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IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.38227 of 2021
(Through hybrid mode)

Bobby Islam

....

Petitioner

Ms. B. Sahoo, Advocate

-versus-

State of Odisha and others

....

Opposite parties

Mr. P.C. Panda, AGA

CORAM: JUSTICE ARINDAM SINHA

ORDER
13.12.2021

Order No.

02. 1. On 10th December, 2021 the following order was made:-

“1. Ms. Sahoo, learned advocate appears on behalf of petitioner and submits, two films, which have been selected on several categories in impugned select list for award, are ineligible for entry under rule 3(b) in Orissa State Awards for Films Rules, 2010. She submits, the two films are called ‘Khusi’ and ‘Golmal Love’ are not original films.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and submits, he will obtain instructions. Ms. Sahoo submits, dates of awards are fixed for 14th and 15th December, 2021.”

3. List on 13th December, 2021 at the top under heading “For orders.”

2. Mr. Panda, learned advocate, Additional Government Advocate appears on behalf of State and hands up instruction memo dated 12th December, 2021 issued by Director and Additional Secretary to

Government. WWW.LIVELAW.IN The memo states, *inter alia*, as per rule dubbed/ revised/copied/remake version of films are ineligible for entry to State Film Awards. In this connection following was said:-

“The applicants for entry of Films ‘Khusi’ and ‘Golmal Love’ to 31st Odisha State Film Awards, 2019 had clearly mentioned in the entry forms that these two films are not dubbed version or an adaptation or remake of film made in another language.”

3. The memo goes on to say:-

“Further, I am to intimate that the content of the petitioner’s film is stated to have contained immoral sexually explicit acts and had the potential of creating a furore, if granted the award. It could have spoilt the social harmony of the society as the so called perpetrators of the story of the film belonged to a particular caste/community. The petitioner has stated in Para 6 that ‘Chhabirani’ shows pure Odia tradition & culture. Unfortunately, the kind of violence, rape, murder & political mafiaism are in no way part of Odia tradition and culture.

Also, the second half of the Film was a blatant copy of a superhit Hindi movie of the 90s, namely ‘Andha Kanoon’ and has made a mockery of the Judicial system by portraying unethical practices. The grisly rape and murder was shown in a manner, unfit for family viewing.”

4. It appears from the memo, reliance was placed on applicant’s entry regarding films ‘Khusi’ and ‘Golmal Love’. However, petitioner’s film was apparently seen, for the comments in regard thereto set out above. It will appear from extract of order dated 10th December, 2021 that the question posed was regarding films ‘Khusi’ and ‘Golmal Love’. There was no mention of petitioner’s film.

5. The ceremony scheduled to be held tomorrow will stand postponed. State, through its concerned functionary, will re-evaluate all entries for awards. On such re-evaluation, result will be made known to petitioner and all concerned. In event petitioner reports to this Court that his grievance has been taken care of or there is required adjudication, the ceremony will be held post order of disposal of the writ petition. It must be recorded that Mr. Panda submitted, petitioner's film will be screened.

6. List on 7th January, 2022 as prayed for by Mr. Panda.

Prasant

