

Recently Proposed Amendments To Cinematograph Act Tightens Noose On Violators

# FILM PIRACY LAW GETS TEETH, BUT CAN IT BITE THE VIOLATORS?

Neeraja Ramesh & Srimathi Sridharan | TNN

**T**he bane of technology and a nightmare of filmmakers are bootleg recording websites such as Tamil Rockers. The Indian film industry which roughly makes around \$2 billion every year loses a chunk of its revenue when films are leaked online ahead or within days of the official release of the film. But things may be about to change with the recently proposed amendments to the Cinematograph Act, 1952, that will arm the film industry to combat the menace of film piracy better.

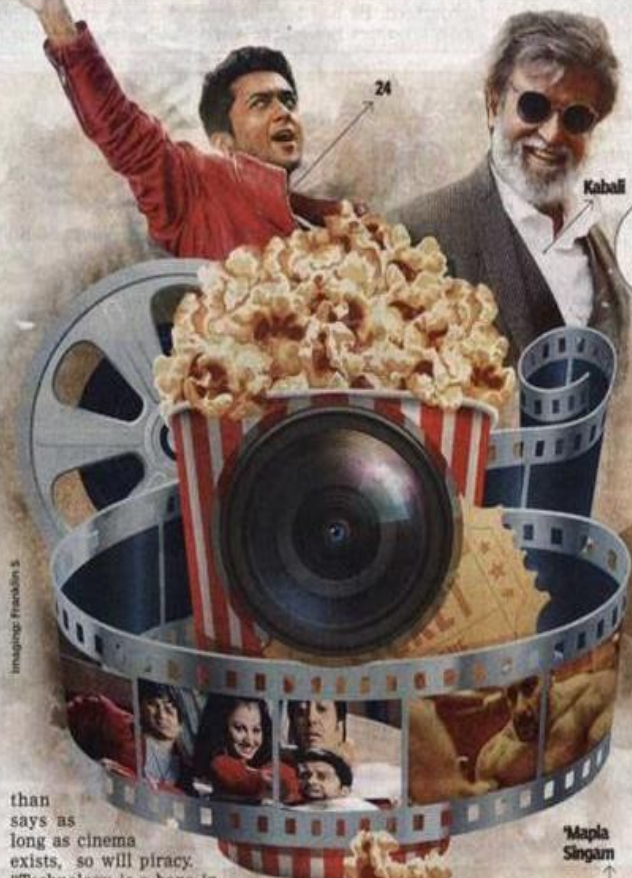
In Tamil Nadu, the government has also invoked the Goondas Act for film piracy, but nailing offenders has never been easy because of poor implementation of laws and lack of consciousness among people. The narrative has still not changed and illegal prints only seem to have grown. A law can only be passed, but a robust method is required to curb illegal activity, says producer and founder-dean of BOFTA G Dhananjayan. "Everything boils down to implementation. Police feel piracy is not a priority. If the government can ensure plastic ban overnight, why not show the same vigour in this issue."

Experts believe professionals, who know the matrix of piracy with connections to point people from the industry and theatre owners, work together to leak big-budget films online within an hour or two of their release. Simultaneously, copies on CDs are also made to be sold in the market. One person records the film in a lesser-known theatre, while another records the audio of the movie in a theatre with a good sound system. A team then merges the two.

A Tamil cinema DVD seller, on condition of anonymity, said piracy is mostly an insider's job. "People from rival production companies or those from the creative department secretly release the movie online or circulate it as DVDs to hit the collection at the box office." But in most cases the visual is recorded in Andhra Pradesh, where they don't have a strict vigil for Tamil movies, when compared to Telugu ones. Explaining the process, the seller says, the movie is recorded in parts. "If you check out the movies online, you can see the movie has been divided into four or five parts and have several cuts. They are mostly recorded outside Tamil Nadu, in Sri Lanka or Canada." Another industry source said insiders in the censor board and distribution houses sell these copies for up to ₹5 lakh. The copies are uploaded on private portals that have dedicated passkeys. For a few lakhs of rupees, these copies can be downloaded and replicated on DVD.

Kerala and Karnataka are way ahead when it comes to tackling the problem, feels Dhananjayan. "You will not find pirated versions of their movies as the governments there have strict rules in place. In countries like Australia, once someone downloads a pirated version, the government sends a notice. It is up to the government [here] to take the law forward."

President of Nadigar Sangam Nassar believes the audience has the power to stop piracy. "They should understand that movies are made in a particular format to be enjoyed on the big screen." The actor feels akin to Hindi films, telecasting or DVD rights of Tamil movies should be granted within a month to dissuade the audience from watching poor pirated versions. Producer, distributor and exhibitor Abirami Ramana-



Imaging: Franklin S.

than says as long as cinema exists, so will piracy. "Technology is a bane in many ways. Earlier labs had the control of film negatives, but now it is on a hard disk which moves from person to person, thereby exposing the original to a large section of people."

Technology also offers solutions. For instance, UFO Moviez digital cinema systems provides a watermarking feature, wherein the system creates a unique fingerprint when projecting the movie on the screen. Using this security feature, it is possible to trace from a pirated copy, the name and location of the theatre where the film was illegally video-graphed, along with time and date, thus helping to zero in on the violators. Rajesh Mishra, chief executive officer, UFO Moviez, India, says, "We welcome the government's initiative, to introduce the anti-camcording provision as part of the Cinematography Act. This will give teeth to the law."



'Mapla Singam'

## MAKING THE LAW STRONGER

Proposed amendments to Cinematograph Act

> To check piracy, particularly release of pirated versions of films online, which causes losses to the film industry and the exchequer. The bill proposes to make film piracy offences punishable with imprisonment of up to three years and fines that may extend to ₹10 lakh, or, both



> The proposed amendment states that any person, who, without the written authorization of the copyright owner, uses any recording device to make or transmit a copy of a film or abet the making of such a copy, will be liable for such a punishment



> Proposed amendments will increase industry revenues, fulfil objectives of India's National Intellectual Property policy and give relief against piracy and infringing content online

> Recent films affected by piracy include 'Uda Punjab', 'Great Grand Masti' and 'Sultan' in Hindi, and '24' and 'Kabali' in Tamil. Vemal's 'Mapla Singam' was leaked a month before its release

**“** Piracy can happen anytime and anywhere. Hackers always find loopholes to leak the movie online, even a Goondas Act did not deter them from doing so. We have a long way to go. Youth are the biggest consumers, they must be educated about the menace that is affecting the industry



— Abirami Ramananathan | PRODUCER-DISTRIBUTOR-EXHIBITOR

