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JAN 14, 2012

WIRES I WILL QUIT IF CHARGESH

SC Pulls Up Tamil Nadu for Dam 999 Ban

PTI | NEW DELHI | JAN 13, 2012



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Questioning whether the State can violate a citizen's fundamental right to free speech and expression, the Supreme Court today asked Tamil Nadu to explain its decision to ban "Dam 999" a feature film purportedly based on the Mullaperiyar dam row.

A bench of justices A K Ganguly and J S Khehar told Tamil Nadu's Additional Advocate General Gurukrishna Kumar that India has one Constitution by which all the States are bound and the State cannot claim to have any separate Constitution of its own.

"Show us how can you stop screening of the film once it has been cleared by the censor board. Reasons like breach of trust and law and order can't be justified. It is not a ground.

"There is Article 19(1)(a) (freedom of expression). It is a Constitutional right. We can understand if there is some question of obscenity or something affecting the cultural sentiments or religious feelings. Otherwise, why should we stop screening of the film?," the bench said.

When the counsel submitted that the State was well within its right to impose the ban to avoid law and order problem arising out of the volatile situation, the bench snapped "there is one constitution for the entire country. It is not that your state has a separate Constitution."

The Centre too queered the pitch of the State as Additional Solicitor General Mohan Jain told the apex court that once the Central Board for Film Certification (CBFC) clears a film, "the States have no authority to ban a film.

FILED ON: JAN 13, 2012 20:51 IST

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