under the Act to an independent tribunal in pursuance of the recommendations of the Inquiry Committee on Film Censorship set up under the Chairmanship of Shri G.D. Khosla, formerly Chief Justice of Punjab and assurance given in the Supreme Court was introduced in Parliament and passed by both the Houses of Parliament. It received the assent of the President on 23rd August, 1974, as the Cinematograph (Amendment) Act, 1974 (27 of 1974) and was to be enforced with effect from such date as the Central Government may, by notification in the Official Gazette, appoint. Meanwhile, it was considered that, in the changed circumstances, the approach incorporated in the Amendment Act of 1974 was wholly unsuitable and needed a thorough review. This review was undertaken in consultation with the various organisations concerned with the production, distribution and exhibition of films. The Working Group on National Film Policy submitted its report in May, 1980 and inter alia, made recommendations regarding some aspects of certification of films. The report was laid on the Table of both the Houses of Parliament. Consequent upon the review undertaken, it was felt that the amending Act of 1974, which was not brought into force but is still on the Statute Book, may be repealed.

(2) However, having regard to all the aspects of the matter, it is considered necessary to amend the Cinematograph Act, 1952 inter alia, for streamlining the machinery for the examining of films and for including two new classifications for certification of films. Subject to the power of revision to be exercised by the Central Government, it is considered necessary to transfer the appellate jurisdiction of the Central Government under the Act to an independent tribunal. It is also proposed to avail of this opportunity to amplify the principles for certification of films under the Act in the light of the amendment effected in clause (2) of Article 19 of the Constitution by the





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Constitution (Sixteenth Amendment) Act, 1963 which added in the said clause one more restriction, namely, "in the interests of the sovereignty and integrity of India" on the freedom of speech and expression.

- (3) The Bill seeks to achieve the above objects.
- (4) Some of the important amendments proposed to be made in Cinematograph Act, 1952, by the present Bill, are as follows:—
 - (i) Under Section 3, besides the whole-time Chairman, the Board of Film Censors is to consist of not more than nine members. It is now proposed to increase the membership of the Board from nine to not less than twelve and not more than twenty-five.
 - (ii) Section 4 sets out a two fold classification of films, namely, "U" (for unrestricted public exhibition), and "A" (for public exhibition restricted to adults only). It is now proposed to expand the classification by including therein two more categories, namely, "UA" (for unrestricted public exhibition subject to the film being endorsed with the caution to the parents/guardians to satisfy themselves as to whether they would like their children or wards below the age of 12 years to see the said film) and "S" (for public exhibition restricted to members of any profession or any class of persons having regard to the nature, content and theme of the film).
 - (iii) Section 5-B, which incorporates the principles for guidance in certifying films, is sought to be amended so as to include therein one more principle, namely, "in the interests of sovereignty and integrity of India".
 - (iv) Section 5-C provides for appeals to the Central Government by a person aggrieved by any order of the Board of Film Censors. It is now proposed to set up an independent tribunal having jurisdiction to hear appeals from the decisions of the Board of Film Censors. The Bill also seeks to make provision for the composition of the said tribunal. It is also proposed to confer upon the Central Government revisional jurisdiction even in respect of orders passed by the tribunal in appeals, such revisional jurisdiction being of a limited character.
 - (v) Provision is being made to suspend or revoke the certificate granted by the Board of Film Censors in cases of public exhibition of any film in contravention of the provisions of Part II of the Act or the rules made thereunder. Power is also sought to be conferred on the Central Government to review such orders.
 - (vi) The offences punishable under Part II of the Act relating to certification of films for public exhibition are sought to be made cognizable. Further, the punishment provided under Section 7





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of the Act is sought to be enhanced—the term of imprisonment being enhanced from the maximum of three months to two years and the maximum limit of fine of Rs 1000 being enhanced to Rs 20,000. In addition, the present limit of the fine of Rs 1000 per day in case of a continuing offence, is sought to be raised to Rs 5000 per day.

(vii) The existing provision regarding delegation of powers of the Board of Film Censors to the Chairman and/or other Members of the Board is sought to be amended to restrict the same in relation to certification of films.

(viii) Provision is sought to be made to ensure that the producer or the exhibitor of a film in respect of which a certificate was granted under the Act shall not be liable for prosecution under any law provided for punishment for obscenity in respect of any matter contained in the films as so certified.

(ix) It is proposed to repeal the Cinematograph (Amendment) Act, 1974. (Pub. in Gaz. of India Extra., Pt. II, Sec. 2, dt. Dec. 24, 1980, p. 1395).

Part 1 PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Cinematograph Act, 1952.

(2) Parts I, II and IV extend to the whole of India $[***]^2$ and Part III extends to 3 [the Union Territories] only.

(3) This Act shall come into force on such date⁴ as the Central Government may, by notification in the Official Gazette, appoint.

5[* * *]

Definitions.—In this Act, unless the context otherwise requires,—

(a) "adult" means a person who has completed his eighteenth year;

E[(b) "Board" means the Board of Film Certification constituted by the Central Government under Section 3;];

²[(bb) "certificate" means the certificate granted by the Board under Section 5-A;];

(c) "cinematograph" includes any apparatus for the representation of moving pictures or series of pictures;

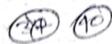
(d) "district magistrate", in relation to a presidency-town, means the commissioner of police;

 $\mathbb{E}[(dd)$ "film" means a cinematograph film;];

 9 [(ddd) "infringing copy" shall have the same meaning as



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assigned to it in sub-clause (//) of clause (m) of Section 2 of the Copyright Act, 1957 (14 of 1957);]

- (e) "place" includes a house, building, tent and any description of transport, whether by sea, land or air;
- (f) "prescribed" means prescribed by rules made under this Act;
- $^{10}[(g)$ "regional officer" means a regional officer appointed by the Central Government under Section 5 and includes an additional regional officer and an assistant regional officer;]
- (h) 11[* * *]
- ¹²[(/) "UA marker" means an age-based indicator for a film which has received or is intended to receive a "UA" certificate under Section 4 and such indicator may be "UA 7+" or "UA 13+" or "UA 16+":

Provided that where the Central Government is satisfied that it is necessary or expedient so to do in public interest, it may, by an order published in the Official Gazette and for the reasons to be recorded in writing, declare such other indicators.]

¹³[2-A. Construction of references to any law not in force or any functionary not in existence in the State of Jammu and Kashmir.—Any reference in this Act to any law which is not in force, or any functionary not in existence, in the State of Jammu and Kashmir, shall, in relation to that State, be construed as a reference to the corresponding law in force, or to the corresponding functionary in existence, in that State.].

Part 2

CERTIFICATION OF FILMS FOR PUBLIC EXHIBITION

- ¹⁴[3. Board of Film Censors.—(1) For the purpose of sanctioning films for public exhibition, the Central Government may, by notification in the Official Gazette, constitute a Board to be called the [Board of Film Certification]¹⁵ which shall consist of a Chairman and ¹⁶[not less than twelve and not more than twenty-five] other members appointed by the Central Government.
- (2) The Chairman of the Board shall receive such salary and allowances as may be determined by the Central Government, and the other members shall receive such allowances or fees for attending the meetings of the Board as may be prescribed.
- (3) The other terms and conditions of service of the members of the Board shall be such as may be prescribed.
 - ► Extent of artistic freedom/freedom.—In a case where prohibition of film allegedly making direct or indirect references to certain persons allegedly in unacceptable manner likely to impact certain pending litigations and reputation of





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such persons, judicial interference if warranted when matter duly has been considered by Gensor Board and film given appropriate certificate as per law, discussed, Adarsh Coop. Housing Society Ltd. v. Union of India, (2018) 17 SCC 516.

- 17[4. Examination of films.—(1) Any person desiring to exhibit any film shall make an application to the Board for a certificate in such form and manner as may be prescribed.
- (2) The Board may, after examining the film in such manner as may be prescribed,—
 - (i) sanction the film for unrestricted public exhibition:

Provided that, having regard to any material in the film, if the Board is of the opinion that viewing of such film by any child between seven to eighteen years of age is subject to guidance of parents or lawful guardian, then the Board may sanction the film for unrestricted public exhibition with an endorsement to that effect containing UA marker.

Explanation.—For the removal of doubts, it is hereby clarified that—

- (a) the expression "seven" denotes completion of seven years
 of age and the expression "eighteen" denotes before
 attaining the age of eighteen years;
- (b) an endorsement by the Board shall enable the parents and lawful guardian of the child to consider whether such child should view such a film, and shall not be enforced by any person other than the parents or lawful guardian of the child;
- (ii) sanction the film for public exhibition restricted to adults;
- (///) sanction the film for public exhibition restricted to members of any profession or any class of persons having regard to the nature, content and theme of the film;
- (/v) direct the applicant to carry out such excisions or modifications in the film as it may deem necessary before sanctioning the film for public exhibition under clauses (i), (ii) and (///); or
- (v) refuse to sanction the film for public exhibition:

Provided that no action under this section shall be taken by the Board, unless the applicant has been given an opportunity of being heard in the matter.

(3) Any person desiring to exhibit on television or such other media as may be prescribed, any film which has been sanctioned by the Board under clause (ii) or clause (iii) of sub-section (2), may make an application to the Board in such form and manner as may be prescribed, and the Board may, for this purpose, sanction the film with





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a separate certificate, after directing the applicant to carry out such excisions or modifications in the film as it may think fit.]

- 5. Advisory panels.—(1) For the purpose of enabling the Board to efficiently discharge its functions under this Act, the Central Government may establish at such regional centres as it thinks fit, advisory panels each of which shall consist of such number of persons being persons qualified in the opinion of the Central Government to judge the effect of films on the public, as the Central Government may think fit to appoint thereto.
- (2) At each regional centre there shall be as many regional officers as the Central Government may think fit to appoint, and rules made in this behalf may provide for the association of regional officers in the examination of films.
- (3) The Board may consult in such manner as may be prescribed any advisory panel in respect of any film for which an application for a certificate has been made.
- (4) It shall be the duty of every such advisory panel whether acting as a body or in committees as may be provided in the rules made in this behalf to examine the film and to make such recommendations to the Board as it thinks fit.
- (5) The members of the advisory panel shall not be entitled to any salary but shall receive such fees or allowances as may be prescribed.
- 5-A. Certification of films.—¹⁸[(1) If, after examining a film or having it examined in the prescribed manner, the Board considers that—
 - (a) the film is suitable for unrestricted public exhibition, or, as the case may be, for unrestricted public exhibition with an endorsement of the nature mentioned in the proviso to clause (i) of sub-section (1) of Section 4, it shall grant to the person applying for a certificate in respect of the film a "U" certificate or, as the case may be, a ¹⁹["UA" certificate with any UA marker]; or
 - (b) the film is not suitable for unrestricted public exhibition, but is suitable for public exhibition restricted to adults or, as the case may be, is suitable for public exhibition restricted to members of any profession or any class of persons, it shall grant to the person applying for a certificate in respect of the film an "A" certificate or, as the case may be, a "S" certificate;

and cause the film to be so marked in the prescribed manner:

Provided that the applicant for the certificate, any distributor or exhibitor or any other person to whom the rights in the film have passed shall not be liable for punishment under any law relating to obscenity in respect of any matter contained in the film for which





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certificate has been granted under clause (a) or clause (b).].

- (2) A certificate granted or an order refusing to grant a certificate in respect of any film shall be published in the Gazette of India.
- (3) Subject to the other provisions contained in this Act, a certificate granted by the Board under this section shall be valid throughout India $\frac{20}{3}$ **1.
- 5-B. Principles for guidance in certifying films.—(1) A film shall not be certified for public exhibition if, in the opinion of the authority competent to grant the certificate, the film or any part of it is against the interests of ²¹[the sovereignty and integrity of India] the security of the State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of court or is likely to incite the commission of any offence.
- (2) Subject to the provisions contained in sub-section (1), the Central Government may issue such directions as it may think fit setting out the principles which shall guide the authority competent to grant certificates under this Act in sanctioning films for public exhibition.

²²[5-C. Appeals.—(1) Any person applying for a certificate in respect of a film who is aggrieved by any order of the Board—

- (a) refusing to grant a certificate; or
- (b) granting only an "A" certificate; or
- (c) granting only a "S" certificate; or
- (d) granting only a 23["UA" certificate with any UA marker]; or
- (e) directing the applicant to carry out any excisions or modifications,

may, within thirty days from the date of such order, prefer an appeal to the ²⁴[High Court]:

Provided that the ²⁵[High Court] may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the aforesaid period of thirty days, allow such appeal to be admitted within a further period of thirty days.

$$(2)^{\frac{26}{6}}[***]$$

5-D. Constitution of Appellate Tribunal.—27[* * *]

5-DD. Qualifications, terms and conditions of service of Chairman and Member. $-\frac{28}{3}$ [* * *]

²⁹[5-E. Suspension and revocation of certificate.—(1) Notwithstanding anything contained in sub-section (2) of Section 6, the Central Government may, by notification in the Official Gazette, suspend a certificate granted under this Part, for such period as it





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thinks fit or may revoke such certificate if it is satisfied that-

- (i) the film in respect of which the certificate was granted, was being exhibited in a form other than the one in which it was certified; or
- (ii) the film or any part thereof is being exhibited in contravention of the provisions of this Part or the rules made thereunder.
- (2) Where a notification under sub-section (1) has been published, the Central Government may require the applicant for certificate or any other person to whom the rights in the film have passed, or both, to deliver up the certificate and all duplicate certificates, if any, granted in respect of the film to the Board or to any person or authority specified in the said notification.
- (3) No action under this section shall be taken except after giving an opportunity to the person concerned for representing his views in the matter.
- (4) During the period in which a certificate remains suspended under this section, the film shall be deemed to be an uncertified film.]

³⁰[5-E (sic). Qualifications, terms and conditions of service of Chairman and Member.—Notwithstanding anything contained in this Act, the qualifications, appointment, term of office, salaries and allowances, resignation, removal and the other terms and conditions of service of the Chairman and other members of the Appellate Tribunal appointed after the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of Section 184 of that Act:

Provided that the Chairman and member appointed before the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall continue to be governed by the provisions of this Act and the rules made thereunder as if the provisions of Section 184 of the Finance Act, 2017 had not come into force.]

³¹[5-F. Review of orders by Central Government.—(1) Where an applicant for a certificate or any other person to whom the rights in the film have passed, is aggrieved by any order of the Central Government under Section 5-E, he may, within sixty days of the date of publication of the notification in the Official Gazette, make an application to the Central Government for review of the order, setting out in such application the grounds on which he considers such review to be necessary:

Provided that the Central Government may, if it is satisfied that the applicant for a certificate or that other person was prevented by sufficient cause from filing an application for review within the aforesaid period of sixty days, allow such application to be filed within a further period of sixty days.





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(2) On receipt of the application under sub-section (1), the Central Government may, after giving the aggrieved person a reasonable opportunity of being heard, and after making such further inquiry, as it may consider necessary, pass such order as it thinks fit, confirming, modifying or reversing its decision and the Board shall dispose of the matter in conformity with such order.].

- 6. Revisional powers of the Central Government.—(1) 32[* * *]
- (2) $\frac{33}{5}$ [Subject to the provisions of this Act], the Central Government may, by notification in the Official Gazette, direct that—
 - (a) a film which has been granted a certificate shall be deemed to be uncertified film in the whole or any part of India; or
 - (b) a film which has been granted a "U" certificate 34 [or a 35 ["UA" certificate with any UA marker] or a "S" certificate] shall be deemed to be a film in respect of which an "A" certificate has been granted; or
 - (c) the exhibition of any film be suspended for such period as may be specified in the direction:

Provided that no direction issued under clause (c) shall remain in force for more than two months from the date of the notification.

- (3) No action shall be taken under clause (a) or clause (b) of subsection (2) except after giving an opportunity to the person concerned for representing his views in the matter.
 - (4) During the period in which a film remains suspended under clause (c) of sub-section (2), the film shall be deemed to be an uncertified film.].

²⁶[6-A. Information and documents to be given to distributors and exhibitors with respect to certified films.—Any person who delivers any certified film to any distributor or exhibitor shall, in such manner as may be prescribed, notify to the distributor or exhibitor, as the case may be, the title, the length of the film, the number and the nature of the certificate granted in respect thereof and the conditions, if any, subject to which it has been so granted, and any other particulars respecting the film which may be prescribed.]

³⁷[6-AA. Prohibition of unauthorised recording.—No person shall use any audio-visual recording device in a place licensed to exhibit films with the intention of making or transmitting or attempting to make or transmit or abetting the making or transmission of an infringing copy of such film or a part thereof.

Explanation.—For the purposes of this section, the expression "audio -visual recording device" means a digital or analogue photographic or video camera, or any other technology or device capable of enabling the recording or transmission of a copyrighted cinematographic film or any



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part thereof, regardless of whether audio-visual recording is the sole or primary purpose of the device.]

38[6-AB. Prohibition of unauthorised exhibition of films.—No person shall use or abet the use of an infringing copy of any film to exhibit to the public for profit—

- (a) at a place of exhibition which has not been licensed under this Act or the rules made thereunder; or
- (b) in a manner that amounts to the infringement of copyright under the provisions of the Copyright Act, 1957 (14 of 1957) or any other law for the time being in force.]
- 7. Penalties for contraventions of this Part,—39[(1) If any person—
- (a) without lawful authority (the burden of proving which shall be on such person) alters or tampers in any way any film after it has been certified, he shall be punishable with imprisonment for a term which may extend to three years or with fine which shall not be less than ten lakh rupees, or with both;
 - (b) exhibits or permits to be exhibited in any place, any film-
 - (i) which has not been certified by the Board;
 - (ii) which, when exhibited does not display the prescribed mark
 - (iii) which, when exhibited displays a mark of the Board which has since been altered or tampered with, after the mark has been affixed.

he shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to ten lakh rupees, or with both and in the case of a continuing offence with a further fine which may extend to one lakh rupees for each day during which the offence continues;

- (c) exhibits or permits to be exhibited in any place, a video film in contravention of the provisions of clause (a) or clause (b), he shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to ten lakh rupees, or with both, and in the case of a continuing offence with a further fine which may extend to one lakh rupees for each day during which the offence continues;
- (d) exhibits or permits to be exhibited any film, which has been certified by the Board as "A" within the meaning of this Act to any minor, such person shall be liable to penalty not exceeding ten thousand rupees per person for every such exhibition, levied by the authorised officer in such manner as may be prescribed;
- (e) exhibits or permits to be exhibited any film, which has been





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certified by the Board as "S" within the meaning of this Act, to a person who is not a member of such profession or class, shall be liable to penalty not exceeding ten thousand rupees per person for every such exhibition, levied by the authorised officer in such manner as may be prescribed;

(f) fails to comply with the provisions contained in Section 6-A or with any order made by the Central Government or by the Board in the exercise of any of the powers or functions conferred on it by this Act or the rules made thereunder, he shall be liable to penalty not exceeding five lakh rupees, levied by the authorised officer and in such manner as may be prescribed:

Provided that notwithstanding anything contained in Section 29 of the Code of Criminal Procedure, 1973 (2 of 1974), it shall be lawful for any Metropolitan Magistrate, or any Judicial Magistrate of the First Class specially empowered by the State Government in this behalf, to pass a sentence of fine exceeding five thousand rupees on any person convicted of any offence punishable under this Part under clauses (a) to (c):

Provided further that no distributor or exhibitor or owner or employee of a cinema house shall be liable to punishment for contravention of any condition of endorsement of caution that has been certified as "UA" under this Part.]

40[(1-A) Save as otherwise provided in Section 52 of the Copyright Act, 1957 (14 of 1957), if any person contravenes the provisions of Section 6-AA or Section 6-AB, he shall be punishable with imprisonment for a term which shall not be less than three months, but may extend to three years and with a fine which shall not be less than three lakh rupees but may extend to five per cent of the audited gross production cost.]

- 41[(1-B) Notwithstanding anything contained in this Section—
 - (i) a person aggrieved by a contravention under Section 6-AA or Section 6-AB shall not be prevented from taking suitable action for an infringement under Section 51 of the Copyright Act, 1957 (14 of 1957) or from taking suitable action for computer related offences under Section 66 of the Information Technology Act, 2000 (21 of 2000) or any other relevant laws for the time being in force;
 - (ii) the appropriate Government or its agencies shall not be prevented from taking suitable action against an intermediary as defined under clause (w) of sub-section (1) of Section 2 of the Information Technology Act, 2000 (21 of 2000), where such intermediary acts in the manner as set out under sub-





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section (3) of Section 79 of the said Act or any other law for the time being in force.

Explanation.—For the purposes of this sub-section, the expression "appropriate Government" shall have the same meaning as assigned to it in clause (e) of sub-section (1) of Section 2 of the Information Technology Act, 2000 (21 of 2000).]

- (2) If any person is convicted of an offence punishable under this section committed by him in respect of any film, the convicting court may further direct that the film shall be forfeited to the Government.
- (3) The exhibition of a film, in respect of which an "A" certificate ⁴² [or a "S" certificate or a ⁴³["UA" certificate with any UA marker]] has been granted, to children below the age of three years accompanying their parents or guardians shall not be deemed to be an offence within the meaning of this section.
- 44 [(4) Whoever aggrieved by any penalty imposed under clauses (d) to (f) of sub-section (1) or Section 14, may prefer an appeal to such appellate authority within such period and in such form and manner as may be prescribed.]
- ⁴⁵[7-A. Power of seizure.—(1) Where a film in respect of which no certificate has been granted under this Act is exhibited, or a film certified as suitable for public exhibition restricted to adults is exhibited to any person who is not an adult or a film is exhibited in contravention of any of the other provisions contained in this Act or of any order made by the Central Government, [, the ⁴⁶[High Court]]⁴⁷ or the Board in the exercise of any of the powers conferred on it, any police officer may, ⁴⁸ [* * *] enter any place in which he has reason to believe that the film has been or is being or is likely to be exhibited, search it and seize the film.
- (2) All searches under this Act shall be carried out in accordance with the provisions of the [Code of Criminal Procedure, 1973], (2 of 1974) relating to searches.
- 7-B. Delegation of powers by Board.— $^{49}[(1)]$ The Central Government may, by general or special order, direct that any power, authority or jurisdiction exercisable by the Board under this Act shall, [in relation to the certification of the films under this Part] 50 and subject to such conditions, if any, as may be specified in the order, be exercisable also by the Chairman or any other member of the Board, and anything done or action taken by the Chairman or other member specified in the order shall be deemed to be a thing done or action taken by the Board.
 - 51[(2) The Central Government may, by order and subject to such



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conditions and restrictions as may be prescribed, authorise the regional officers to issue provisional certificates.].

7-C. Power to direct exhibition of films for examination.—For the purpose of exercising any of the powers conferred on it by this Act, the Central Government, ⁵²[the ⁵³[High Court]] or the Board may require any film to be exhibited before it or before ⁵⁴[any person or authority] specified by it in this behalf.

7-D. Vacancies, etc., not to invalidate proceeding.—No act or proceeding of $\frac{55}{8}$ ** *] the Board or of any advisory panel shall be deemed to be invalid by reason only of a vacancy in, or any defect in, the constitution of $\frac{56}{8}$ ** *] the Board or panel, as the case may be.

7-E. Members of the Board and advisory panels to be public servants.—All members of $^{57}[***]$ the Board and of any advisory panel shall, when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code (45 of 1860).

7-F. Bar of legal proceedings.—No suit or other legal proceeding shall lie against the Central Government, $\frac{58}{8}$ [* * *] the Board, advisory panel or any officer or member of the Central Government, $\frac{59}{8}$ [* * *] the Board or advisory panel, as the case may be, in respect of anything which is in good faith done or intended to be done under this Act.]

8. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Part.

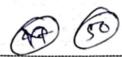
⁶⁰[(2) In particular, and without prejudice to the generality of the foregoing power, rules made under this section may provide for—

- (a) the allowances or fees payable to the members of the Board;
- (b) the terms and conditions of service of the members of the Board;
- $\frac{61}{c}$ (c) the form and manner of making an application to the Board for a certificate under sub-section (1) of Section 4;
- (ca) the manner of examination of film under sub-section (2) of Section 4;
- (cb) the media for exhibition of film and the form and manner of making an application to the Board in this regard under subsection (3) of Section 4;]
- $\frac{62}{(cc)}$ the authorised officer and the manner of levy of penalty by him in terms of clauses (d) to (f) of sub-section (1) of Section 7;
- 63[(cd) the period, form and manner of preferring appeal and





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appellate authority under sub-section (4) of Section 7;]

- (d) the association of regional officers in the examination of films, the conditions and restrictions subject to which regional officers may be authorised under Section 7-B to issue provisional certificates and the period of validity of such certificates;
- (e) the manner in which the Board may consult any advisory panel in respect of any film;
- (f) the allowances or fees payable to the members of advisory panel;
- (g) the marking of the films;
- $(h)^{\frac{64}{1}}[***]$
- $(i)^{\frac{65}{5}}[***]$
- (j) ⁶⁶[* * *]
- $(k)^{67}[***]$
 - (/) the conditions (including conditions relating to the length of films in general or any class of films, in particular) subject to which any certificate may be granted, or the circumstances in which any certificate shall be refused;
 - (m) any other matter which is required to be or may be prescribed.].
- ⁶⁸[(3) Every rule made by the Central Government under this Part shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.].
- 9. Power to exempt.—The Central Government may, by order in writing exempt, subject to such conditions and restrictions, if any, as it may impose, the exhibition of any film or class of films from any of the provisions of this Part or of any rules made thereunder.

Part 3

REGULATION OF EXHIBITIONS BY MEANS OF CINEMATOGRAPHS

10. Cinematograph exhibitions to be licensed.—Save as otherwise provided in this Part, no person shall give an exhibition by means of a cinematograph elsewhere than in a place licensed under this Part or otherwise than in compliance with any conditions and restrictions





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Imposed by such licence.

11. Licensing authority.—The authority having power to grant licences under this Part (hereinafter referred to as the licensing authority) shall be the district magistrate:

Provided that the State Government may, by notification in the Official Gazette, constitute, for the whole or any part of a ⁵⁹[Union Territory], such other authority as it may specify in the notification to be the licensing authority for the purposes of this Part.

- 12. Restrictions on powers of licensing authority.—(1) The licensing authority shall not grant a licence under this Part, unless it is satisfied that—
 - (a) the rules made under this Part have been substantially complied with, and
 - (b) adequate precautions have been taken in the place, in respect of which the licence is to be given, to provide for the safety of persons attending exhibitions therein.
- (2) Subject to the foregoing provisions of this section and to the control of the State Government, the licensing authority may grant licences under this Part to such persons as that authority thinks fit and on such terms and conditions and subject to such restrictions as it may determine.
- (3) Any person aggrieved by the decision of a licensing authority refusing to grant a licence under this Part may, within such time as may be prescribed, appeal to the State Government or to such officer as the State Government may specify in this behalf and the State Government or the officer, as the case may be, may make such order in the case as it or he thinks fit.
- (4) The Central Government may, from time to time, issue directions to licensees generally or to any licensee in particular for the purpose of regulating the exhibition of any film or class of films, so that scientific films, films intended for educational purposes, films dealing with news and current events, documentary films or indigenous films secure an adequate opportunity of being exhibited, and where any such directions have been issued those directions shall be deemed to be additional conditions and restrictions subject to which the licence has been granted.
- 13. Power of Central Government or local authority to suspend exhibition of films in certain cases.—(1) The Lieutenant-Governor or, as the case may be, the Chief Commissioner, in respect of the ²⁰[whole or any part of a Union Territory], and the district magistrate in respect of the district within his jurisdiction, may, if he is of opinion that any film which is being publicly exhibited is likely to cause a breach of the peace, by order, suspend the exhibition of the film and during such





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suspension the film shall be deemed to be an uncertified film in the State, part or district, as the case may be.

- (2) Where an order under sub-section (1) has been issued by the Chief Commissioner or a district magistrate, as the case may be, a copy thereof, together with a statement of reasons therefor, shall forthwith be forwarded by the person making the same to the Central Government, and the Central Government may either confirm or discharge the order.
- (3) An order made under this section shall remain in force for a period of two months from the date thereof, but the Central Government may, if it is of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as it thinks fit.
- 14. Penalties for contravention of this Part.—If the owner or person in charge of a cinematograph uses the same or allows it to be used, or if the owner or occupier of any place permits that place to be used in contravention of the provisions of this Part or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Part, he shall be ^{Z1}[liable to penalty of one lakh rupees and, in the case of a continuing contravention, with a further penalty which may extend to ten thousand rupees for each day during which the contravention continues].
- $\frac{72}{15}$. Power to revoke or suspend licence.—(1) Where the holder of a licence has been convicted of an offence under clauses (a) to (c) of sub-section (1) of Section 7, the licence may be revoked by the licensing authority.
- (2) Where the holder of a licence has been imposed penalty for contravention under clauses (d) to (f) of sub-section (1) of Section 7 or Section 14, the licence may be suspended by the licensing authority for a period not exceeding thirty days:

Provided that in cases of more than three contraventions over a period of three years, the licensing authority, may, for the reasons to be recorded in writing, by order, revoke the licence:

Provided further that no order under this section shall be made without giving the holder of the licence a reasonable opportunity of being heard.]

- 16. Power to make rules.—[(1)]²³ The Central Government may, by notification in the Official Gazette, make rules—
 - (a) prescribing the terms, conditions and restrictions, if any, subject to which licences may be granted under this Part;
 - (b) providing for the regulation of cinematograph exhibitions for securing the public safety;





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(c) prescribing the time within which and the conditions subject to which an appeal under sub-section (3) of Section 12 may be preferred.

24[(2) Every rule made by the Central Government under this Part shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.].

17. Power to exempt.—The Central Government may by order in writing exempt, subject to such conditions and restrictions as it may impose, any cinematograph exhibition or class of cinematograph exhibitions from any of the provisions of this Part or of any rules made thereunder.

Part 4 REPEAL

18. Repeal.—The Cinematograph Act, 1918 (2 of 1918), is hereby repealed:

Provided that in relation to Part A States and Part B States the repeal shall have effect only in so far as the said Act relates to the sanctioning of cinematograph films for exhibition.



¹ For Statement of Objects and Reasons see Gazette of India, 1951, Pt. II, S. 2, p. 220.

^{2.} Omitted by Act 25 of 1973.

^{3.} Subs. by Act 3 of 1959, S. 2, for "Part C States".

⁴ The 28th July, 1952, I. & B. Ministry's Notification No. S.R.O. 1066, dated 10-6-1962, Gazette of India, 1952, Pt. II, S. 3, p. 945.

^{5.} Omitted by Act 12 of 2023, S. 3 (w.e.f. 11-8-2023). Prior to omission it read as:

[&]quot;Provided that Parts I and II shall come into force in the State of Jammu and Kashmir only on such date after the commencement of the Cinematograph (Amendment) Act, 1973, as the Central Government may, by notification in the Official Gazette, appoint."

^{6.} Subs. by Act 49 of 1981 (w.e.f. 1-6-1983).



2.

HIG-8, Residency Colony, South Civil Lines, Jabalpur (M.P.) – 482001 Lawyer's Chamber No. 15, M.P. Bar

Lawyer's Chamber No. 15, M.P. Bar Council Building, High Court Campus, Jabalpur (M.P.) – 482001. elhi: Flat No. 178, Supreme Enclave, Mayur Vihar,

Ph. 1, Delhi - 110091.

Indore: 206, Westland Corporate Building, New Palasia,

Indore - 452001.

Bhopal: E8/26, Trilochan Nagar, Trilanga, Near Shear

Genius Salon, Bhopal - 462039.

28.08.2024

To,
The Secretary,
Ministry of Information and Broadcasting,
Room No. 655-A,
Shastri Bhawan, New Delhi.

Reg: Objectionable picturisation of Sikhs in the upcoming movie Emergency directed by Ms. Kangana Ranaut and produced by Ms Kangana Ranaut and Renu Pitti scheduled to be released on 06.09.2024.

Respected Sir,

Under the instructions from my client, Jabalpur Sikh Sangat, a society registered under the Socieites Registrikaran Adhiniyam, through its president, Sardar Manohar Singh Reel, I serve you with the following request/notice as under:

- My client Jabalpur Sikh Sangat represents the entire Sikh community of the city of Jabalpur and also voices the sentiments of 20 Gurudwaras, 15 schools, 5 colleges, and many other social and charitable organisations run by the Sikh community.
- The movie 'Emergency', directed by Ms Kangana Ranaut and produced by Ms Kangana Ranaut and Renu Pitti is scheduled to be released on 06.09.2024. The trailer of the movie has been released on various social media platforms including YouTube.



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ALL REXURES A

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The entire Sikh community of Jabalpur has seen the trailer of the movie many times.

- 3. In the trailer of the movie Emergency, amritdhari Sikhs donning beard and turban have been shown as brutally killing innocent persons. To make it catchier to the base passions, a sentence has been loudly spoken, "सन्नू चाहिदा है खालिस्तान" meaning "We want Khalistan". A link to the trailer is https://www.youtube.com/watch?v=A2OQ-f_LOHA.
- 4. The history of Sikhs is flooded with sacrifices for protecting Hindus and their religion. Sikhs do not believe in religious persecution and are duty bound to oppose every incident of persecution towards the weak. Portraying amritdhari Sikhs as brutal murderers of people of other religion and the loud proclaim of Khalistan in the trailer of the movie Emergency itself is very damaging and gives us an idea what is going to happen when we see the movie.
- 5. There are about 1.5 lakh Sikhs in the State of Madhya Pradesh as per the census conducted in 2011. Some of them are occupying high posts in government jobs, some are renowned professionals, and some are business magnates. Every Sikh house, aspires to send at least one son in the Indian army. There are 20 Gurudwaras, 15 schools, 5 colleges, and many social and charitable organisations being run by the Sikh community in the

Contact: +91-8085086160, Email: ruprahlegal@gmail.com

Office Manager: Mr. Deepak Gupta







Jackelpur: (Head Office) HTG-S, Residency Colony, Scuth Civil Umes, Jabalpur (M.P.) – 483001, Lawyer's Chamber No. 15, M.P. Bar Council Building, High Count Compus,

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city of Jabalpur itself which are giving yeomen service. The Sikhs have owned each and every inch of the country and their patriotism and fervour to maintain the unity and integrity of the country and to serve its people is incomparable.

- 6. We have been registering our protest time and again against all secessionist ideas which may be initiated abroad or by a very handful in India. The Sikh and Hindu community are intertwined and it is very difficult for anyone to ascertain that whether a Punjabi is a Sikh or a Hindu. Arranged marriages also take place between the two religions because of unparallelled glorification of the Hindu deities in Shri Guru Granth Sahib. In addition, in many parts of the State of Madhya Pradesh, one can find Hindi speaking Sikhs who are living there from last more than 300 years. They became Sikhs at the time of Shri Guru Hargobind Sahib Ji, the sixth Sikh guru.
- The purpose of stating all this is to communicate the extent to which the Sikh and Hindu community are amalgamated.
- 8. We invite the kind attention to the Fundamental Duty No. (e) enshrined in the Article 51A of the Constitution of India which is reproduced as under:

to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;







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Bhopal: E8/26, Trilochan Nagar, Trilanga, Near Shear

Genius Salon, Bhopal - 462039.

The depiction of Sikhs in the manner as has been done in the trailer of Emergency shocks us and appears to be a calculated design to spread communal disharmony.

- 10.Under these circumstances, we humbly request you to swing into action and ban the screening of the film Emergency produced and directed by Ms Kangana Ranaut to be released on 06.09.2024 as it will disturb the peace of the city of Jabalpur as well as the State of Madhya Pradesh.
- 11.Needless to add, that if an immediate action is not taken by your good office, we shall be constrained to move the High Court of Madhya Pradesh in which case you will be liable for costs and consequences.

With regards

Yours sincerely

Narinderpal Single Ruprah



Navtej Singh Ruprah <navtej@ruprahlegal.co.in>

8/28/2024 3:57 PM

Protest against film Emergency directed by Ms Kangana Ranaut and request for its ban.

To secy.inb@nic.in

Dear Sir

Please find attached herewith a Request/Notice drafted and being sent to you by senior partner of Ruprah Legal Chambers, Mr Narinderpal Singh Ruprah Adv for your information and necessary action.

Kind regards Navtej Singh Ruprah

Tel: +919899463084 | +447341245828

Website: www.ruprahlegal.co.in Email: navtej@ruprahlegal.co.in

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Legal Notice - Emergency 1.pdf (1 MB)





ANNEXUREP/9

Jabalpur: (Head Office)

2.

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29.08.2024

To,
The Chairman,
Madhya Pradesh State Commission for Minorities,
Government of Madhya Pradesh,
74-B, Sector B, Sai Baba Nagar,
Bhopal, Madhya Pradesh.

Subject: Representation on the Objectionable Depiction of Sikhs in the

Upcoming Movie 'Emergency' Produced and Directed by Ms.

Kangna Ranaut.

Respected Sir,

Under the instructions from my client, Shri Guru Singh Sabha, Indore, 83, Jawahar Marg, Guru Nanak Chowk, Indore, M.P., a society registered under the M.P. Societies Registrikaran Adhiniyam, through its President, Sardar Manjeet Singh Bhatia, I serve you with the following representation to bring to your attention a serious concern regarding the portrayal of the Sikh community in the upcoming movie 'Emergency', produced and directed by Ms. Kangana Ranaut.

 My client, Shri Guru Singh Sabha, Indore, is a society registered under M.P. Societies Registrikaran Adhiniyam with Registration No. 22/1944-45, having a voter list of 11,687 Sikhs in Indore. It manages 7 Gurudwaras, including the historical Gurudwara Shri Imli Sahib, Indore, and oversees the management of 32 Gurudwaras in Indore. As









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such, it is a legitimate representative of the Sikh community's sentiments.

- 2. The movie 'Emergency' is scheduled for release on 06.09.2024, and the trailer has already been released on various social media platforms. The Sikh community in Indore has expressed grave concern over the portrayal of Amritdhari Sikhs in the film, who are shown as brutal murderers with statements like "We want Khalistan." This depiction is highly offensive and is likely to incite communal tensions, spreading a false narrative about Sikhs.
- 3. Shri Guru Tegh Bahadur Ji, the 9th Sikh Guru, laid down his life to protect the religious freedom of Hindus against Mughal oppression. This act of supreme sacrifice stands as a testament to the Sikh community's commitment to protecting all religions. The film's portrayal of Sikhs as violent perpetrators directly contradicts their historical role and is a gross misrepresentation of their identity.
- 4. The Cinematograph Act, 1952, particularly Section 5B, prohibits certification of films that may disrupt public order or promote communal disharmony. We believe this film violates these provisions, as it is likely to incite communal tensions between Sikhs and other communities. We request the Commission to raise this issue with both the State and Union governments and also the Central Board of Film Certification (CBFC).
- 5. The depiction of Sikhs in this manner constitutes a violation of Section 196 of the Bhartiya Nyaya Sanhita, which prohibits promoting enmity between different groups based on religion, race, or place of birth. Such







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a portrayal is dangerous, not only for Sikhs but also for the broader public order of Madhya Pradesh.

- 6. Article 21 of the Constitution of India, which guarantees the right to life and personal dignity, is also at stake here. The false portrayal of Amritdhari Sikhs as violent actors infringes upon their right to live with dignity, harming their social standing and security.
- 7. The Sikh community has a significant presence in Madhya Pradesh, with over 1.5 lakh Sikhs (as per 2011 census) living in the State, contributing to various sectors like government service, business, and the armed forces. They have always upheld India's unity and integrity, and this portrayal is an attempt to malign their image.
- 8. The constitution applies to all citizens equally. However, it is expected of a Member of Parliament (Lok Sabha) such as Ms. Kangna Ranaut, being one from Mandi constituency to uphold her fundamental duty under Article 51A(e) of the Constitution of India. It appears by watching the trailer of the movie 'Emergency' that she has failed to do so for her personal commercial gain.
- 9. We request the Madhya Pradesh State Commission for Minorities to urgently address this issue by taking the following steps:
 - a. Intervene with the State and Union Governments to prevent the release of this film in its current form, as it is likely to cause communal unrest.
 - Engage with the CBFC to either impose significant cuts or withhold certification until the objectionable parts are removed.

Office Manager: Mr. Deepak Gupta Contact: +91-8085086160, Email: ruprahlegal@gmail.com







2.

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Genius Salon, Bhopal - 462039.

c. Urge the State Government to ban the screening of the movie in Madhya Pradesh as a preventive measure to maintain public peace and order.

10. Failure to take immediate action could lead to unrest, which may result in severe consequences. We also reserve the right to file legal petitions under relevant laws to protect the rights of the Sikh community.

With due regard, we hope that your esteemed Commission will take this representation seriously and take swift steps to address the concerns of the Sikh community in Madhya Pradesh.

Yours sincerely,

Jarinderpal Singh Ruprah





Representation on the
Objectionable Depiction of Sikhs in
the Upcoming Movie Emergency
Produced and Directed by Ms.
Kangana Ranaut.

From: Navtej RLC

navtej@ruprahlegal.co.in

To: mpminoritycomm@gmail.com mpminoritycomm@gmail.com, secretary.mpsmc@mp.gov.in secretary.mpsmc@mp.gov.in

Sent: Friday, 30 August at 12:54 pm

Dear Sir/Madam,

I hope this message finds you well.

On behalf of Mr Narinderpal Singh Ruprah, Senior Partner at Ruprah Legal Chambers, and representing Shri Guru Singh Sabha, Indore, I am attaching a formal request concerning the objectionable depiction of Sikhs, a minority community, in the upcoming movie 'Emergency', directed by Ms. Kangna Ranaut, produced by Ms, Kangna Ranaut, Ms Renu Pitti, and Mr Umesh Kr Bansal, and scheduled for release on 06.09.2024.

The attached request/notice outlines the concerns of Sikh community regarding the film's trailer, which presents a harmful portrayal of Sikh community. The content, as it stands, threatens communcal harmony and misrepresents the Sikh faint in a deeply offensive manner.

We kindly request your urgent attention to this matter and take the necessary steps to prevent the release of the film in its current form. Should you require any



additional information or wish to discuss this further, please feel free to contact us.



We look forward to your prompt response.

Best regards Navtej Singh Ruprah On behalf of Mr Narinderpal Singh Ruprah

Mobile: 9899463084

Email: navtej@ruprahlegal.co.in

Attachment:

 Formal request/notice regarding the objectionable depiction of Sikhs in the movie 'Emergency'.

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2.

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Indore - 452001.

Bhopal: E8/26, Trilochan Nagar, Trilanga, Near Shear

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30.08.2024

To,
The Chairman,
Central Board of Film Certification (CBFC),
9th Floor, Phase I, Films Division Complex,
24, Dr. G. Deshmukh Marg,
Mumbai, Maharashtra - 400026.

Subject:

Objection/Protest against passing of the movie 'Emergency' from censor board with the certificate U/A scheduled for release on 06.09.2024.

Respected Sir,

Under the instructions from my client, Shri Guru Singh Sabha, Indore, 83, Jawahar Marg, Guru Nanak Chowk, Indore, M.P., a society registered under the M.P. Societies Registrikaran Adhiniyam, through its President, Sardar Manjeet Singh Bhatia, I serve you with the following request/notice as under:

- 1. My client, Shri Guru Singh Sabha, Indore, is a society registered under M.P. Societies Registrikaran Adhiniyam having its Registration No. as 22/1944-45, and represents 11,687 Sikhs of Indore. It manages 7 Gurudwaras, including the historic Gurudwara Shri Imli Sahib, Indore, and oversees the management of 32 Gurudwaras in Indore city. Therefore, my client is a true representative of the Sikh community's sentiments in Indore.
- 2. The movie Emergency, produced and directed by Ms. Kangana Ranaut, is scheduled for release on 06.09.2024. The trailer of the movie has been released on social media platforms like YouTube and has been viewed extensively by the Sikh community of Indore.







2.

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- 3. In the trailer, Amritdhari Sikhs donning beard and turban are shown brutally killing innocent persons, accompanied by the statement "We want Khalistan." This depiction promotes harmful stereotypes that are likely to incite religious and communal tensions.
- 4. The Cinematograph Act, 1952, in Section 5B, mandates that films should not be certified if any part of their content is likely to harm "the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency, or morality, or involve defamation or contempt of court or is likely to incite the commission of any offence." We firmly believe that this film violates Section 5B(1) as it is likely to incite communal disharmony and public disorder by maligning the Sikh community and promoting dangerous stereotypes.
- 5. Sikhs have a long history of sacrifice and protecting other religions, especially Hindus. Shri Guru Tegh Bahadur Ji, the 9th Sikh Guru, laid down his life at the hands of the Mughals to protect Hindus and their religious freedom. Depicting Amritdhari Sikhs as perpetrators of violence is a gross misrepresentation of history and goes against the core Sikh tenet of defending the oppressed.
- 6. The presence of a Sikh in gatherings, especially an Amritdhari Sikh, provides a sense of security and solace to those around. Sikhs are historically known to stand against oppression, as guided by Shri Guru Granth Sahib Ji, and this principle should not be distorted for cinematic effect. As per the Bhartiya Nyaya Sanhita, Section 196, promoting







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enmity between different groups based on religion or race is a punishable offense, and this film risks violating this provision.

- 7. Further, Section 5A(3) of the Cinematograph Act allows the CBFC to impose cuts or modifications in a film if it is found to violate the conditions laid down in Section 5B. We strongly urge that you invoke your powers under these provisions and either direct necessary modifications to the film or prevent its release altogether to safeguard public order.
- 8. There are around 1.5 lakh Sikhs in Madhya Pradesh, many of whom serve in high-ranking government positions, the armed forces, and private enterprises. The Sikh community has been integral to India's nation-building and patriotism. The depiction of Sikhs in Emergency threatens to harm their image and instill fear or mistrust in the broader society.
- 9. Under Article 19(2) of the Constitution of India, the right to freedom of speech and expression is subject to "reasonable restrictions" concerning public order, decency, morality, and security of the State. Given the nature of the portrayal in this film, these restrictions should be applied to prevent potential communal violence and unrest in Madhya Pradesh.
- 10. In addition, Article 21 of the Constitution guarantees the "right to life and personal liberty." This portrayal of Sikhs is detrimental to their dignity and security, violating their fundamental rights under this article. The Supreme Court of India has time and again ruled that the right to life includes the right to live with dignity.





2.

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tawyer's Chamber No. 15, M.P. Bar Council Building, High Court Campus, Jabalpur (M.P.) – 482001. Defhi: Flat No. 178, Supreme Enclave, Mayor Vilhar,

Ph. 1, Dethi-110091.

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Shopal: £8/25, Trilochan Nagar, Trilanga, Near Shear

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11. We have received news that the film 'Emergency' has been certified by CBFC as U/A on 29.08.2024 and has passed the censorship board. Given the aforementioned circumstances, we humbly request you to take immediate steps to halt the certification or exhibition of the film in its current form under your authority as per the Cinematograph Act, 1952, and recommend appropriate modifications that respect the sentiments of the Sikh community and maintain communal harmony. If the release of the film is not stopped or modifications are not made, we reserve our right to take legal recourse, including filing petitions under relevant laws in the High Court of Madhya Pradesh.

Needless to add, should your office fail to take prompt action, we will be compelled to initiate legal proceedings, holding you responsible for any communal tension or violence that may ensue following the release of this movie.

With best regards,

Yours sincerely.

arinderpal Singh Ruprah



Office Manager: Mr. Deepak Gupta





Objection/Protest against passing of movie 'Emergency' from censor board with U/A certificate scheduled for release on 06.09.2024

From: Navtej RLC navtej@ruprahlegal.co.in

To: chairperson.cbfc@nic.in chairperson.cbfc@nic.in

Cc: ceo.cbfc@nic.in ceo.cbfc@nic.in,

sraomum.cbfc@gov.in sraomum.cbfc@gov.in

Sent: Friday, 30 August at 1:16 pm

Dear Sir/Madam,

I hope this message finds you well.

On behalf of Mr Narinderpal Singh Ruprah, Senior Partner at Ruprah Legal Chambers, and representing Shri Guru Singh Sabha, Indore, I am attaching a formal request concerning the objectionable depiction of Sikhs, a minority community, in the upcoming movie 'Emergency', directed by Ms. Kangna Ranaut, produced by Ms, Kangna Ranaut, Ms Renu Pitti, and Mr Umesh Kr Bansal, and scheduled for release on 06.09.2024.

The attached request/notice outlines the concerns of Sikh community regarding the film's trailer, which presents a harmful portrayal of Sikh community. The content, as it stands, threatens communcal harmony and misrepresents the Sikh faint in a deeply offensive manner.

We kindly request your urgent attention to this matter and take the necessary steps to prevent the release of the film in its current form. Should you require any additional information or wish to discuss this further, please feel free to contact us.

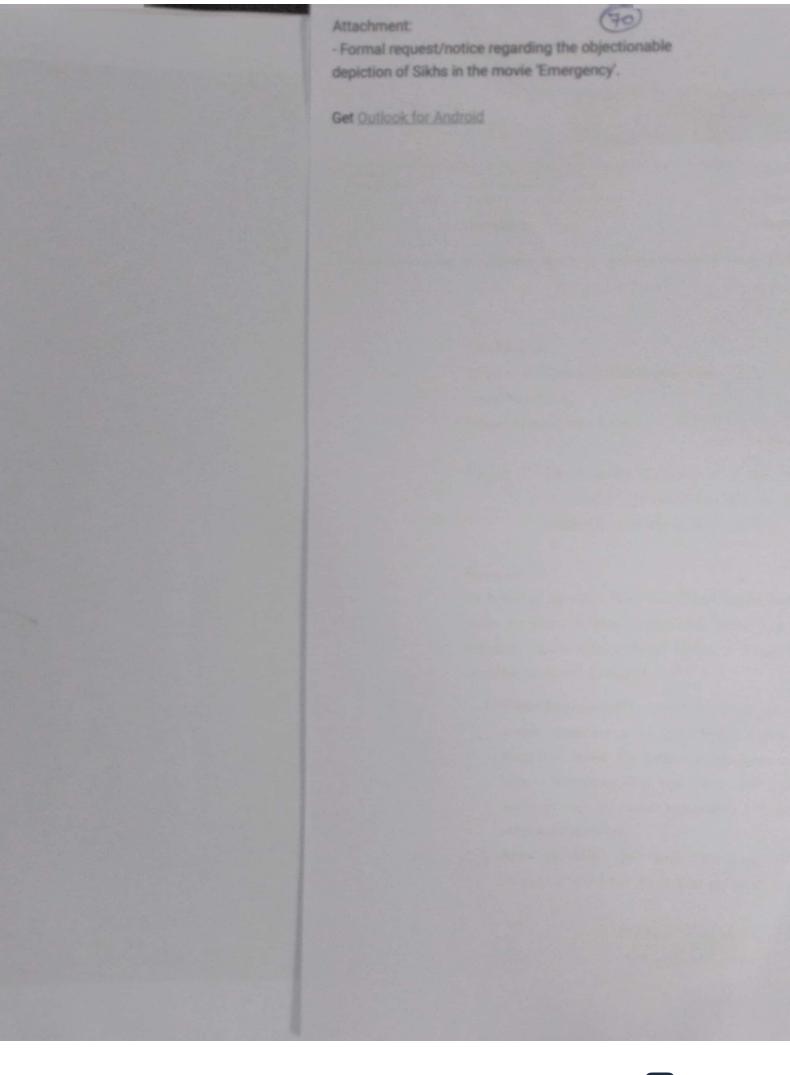
We look forward to your prompt response.

Best regards Navtej Singh Ruprah On behalf of Mr Narinderpal Singh Ruprah

Mobile: 9899463084

Email: navtej@ruprahlegal.co.in







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Flat No. 178, Supreme Enclave, Mayur Vihar,

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Indore - 452001.

Bhopal: E8/26, Trilochan Nagar, Trilanga, Near Shear

Genius Salon, Bhopal - 462039.

29.08.2024

To,

The Secretary,

Ministry of Information and Broadcasting,

Room No. 655-A,

Shastri Bhawan, New Delhi.

Subject:

Objectionable depiction of Sikhs in the upcoming movie 'Emergency', produced and directed by Ms. Kangana Ranaut,

scheduled for release on 06.09.2024.

Respected Sir,

On behalf of my client, Shri Guru Singh Sabha, Indore, a society registered under the M.P. Societies Registrikaran Adhiniyam and represented by its President, Sardar Manjeet Singh Bhatia, I submit the following concerns regarding the movie 'Emergency':

- Client Representation: Shri Guru Singh Sabha, Indore is a registered society (Registration No. 22/1944-45) with a membership of 11,687 Sikhs from Indore. The Sabha manages seven Gurudwaras, including the historic Gurudwara Shri Imli Sahib, and supervises 32 Gurudwaras across the city. It is a true representative of the sentiments of the Sikh community in Indore.
- 2. About the Film: The movie 'Emergency', directed by Ms. Kangana Ranaut, is scheduled for release on 06.09.2024. The trailer, widely







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circulated on social media platforms such as YouTube, has been viewed by the Sikh community of Indore.

- 3. Depiction of Sikhs: The trailer depicts Amritdhari Sikhs, recognizable by their beard and turban, as perpetrators of violence, shown killing innocent individuals. Furthermore, a provocative statement, "We want Khalistan," is made in the trailer, which fuels base emotions and misrepresents the Sikh identity.
- 4. Historical and Cultural Context: The Sikh community has a long history of sacrifices made in the defense of others, particularly Hindus, and stands firmly against religious persecution. A profound example of this commitment is the martyrdom of Shri Guru Tegh Bahadur Ji, the Ninth Guru of the Sikhs, who laid down his life at the hands of the Mughal regime to protect Hindus and their religion from forced conversions. His ultimate sacrifice serves as a testament to Sikhism's core principles of defending the oppressed and upholding justice, irrespective of religious differences.
- 5. Impact on Public Perception: The mere presence of a Sikh donning a turban and beard, especially an Amritdhari Sikh, is traditionally seen as a symbol of protection and peace. Depicting them as violent or promoting separatist ideologies like Khalistan goes against the very ethos of Sikhism, as encapsulated in the quote, "सूरा सो पहचानिए जु लरे दीन के हेत, पुरजा पुरजा किट मरे कबहु न छाड़ै खेतु" (A true warrior is one who dies on the battlefield fighting for the rights of the downtrodden, even if it costs him his life).



(73)

Jabalpur: (Head Office)

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6. Contribution of Sikhs in M.P.: There were approximately 1.5 lakh Sikhs in Madhya Pradesh as per the 2011 census. Today there may be more than 2 lakh Sikhs. They have made significant contributions across various sectors – from government service to business, from education to charitable work. Indore alone has 32 Gurudwaras, along with several schools, colleges, and social welfare organizations run by the Sikh community. Their patriotism and commitment to the unity and integrity of the nation are unparalleled.

- 7. Unity of Sikh and Hindu Communities: The Sikh and Hindu communities in Madhya Pradesh share deep historical and cultural ties. Many families in the region have intermarried, and their religious traditions often overlap. Sikhism, through its teachings, has always promoted unity and respect among all religions, as seen in the glorification of Hindu deities in Shri Guru Granth Sahib Ji, Guru incarnate of the Sikhs. Moreover, the sacrifices of Sikh Gurus, particularly Guru Tegh Bahadur Ji, who gave his life to protect Hindus from religious oppression, are vivid reminders of the intertwined history of the two communities.
- 8. Appeal to the Constitution and Fundamental Duties: We draw your attention to Fundamental Duty (e) under Article 51A of the Constitution of India, which calls for promoting harmony and brotherhood, transcending religious and regional differences. This idea is rooted in the Sikh principle of "मानस की जात सबै एकै पहचानबो" (Recognize the entire human race as one). Although, the constitution applies to all Indians equally. However, it is expected that elected Member of







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2. Lawyer's Chamber No. 15, M.P. Bar Council Building, High Court Campus, Jabalpur (M.P.) - 482001.

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Ph. 1, Delhi - 110091.

206, Westland Corporate Building, New Palasia, Indore:

Indore - 452001.

Bhopal: E8/26, Trilochan Nagar, Trilanga, Near Shear

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Parliaments, such as Ms Kangana Ranaur, uphold these constitutional values in their personal and professional capacities, especially when working for their commercial gain.

9. Grave Concern and Legal Recourse: The portrayal of Sikhs in the Emergency trailer is both harmful and divisive. It appears to be a deliberate attempt to create communal tension and misrepresent the Sikh faith, which could disturb the peace and harmony of Indore and the state of Madhya Pradesh.

In light of these concerns, we respectfully request that the Ministry to take immediate steps to prevent the release of the film in its current form, as it endangers the peace and social fabric of the state. If no action is taken, we shall be compelled to approach the High Court of Madhya Pradesh for appropriate legal remedies, holding your office accountable for any consequences.

With regards,

Yours sincerely

yarinderpal Singh Ruprah



Urgent Representation Regarding Objectionable

Depiction of Sikhs in the Movie 'Emergency' of Ms

Kangana Ranaut, Member of Parliament.

From: Navtej RLC navtej@ruprahlegal.co.in

To: secy.inb@nic.in secy.inb@nic.in
Sent: Friday, 30 August at 2:34 am

Dear Sir,

I hope this message finds you well.

On behalf of Mr. Narinderpal Singh Ruprah, Senior Partner at Ruprah Legal Chambers, and representing Shri Guru Singh Sabha, Indore, I am attaching a formal notice concerning the objectionable depiction of Sikhs in the upcoming movie 'Emergency', directed by Ms. Kangana Ranaut, produced by Ms Kangana Ranaut, Ms Renu Pitti, and Mr Umesh Kumar Bansal, and scheduled for release on 06.09.2024.

The attached notice outlines our concerns regarding the film's trailer, which presents a harmful portrayal of Sikh community. The content, as it stands, threatens communal harmony and misrepresents the Sikh faith in a deeply offensive manner.

We kindly request your urgent attention to this matter and take the necessary steps to prevent the release of the film in its current form. Should you require any additional information or wish to discuss this further, please feel free to contact us.

We look forward to your prompt response.

Best regards, Navtej Singh Ruprah On behalf of Mr. Narinderpal Singh Ruprah

Mobile: 9899463084

Email: navtej@ruprahlegal.co.in

Attachment:

 Formal notice regarding the objectionable depiction of Sikhs in the movie 'Emergency'.

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APPENDIX-I A FORMAT OF VAKALATNAMA [Rule 4(1) of the Rules framed under the Advocates Act, 1961] IN THE HIGH COURT OF MADHYA PRADESH PRINCIPAL SEAT AT JABALPUR

WP Case/Proceedings No.-.../2024 Plaintiff/Appellant/ Claiman/Petitioner/Applicant..... Takalpur Defendant/Nonapplicant/Respondent/ ..

*Plaintiff/ Appellant/ Claimant/ Petitioner/ Defendant/ Respondent/ Non-applicant named below do hereby appoint, engage and authorize advocate (s) named below to appear, act and plead in aforesaid case/ proceedings, which shall include applications for restoration, setting aside of ex-parte orders, correction, modifications, review and recall of orders passed in these proceedings, in this court or in any other court in which the same maybe tried/ heard/ proceeded with and also in the appellate, revisional or executing Court in respect proceedings arising from this case/ proceedings as per agreed terms and conditions and authorize him/ them sign and file pleadings, appeals, cross

objections, petitions, applications, affidavits, other documents OF as may deemed necessary proper for the prosecution/ defence of the said case In all stages and also agree to rate and confirm acts done by him/ as if them done by me/ us:

presents, the contents of wh this......day of do hereunto set my/ our hand which been have duly understood by. this......2023

Particulars (In block letters)of each Party Executing Vakalatnama Name& E-Mail Registered Status in Telephone Full Signatures/ Father's/ Address Address Number the case **Thumb Husband's (if-any) (if-any) Impression Name (1) (2)(3)(4)(5) (6)

(1) Dalver Styl Resal Kali Badi mardir Road gup whom wan

Polizion No. 7

(3)

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(4)

Accepted:

Particulars (in block letters) of each advocate Accepting Vakalatnama

| Full name & Enrollment No. in State Bar | Address for Service | | | Telephone Number (if any) | Full Signature | |
|---|------------------------|--|-----|---------------------------------|-------------------|--|
| Council (1) | (2) | | (3) | (4) | (5) | |

(1) N.S.RUPRAH Er. No. 707/1984

HIG-8, Residency colony, Near Head Post Office,

nsruprah@rediffmall.com

9425157518

(2) Mrs. AMRIT RUPRAH Er.No.-317/1986

Civil Lines, Jabaipur (MP) -do-

9826260082

(3) NAVTEJ S. RUPRAH Er.No.- 1375/2018 -do-

99899463084

(F) Bhavech Parwani ENO. 6302/23 7879141388





[Rule 4(1) of the Rules framed under the Advocates Act, 1961]

In The High Cour of MP. Roucipal Seal At Jabalpun

Jabalpur Silch Sangal-

MP /24Applicant

Versus

Wion of India

Respondent

I/ We the *Plaintiff/ Appellant/ Claimant / Petitioner/ Appellant or Defendant/ Respondent/ Non-applicant named below do hereby appoint, engage and authorize advocate (s) named below to appear, act and plead in aforesaid case/ Proceedings, which shall include applications for restoration, setting aside of ex-parte orders, corrections, modifications, review and recall of orders passed in these proceedings, in this Court or in any other Court in which the same may be tried/ heard/ proceeded with and also in the appellate, revisional or executing Court or in any other Court in respect of proceedings arising from this case/ proceedings as per agreed terms and conditions and authorize him/ them to sign and file pleadings, appeals, cross objections, petitions, applications, affidavits, or other documents as may be deemed necessary or proper for the prosecution/ defence of the said case in all its stages and also agree to ratify and confirm acts done by him/ them as if done by me/us:

In witness whereof I/we do hereunto set my/ our hand to these presents, the contents of which have been duly understood by me/us, this 20 Day of 08 2024

| Name and Father's name / | Registered | Email | Telephone | Status in | Full signature / Thumb Impression |
|---|---|-------------|-----------|-----------|-----------------------------------|
| Husband's name | Address | Address | Number | the case | |
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| Name & Enrolment Number | Address for service | Email Address | Telephone Number | Full signature |
|----------------------------|---------------------------------------|-------------------|---------------------|----------------|
| N.S. Rupsah 707/84 | HIG. & Residency Colony Neor | | 9425157578 | 167 |
| Mrs. Amril Pupal 317/86 | Head Post-affice Civil lines Jubly | h | 9826260082 | Maybe |
| Navlej S. Rupah 1375/18 | 7 4/2 | | 9899463084 | 1 |
| Blavesh Parway 6302/23 | | | - 2 - 1 | Blows |
| | | 76 77 Ngg* 5.3 | | |

Score out which ever is not applicable.

The thumb impression shall be attested by a literate person giving above particulars