

# INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

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Volume 6 | Issue 2

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2023

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# Case Study: S. Rangarajan v. P. Jagjivan Ram (1989)

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## ABSTRACT

*The theory of free speech and expression, which aims to reconcile restrictions within the interest of public order with individual autonomy and responsibility. one attention-grabbing space wherever the court's engagement with the problem is often examined is that of the censorship.*

*S. Rangarajan v. P. Jagjivan ram (1989) it's the vital case wherever the division bench of the Madras supreme court revoked "u" certificate (suitable for all ages) granted to a Tamil film referred to as Ore Oru Gramathilr ("in one village"), that treated the difference of opinion close social action and the issues of caste. This was challenged before of the court. The state created 2 arguments: initial, that the depiction of the governments reservation policy was 'biased', and second, that the reaction within the state of Tamil Nādu was certain to be 'volatile'.*

*The court command that films couldn't operate in "the free marketplace" like newspaper. Wh ?*

*The case of S. Rangarajan V/s P. Jagjivan Ram directed that there should be a correct balance between one among the proper free speech and restriction of any social interest. the liberty of transfer a thought through movies has conjointly some restrictions below Article 19(2) of the Constitution.*

## I. INTRODUCTION

**Petitioner: S. Rangarajan v/s Respondent: P. Jagjivan Ram and Ors.**

Date of Decision: 30th March 1989

Citation: 1989 (2) SCC 574 - Court: Supreme Court of India

**Hon'ble Judges:** Justice K. Jagannatha Shetty, Justice K.N. Singh, and Justice Kuldip Singh

**(A) Relevant Laws in the case :**

1. Article 19(1) of the Indian Constitution
2. Article 19(2) of the Indian Constitution

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3. Section 5, 5A, 5B & 7B of the Cinematograph Act, 1952
4. Rule 24 & Rule 24(1) of the Cinematograph (Certificate) Rules, 1983
5. Section 124A of the Indian Penal Code, 1860

## **II. FACTS OF THE CASE**

On 07/08/1987, the producer applied to issue associate exhibition certificate for the film *Ore Oru Gramathile*. The film was supported the theme reservation policy should be supported status instead of the class structure. within the film, there wasn't any reasonably warrant that it contains the theme of caste thought or reservation policy, neither it gave any reasonably thought over sovereignty, integrity, and national security of Asian country.

At first, the examining committee refused to grant the exhibiting certificate, then the producer asked for a second review by a redaction Committee of 9 members. Eight of the 9 members were in favour to grant the certificate, however one opposed constant, therefore the Chairman of the Censor Board referred for review beneath the Second Review Committee that was conjointly consisted of 9 members. once the total examination, they conclude to issue a U certificate once deleting several the scenes from the moving picture.

The moving picture was awarded a National Award by the board of directors of fete of the govt. of Asian country. once the projection of the moving picture, a legal document petition was filed at Madras court with a read that this moving picture has expressed the Reservation policy of the govt. without showing responsibility. The Division Bench revoked the certificate on the read of the minority section and so the appellant visited the Supreme Court of Asian country.

## **III. ISSUE**

### **Whether the film may be issued the certificate by the censorship board?**

**Argument made by the appellant:** The appellant's attorney, Mr. Soli Sorabjee, claimed that the producer is bound by the Indian Constitution to uphold his right to freedom of expression through his motion film. The movie may be a piece of art, but someone must have had a plan for it. The movie's major topic or message cannot be escaped; thus, it shouldn't be judged objectively. The final issue should be reviewed by the court rather than any committee.

**Respondent's Argument:** The respondent's attorney made the claim that the movie's theme depicted the crumbling reserve policy system. Movies should be viewed as entertainment rather than a vehicle for spreading any sort of message.

#### **IV. JUDGMENT OF THE CASE**

Justice K. Jagannath Shetty delivered the judgment of the court. Article 19(1)(a) of the Indian Constitution guarantees the liberty of speech and expression that conjointly includes the liberty of communication which will be created via motion picture. However, these rights have consisted of some restrictions within the interest of sovereignty, integrity, and national security that area unit duty-bound underneath Article 13(2) of the Indian Constitution.

The motion picture enjoys the correct, however it does not work like newspaper or alternative modes of communication, and that we will observe the distinction between the primary modification of the U.S. Constitution and Article 19(1)(a) of the Indian Constitution.

There are a unit some sections and pointers underneath the picture taking Act, 1952 through that any film should be judged, as well as its impact at the final read, and should be examined at the modern commonplace of the country.

The permissible censorship should be allowable supported social interest and the commonplace of society underneath Article 19(2) of the Indian Constitution. The Hon'ble choose conjointly gave a respect to some landmark cases such as:

- K.A. Abbas Vs Union of Bharat<sup>3</sup>
- Ramesh V. Union of Bharat<sup>4</sup>
- Raj Kapoor V. Laxman
- Sakal V. Union of Bharat<sup>5</sup>
- Manohar V. Government of metropolis

It controls that since the state has the requirement to shield freedom of expression and the film has been judged by 2 completely different committees as per the prescribed pointers. There's no constitutional contrary in approving the projection of film and any individual has the correct to relinquish his/her read on any governmental policy.

Open criticism of presidency policies and operations isn't a ground for proscribing such a very important right, it should be tolerable. Hence the judgment of the supreme court was reversed, and the film was allowed to be projected.

#### **V. CONCLUSION**

According to Article 19(1)(a) of the Indian Constitution, the question of cinema censorship was

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<sup>3</sup> High Court of Madras, 2003 SCC Online Mad 880: (2004) 29 PTC 702

<sup>4</sup> Film Censorship in India: A Critical Study of Regulatory Paradigm, (2019) 6.1 IJLPP 13

<sup>5</sup> [1980] 2 SCR 512

upheld by the Supreme Court of India. The Madras High Court revoked the U certificate for the Tamil film *Ore Oru Gramathile* in the case of *S. Rangarajan v. P. Jagjivan Ram*, making the movie no longer permitted to be shown.

The movie criticised the government's reservation policy and stated that it could jeopardise India's integrity, sovereignty, and security. The Directorate of Film Festival of the Government of India also gave the movie a National Award. Following the High Court's ruling, the case was appealed to the Supreme Court of India, which ruled that, from the standpoint of film or literature, freedom of speech is significant and acceptable.

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**VI. REFERENCES**

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