MANUFACTURING CINEMA CONTROL, DISPUTE, WORKERS' RIGHTS

[redacted]*

SAMMA BLU

* The author is referred to by their deadname in the print version of the book.

TALKIES TO NATIONALISM

Addressing the workers [at a Grand Community Luncheon at Taj Mahal Hotel, Bombay], Sardar Chandulal Shah, the Chairman of the Reception Committee, said, 'you are the real bosses of the industry and not the dozen odd men who run the studios'. The socialist note in the Sardar's speech was very well received by the people present.

– Baburao Patel[1]

I am far from satisfied at the quality of work that has been done. Motion pictures have become an essential part of modern life and they can be used to greater advantage for educational purposes. So far greater stress has been laid on a type of film which presumably is supposed to be entertaining, but the standard or quality of which is not high. I hope the industry will consider now in terms of meeting the standards and of aiming at producing high class films which have educational and social values. Such films should receive the help and cooperation of not only the public but also of the state.

– Jawaharlal Nehru[2]

1935 to 1941:
The Motion Picture Society of India is set up to represent the film industry at world forums. The first All India Motion Picture Convention is held in Bombay, and within a year a second one in Madras. Regional Motion Picture Associations are founded in Calcutta and then in Delhi; the South Indian Film Chamber of Commerce is set up in Madras. The Indian Motion Picture Producers' Association (IMPPA) and the Indian Motion Picture Distributors' Association (IMPDA) are formed in Bombay. The Indian Motion Picture Congress is held alongside the silver jubilee celebrations of the film industry.

Film Industry, a trade newspaper, is started in Bombay.

Ranjit Movietone, run by Chandulal Shah and Gohar Bano, build soundproof studio floors with insulated walls. In the mid-1930s they employ around 300 artists and technicians.[3] Shree Sound Studio opens in Bombay as a renting facility for post-production in sound, marking the beginning of an independent service sector in film production. Bombay Talkies opens as a joint-stock company with bankers, brokers and political leaders in its Board of Directors, and German technicians and director Franz Osten as employees. The Imperial Film Company produces films in Hindustani, Urdu, Gujarati, Marathi, Tamil, Telugu, Malay, Burmese, Pashto and Farsi. The Farsi films are primarily released in Tehran with shorter runs in Bombay for the Parsi community. Persian-speaking novices from the diasporic community act in the films. Fazalbhoy's General Film Corporation and Sagar Movietone merge to form National Studio. The studio is financially backed by the Tatas who insist on the merger.

The quotations cited above attest to two contesting trends that became core issues for the film industry in the next few decades, from the 1940s onwards: one, the interest of the merchant class in consolidating cine workers as a dedicated work force; two, the antipathy of nationalist leaders towards the culture of cinema, that would turn into hostility in independent India.

Mohammed Ali Jinnah, then a practising barrister at Bombay High Court, seems to have played an important role in breaking the stronghold of the studio system over Bombay cinema in the era of silent films, and ushered in a new work pattern. Master Vitthal, the star of stunt films of the silent era, called the Douglas Fairbanks of India,

1 Baburao Patel, 'Historic Film Lunch', Film India, April 1939.

2 From Jawaharlal Neru's speech at the Indian Motion Picture Congress, Bombay, April 1939. Quoted in Tejaswini Ganti, Bollywood: a Guidebook to Popular Hindi Cinema, Routledge, 2004.

3 Erik Barnouw and S. Krishnaswamy, Indian Film, New York: Columbia University Press, 1963.

joined Imperial Film Company to play a role in the first talkie, Alam Ara (1931). Since he was already on the payroll of the rival Sharda Film Company, the latter decided to sue him. Jinnah argued the case in favour of Master Vitthal and got him out of the clutches of Sharda. That Vitthal ultimately could not survive in the talkie era due to the difficulties he had with dialogue delivery is another story. With the arrival of the talkies, pehalwan actors and Eurasian actresses were rendered jobless and a new breed of singers and performers, mainly from Parsi Theatre and Marathi Sangeet Natak, entered filmdom. Besides, many novices and amateur actors from different language backgrounds were hired to act in the various language versions of films that were being produced in Bombay's studios. Import of sound technology and trained technicians too became essential for both production and exhibition of films in the decade of the 1930s. Many camera and sound technicians of this period got trained by working as assistants for the topical films and newsreels that American and European studios were shooting in India.

From the beginning, various artisanal skills and conventions were employed or hired in the service of cinema. For example, the early 1940s witnessed the emergence of a new vocation, though short-lived, of hand-colouring film prints. Though India's first colour film, Kisen Kanya, had been produced in 1937, scarcity of raw stock and lack of colour processing labs in the country halted its progress during the war years. In a few instances, film producers got song sequences hand-painted on the black-and-white print by Bohra artisans.[4] Moreover, cinema became a source of supplementary income for many artists whose calling was in pre-cinema art forms that were less lucrative. The maverick artist M.F. Husain began his stint in Bombay as a painter of publicity banners for New Theatres' film releases. The same was true of many writers and musicians.[5] Film technicians and artists were under employment contracts of studios, and not necessarily for a single film. As the fortunes of the studios fluctuated, so did the patterns of payment to their work force. There were also rampant cases of poaching and desertion of trained technicians and directors.

> I left the magazine [Mussawar] and got a job with Imperial Film Company at eighty rupees a month, but it only lasted a year, with Imperial owing me four months' salary. My next job was with Saroj Film Company. I had just joined when rumours began to circulate that the company was going to sink. Was I jinxed? The company did go bust but thanks to some quick footwork, our boss, Seth Nanoobhai Desai, managed to set up another company on the debris of the defunct Saroj and I was hired at a hundred rupees a month. Three-fourths of a story that I had written had already been filmed. But I needed money to rent a flat. ... I told him [Seth Nanoobhai] of my situation but it had no effect on him. We got into an argument and he fired me. That was a shattering blow. I felt so insulted that I decided to stage a hunger strike bang in front of the company.
>
> – Saadat Hasan Manto[6]

Though the general production of cinema was affected during the war years, local initiatives to improve the working conditions continued – by the mid-40s, first Bombay Lab in Tardeo and then Famous Cine Laboratory and Studio at Mahalaxmi started functioning. These enterprises were the first set of service providers without any studio affiliation. This was also an indication of the rise of independent producers.

One steady form of employment for directors and technicians came from state initiatives to produce newsreels and documentaries in the service of the Allied forces.[7]

4 See Govind Nihalani, 'Cinematography: Through the Viewfinder', in Gulzar, Govind Nihalani and Saibal Chatterjee, eds, Encyclopaedia of Hindi Cinema, New Delhi: Encyclopaedia Britannica (India), 2003.

5 For example, in 1932 Vinayakrao Patwardhan, maestro of the Gwalior gharana, acted in the film Madhuri and the songs were recorded by HMV, opening up a new field of films songs as a commodity. See Ashok D. Ranade, Hindi Film Song: Music Beyond Boundaries, New Delhi: Promilla & Co., 2006.

6 Saadat Hasan Manto, Stars from Another Sky: The Bombay Film World of the 1940s, translated by by Khalid Hasan, Penguin Books, 2010.

7 These initiatives were given priority in terms of access to raw stock, over the studio owners. Raw stock was scarce during the war years due to difficulties in importing. A licensing system was set up for the studios to restrict annual productions to three films, each not exceeding 11,000 feet in length, out of which one had to be a propaganda film for the war. Many of India's future filmmakers and technicians got trained in the British war outfits, such as Information Films of India, Army Film Centre and India News Parade. For more on this, see B.D. Garga, So Many Cinemas, Mumbai: Eminence Designs, 1996; and From Raj to Swaraj: The Non-fiction Film in India, New Delhi: Penguin Books India, 2007.

After the war, independent producers (outside the studio system) entered the film market by investing unaccounted war profits. They started hiring actors at competitive prices for one film at a time, and thus began the star system in Indian cinema. The dubious source of funding brought in a culture of adrenalin-driven speculation at the business end, and gave birth to dreams of rags-to-riches stories at the talent, skill and labour end. The investment of black money in the film business in defiance of the tax regime of the British Raj by a class of investors was even projected as a patriotic action. On the other hand, the nationalist fervour helped to counter the social stigma attached to filmmaking, and a larger number of people from the elite and intellectual classes entered the film industry in various capacities.

INDEPENDENCE TO EMERGENCY

The nationalist stance of film stalwarts received a jolt in independent India when the state refused to acknowledge cinema as a worthwhile industry with cultural and financial implications. Unlike the socialist states of the time which, it was claimed, inspired some of Prime Minister Nehru's policies, the Indian state made no investment in infrastructure, import facilities or financial aid for cinema; neither did it frame any labour policy addressing issues concerning workers in the film industry. Instead it displayed a moral dogma against the popular entertainment form by enacting stringent censorship laws, by ousting broadcast of Hindi film songs on AIR (All India Radio) in favour of classical music, by imposing a freeze on the construction of movie theatres, and by hiking entertainment and other applicable taxes. On the other hand, the government founded the Films Division (FD) in Bombay with a large crew of personnel trained in erstwhile British war cinema initiatives, and an elaborate infrastructure of equipment, studio floors, recording studio and processing lab. FD's mandate was to produce newsreels and documentaries conforming to the state's agenda of nation-building. Many prominent filmmakers and technicians opted for secure government jobs in FD (where they were allotted Rs 27 per foot for producing in-house films), while some independent filmmakers became retainers (supplying films to FD at a discriminatory rate of Rs 12 per foot).[8]

With a further collapse of the studio system the entire work force turned footloose and felt the need to develop internal mechanisms to protect their economic interests. In the absence of state-enacted rules, the film industry tried to organize itself across sectors and conflicting interests.

1949: Cine Agents Combine, the first formal union of 'extra suppliers' in western India, is formed. It remains the largest supplier of junior artistes in India till date.
1950: Pakistan levies a tax of Re. 1 per foot on import of Indian films and then bans Indian films in 1952. This results in the collapse of the Punjab film industry, and migration of directors, writers, musicians and technicians to Bombay.
1951: Naaz Cinema opens at the site of West End Cinema on Lamington Road. The seven-storeyed building adjacent to the theatre starts housing the offices of film distributors of all sizes, territories and languages. The building soon gains the appearance of a cine bazaar. Various film trade organizations come together to form the Film Federation of India (FFI) as an apex body to interface between the government and international

8 In 1958, The Statesman jibed that independent filmmakers should instead be called 'dependent producers', as FD virtually controlled the production and distribution of all documentaries across India. See Barnouw and Krishnaswamy, Indian Film.

enterprises, on the one hand, and Indian stakeholders such as producers, distributors, exhibitors and studio owners, on the other hand.
1952: The Cine Musicians Association is formed.
1953: The Western India Cinematographers Association (WICA) and Association of Film Editors are formed. Inspired by the American Society of Cinematography, WICA plays the role of an educator, holding regular workshops and training sessions.
1954: The Film Writers Association is started by Qamar Jalalabadi, Ramanand Sagar and Sahir Ludhianvi. It is the first film workers' collective to be registered under the Trade Union Act. A majority of its initial members are affiliated to the communist-led All India Progressive Writers' Association (PWA) and Indian People's Theatre Association (IPTA).
1956: The Western Indian Motion Picture Sound Engineers Association, Junior Artistes Association and Cine Singers Association are formed. Also the Federation for Western Indian Cine Employees (FWICE), which is formed in Bombay as a federation of the then existing nine craft-based associations in the film industry in the western region. FWICE, registered under the Trade Union Act, 1926, has since then been a representative of all unions and associations in front of the producers' body,[9] and a negotiator with the state and central governments for suitable legislations.
1958: The Cine Artistes Association is formed, in a second attempt to collectivize the actors and actresses of the film industry. The Cine Dancers Association of background dancers is formed, to curtail the dominance of agents and managers. After the colossal success of Chandralekha (a production of the Madras-based Gemini Studio), background dancing became an essential ingredient of cinema.
1959: The Indian Film Directors Association is formed, to unite directors, assistant directors, co-directors and second unit directors engaged in the making of feature films, short films and documentaries.

In 1955 the Bombay state government launched an 'Enquiry into the Conditions of Labour in the Cinema Industry in Bombay State'.[10] At the time there were twenty-five operational studios in the state of which eighteen were available for rent. The general findings of the enquiry report showed that the employment conditions of the technical staff working in studios and labs were better than that of freelance workers: 62.3 per cent of the freelance workers were underemployed. The enquiry specifically examined the status of junior artistes (women in particular) who were no longer attached to any studio and therefore a floating population. They found jobs in films through 'extra suppliers' who received a 10–25 per cent commission from the artistes. The female junior artistes were divided into categories such as 'ordinary', 'decent' (further categorized into classes A, B and C, in order of hierarchy) and 'super-decent', and their daily wages were Rs 5; Rs 10, 15 and 20; and Rs 25–40, respectively. The average monthly earnings of these artistes ranged from Rs 17 ('ordinary' girls) to Rs 194 ('super-decent' girls who could dance). The agent (supplier) would often siphon off a portion of the artiste's salary by telling her that she was required for an inferior role when she was actually being employed as a 'decent' or 'super-decent' girl.

Films with backdrops of the functioning of the film industry:
1958 Sone ki Chidiya (dir. Shaheed Latif)
1958 Sitaron se Aagey (dir. Satyen Bose)
1959 Kagaz ke Phool (dir. Guru Dutt)

9 In this essay, the term 'producers' body' is used to collectively refer to the Indian Motion Picture Producers' Association (IMPPA), The Film and Television Producers Guild of India Ltd. (Guild), the Western Indian Film Producers' Association (WIFPA), and the Association of Motion Pictures and TV Programme Producers (AMPTPP).

10 Barnouw and Krishnaswamy, Indian Film.

In the case of Workmen of Modi (P) Ltd., Bombay v. Modi (P) Ltd., Bombay, in Bombay High Court, the dispute was whether 'the workmen who were employed in Strand Cinema during the years 1962–63 and 1963–64, the period when the establishment was shut, should be paid 25% of their total annual earnings during those years as bonus without any conditions attached thereto and whether they are now in service or not'. The respondent Modi Private Ltd. was managing the Strand Theatre. Their partner Western India Theatres Ltd. was engaged in the exhibition of films in theatres across the country and it was the lessee of Strand Cinema. Modi (P) Ltd. pleaded that the entire profits that accrued from Strand Cinema were transferred at the end of each year to Western India Theatres Ltd. As no profits had been made and no remuneration received by the respondent (Modi) during the two years in question, it was not liable to pay bonus. The Union made an application to the Tribunal to direct the respondent to produce its balance-sheets and profit and loss accounts for the said years in respect of Strand Cinema (alone) and not that of their partner. Their argument was that as the workmen of the respondent they had nothing to do with Western India Theatres Ltd., which was a separate legal entity and which incorporated all the expenditure and receipts in respect of its trading activities throughout India and thus can manufacture a claim that 'in the disputed years it had suffered losses and therefore no bonus could be paid by that company'.

By the early 1960s, revenues from film exhibition, especially in urban territories, increased substantially as the purchasing power of people in the industrial sector and the public sector rose. But since there was a freeze on the construction of new theatres, the number of existing theatres could not meet the increased demand from audiences; this brought the theatre establishments under the public gaze, making them accountable in a sense.

Following the vibrant trade union movement in the city of Bombay in this period, workers who were employed by exhibitors and theatre owners (projectionists, ushers, canteen workers, etc.) started getting mobilized as units of larger unions of workers. But those who worked at the production and post-production (editing, sound recording, negative cutting, processing, etc.) ends of cinema remained largely semi-organized as their sector-wise collectives or associations were autonomous of any political affiliation and functioned merely as bodies of arbitration in cases of disputes. These associations believed in internal negotiations within the feudal structure of filmdom and envisaged themselves as extended grievance committees; most importantly, they lacked the motivation or the faith to approach the courts. For individual members, if negotiation through the association failed, the only way out was to approach the court at one's own initiative. To some extent the same system continues to prevail in the film industry.

The ban-induced scarcity of exhibition infrastructure made the film producers highly dependent on the whims of exhibitors for bookings, and the exhibitors started exerting influence in matters of filmmaking, making demands for stars and saleable plots. Payments to the stars ranged from anywhere between 31 to 50 per cent of the total budget of the production.[11] The next highest payment went to the music directors, whose marketability was considered to be only secondary to that of the stars. Thus cornered by the rising prices of stars and dictates from exhibitors, the producers were forced to cut corners at the production end, which in turn affected the suppliers, technicians and workers.

11 Ibid.

1962: Indian films are banned in East Pakistan (now Bangladesh), resulting in a decline of Bengali cinema. Further migration of talent occurs from Calcutta to Bombay. The Cine Still Photographers Association is formed by M.V. Kamath with the support of photo journalists from the newspaper and print industry. The Association disintegrates with Kamath's death in 1967, to be re-formed only in 2001. The Cine Costume and Make-up Artistes Association is formed.
1963: Of all the Indian films made in this year, 13 per cent are produced by studio owners, 41 per cent by regular producers and 46 per cent by ad-hoc, one-film producers. In 1965, these statistics changed to 19 per cent by studio owners, 23 per cent by regular producers and 58 per cent by ad-hoc producers.[12] These statistics need to be read in terms of not only the rise in the category of one-film producers, but also as many regular producers being forced to turn ad-hoc.

The freeze on construction of theatres was centrally revoked in 1969, in response to which Bombay's film industry burst into action, releasing 199 films in 1970 as opposed to 89 the previous year. Paradoxically, after the inception of the language-based state of Maharashtra in 1960, the prime status of Marathi cinema within the Bombay industry had started declining (barring significant exceptions such as V. Shantaram and a few others). Marathi cinema began to experience a new lease of life in 1970 with quick and cheap productions of Tamasha (a musical folk form) based films, mythologies and comedy films in a rural setting. These films first ran in the 'B' circuit theatres[13] and then had a second run in the touring cinema, colloquially referred to as Tambu cinema – apparently around 300 Tambu cinemas operated in Maharashtra at that time. This trend continued till the mid-1980s – a period of interface between large numbers of Marathi folk performers and cinema, supplementing the former's visibility and earnings.

With the nationalization of banks in the country in 1969 and imposition of licences on film raw stock, the assorted group of people with disposable funds associated with the film world – comprising holders of grey capital, independence-loving liberal artists, real-estate speculators and smugglers (whose activities were increasing due to various prohibition and licensing policies of the state) – started fearing further interference and regulations from the state. In the following decade they came together under the banner of the film industry in both direct and indirect opposition to state control, and created a caucus of big budget multi-starrer films – which in turn created a large number of jobs. Subject to the anxiety of keeping their black money in circulation these new financiers could not be too exacting about the profits they made, and so, in a convoluted way, the issue of payments to workers (though mostly in cash) got regularized to an extent in this phase.

The city films of the late 1960s and early 70s created a heady environment where urbanity and the film world became synonymous for the vast population of the subcontinent. Moreover, the secular credentials of the film industry where job opportunities were not segregated along lines of religion or caste (unlike in some of the urban manufacturing industries) made seeking their fortunes in the film industry attractive to many, mostly unskilled, migrants.

Can you tell us how you came to Bombay?

I ran away from home when I was in class seven. … I got work as a canteen boy in Asha

12 Valentina Vitali, Hindi Action Cinema: Industries, Narratives, Bodies, Oxford University Press, 2008.

13 In 1968 the Maharashtra government issued a special provision allowing construction of semi-permanent theatres in areas where existing cinemas catered to more than 10,000 inhabitants. See Vitali, Hindi Action Cinema. The effect of these semi-formal tin-shed cinemas in small towns and semi-rural areas was seen in the development of the 'B' circuit exhibition of films made quickly with far less capital and without expensive stars. Exhibitors needed to pay duty on each print at a rate that was calculated by the value of the film, and not by the price of the ticket. Hence the semi-permanent theatres with cheap tickets could not screen the big films. This in turn created a niche market for cheaper Marathi films.

Studio where I worked for some months and then shifted to the canteen at RK Studios. ... That studio was very popular for stunt films and it was always busy. They always needed extra hands, and they used to call me for help for all kinds of work, so gradually I got onto the studio floor. At that time, camera, lights and sound were provided by the studio along with a camera coolie, and that is what I became. Basically, I was never trained, I just picked up things. The studio had just acquired two brand new Arriflex cameras, and there was a cameraman called Mr M.W. Mukadum who was looking for an attendant for these cameras. Some people told him about me and said that I was a bright boy, so he called me and gave me the job of a camera attendant.

– Celebrated cameraman Ashok Mehta[14]

1974: Movie Stunt Artistes Association gets formed as the rise in demand of multi-starrer action films for body-doubles and stunt artistes spirals. Under each "action master" a set of athletic people get trained and recruited as stunt artistes. Initially the Association comprises only male artistes. But following the phenomenal success of Sholay, five female stunt artistes are invited to join in 1980. Only after the mid-1990s does the Association begin to pay attention to issues of safety on the set.
1975: The Indian Film Dance Directors Association is founded by Master Satyanarayan in order to safeguard the interests of veteran dance directors who felt insecure with the influx of freelance dancers specializing in modern dance forms. The Association of Cine Art Directors is formed for art directors, assistant art directors, moulder designers, background painters, mural artists, thermocol artists, prop men and mistries.
Following a rift with the Junior Artistes Association, women junior artistes who felt they were under-represented in the male-dominated Association form a separate Mahila Kalakar Sangh.
1978: The Association of Cine Production Executives is formed as a body of managers who coordinate with the workers' associations as per the producers' requirements.
1980: The Cine Music Directors Association is successfully formed. An earlier attempt to collectivize was made in 1953, but it did not last long as the committee split.
1977: The Maharashtra government develops Film City, a cluster of indoor studios and outdoor locations at Goregaon, on 350 acres of forested land.

With the new surge in funding from the world of financial speculation and the rise of the superstar phenomenon (first Rajesh Khanna and then Amitabh Bachchan), the Bombay film industry turned large format, literally: Sholay (1975) was printed in 70mm in addition to regular 35mm prints, and eighteen new theatres with 1,000 or more seating capacity came up in Greater Bombay alone between 1971 and 1978.[15]

By the mid-1970s, the craft-based associations began to fear a reduction in their competitive wages due to the influx of newly arrived aspirants. In response, the norm of possession of a union card being essential to get work in films began to be enforced more strictly around this time, and each association formed its own vigilante groups to raid shooting floors and post-production offices in search of non-member impostors. In line with the predominantly feudal culture in the film industry and also in keeping with artisanal practices being maintained along familial lines, many of the union members would transfer their membership to their relatives. This was bitterly resented by those who were waiting in queue for membership cards, often leading to physical skirmishes. However, in this period the role of FWICE as a federation of all workers' unions got activated:

14 Excerpt from an interview in The History and Practice of Cinematography in India, **camereworking.** **reasmediacollective.net**, 1998.

15 From Cinema Owners and Exhibitors Association's Membership List.

On May 3, 1980 the FWICE sent a letter to all its affiliates against Filmalaya Studio:[16] 'This is to bring to your notice that there is a strike in the Filmalaya Studio since the last two months in support of certain demands of the workmen, including reinstatement of two active workers belonging to the Indian Motion Picture Employees Union (our affiliate), whose services were terminated illegally and by way of victimization. The management is consistently trying to break the strike. In the interest of solidarity and to support the just cause of the Filmalaya workers, you are advised to direct your members forthwith not to report for any shooting and/or work at Filmalaya Studio till further advice from us.'

Filmalaya Studio filed a suit against FWICE in the Bombay City Civil Court. They obtained an injunction restraining the Federation and its affiliates to implement the directions contained in the letter. FWICE appealed to the High Court against the suit and won the case. Justice Dharmadhikari observed that, 'Trade Unionism is a universally known phenomenon. The law has recognized the existence of trade unions, as well as the scope and ambit of their legitimate activities.' He further stated that the letter by FWICE is a step taken by them in solving a trade dispute and it was issued in the interest of the workers to lend support to the just demands of the Filmalaya workers.

POST-EMERGENCY TO GLOBALIZATION

1984–86: Ownership of television sets in the country increases from 27,00,000 in 1984 to 1,25,00,000 in 1986.[17] The 1987 television serial Ramayana makes the actors playing Ram, Sita, Hanuman and Ravan very popular among audiences, causing political parties like the Congress and the Bharatiya Janata Party (BJP) to recruit them for campaigning in the forthcoming elections.
1988–90: B.R. Chopra's Mahabharat is telecast on Doordarshan every Sunday from 9 to 10 am. Public places are often deserted during the telecast; on one occasion, to ensure a good voter turnout in the central election, the telecast is delayed to the evening.

In the decade of the 1980s the public exhibition sector of cinema suffered due to the mushrooming of video parlours that showed pirated VHS copies at much cheaper rates. Besides, film-based television programmes and serials too reduced the footfalls in cinema halls. The conditions of many cinema halls deteriorated due to lack of maintenance. On the other hand, shooting studios and post-production facilities began to get bulk bookings from the television industry. However after the initial resentment had waned, television workers were accepted within the ambit of the film industry. By the early 1990s all the existing workers' associations, the producers' body and the federation changed their nomenclature from being only 'cine' to 'cine and TV'.

CENTRAL GOVERNMENT ENACTMENTS

THE CINE-WORKERS AND CINEMA THEATRE WORKERS (REGULATION OF EMPLOYMENT) ACT, 1981 – The act provides the conditions of employment of certain cine-workers and cinema theatre workers.
Prohibition of employment without agreement between the producer/theatre owner and the workers; mandatory to mention the nature of assignment, working hours and wage; appointment of a conciliation officer by the government to mediate settlement of dispute between the workers and the producers/theatre owners; formation of a cine-worker

16 A.G. Noorani, 'Trade Union's Rights', Economic and Political Weekly, vol. 16, no. 39, 26 September1981: 1565–66.

17 Ashish Rajadhyaksha and Paul Willemen, Encyclopaedia of Indian Cinema, New Delhi: Oxford University Press, 1995.

Tribunal in case the conciliation officer is unable to settle the dispute; Employees' Provident Funds to be applied to every cine-worker who has worked in at least three feature films with one or more producers.

THE CINE-WORKERS WELFARE CESS ACT, 1981 – The act provides for the levy and collection of a cess/tax on feature films for the financing activities to promote the welfare of certain cine-workers.

The rate for Hindi and English films is Rs 20,000/-

Other languages Rs 10,000/-

THE CINE-WORKERS WELFARE FUND ACT, 1981 – The act provides for financing of activities to promote the welfare of certain cine-workers.

The fund will be credited from the following sources: Proceeds of the duty of excise credited under Cine-workers Welfare Cess Act, after deducting the cost of collection as determined by the Central Government; any other grants made to the Fund by the Central Government; money received as donations for the purposes of this Act; and income from investment of the amounts in the Fund.

These enactments came around the same time as when the government, on the path of economic liberalization, changed its earlier hostile attitude towards the film industry. For example, in 1988, All India Radio's new channel, Vividh Bharati, not only revoked its earlier restrictions on broadcasting Hindi film songs, but opened up to paid advertisements for films. In these Acts the term 'cine-workers' is applicable only to wage labourers in the industry. Unlike in the Madras High Court case, reproduced at the beginning of this essay (page 250), in these Acts there is a definite distinction between technicians–artistes–skilled–trained workers who are on assignments or under contracts, and unskilled–easily replaceable daily workers. The wage structure in the industry is agreed upon and periodically updated through negotiations between the producers' body and the FWICE. But for the former category the remuneration is based on talent, reputation and demand, and varies from case to case. Following the government's initiatives, a trade union for the menial and daily wage labour in the film industry – Film Studio Setting and Allied Mazdoor Union – was formed by Vasant Katkar (art director), A.K. Abdul (carpenter) and Narayan Rathod (background painter). It brought together carpenters, painters, tailors, set helpers, lightmen, crane operators, production boys and spot boys, and stipulated per shift wage scales for different jobs. Yet, even this set-up could cover only those who worked in the shooting spaces, and excluded the large number of workers under various suppliers working in small units scattered all across the city. Their working system corroborates what Madhav Prasad calls a heterogenous form of manufacture, after Marx's theory of capital.[18] Bits and pieces of pre-frabricated components of cinema – set templates, mass-produced uniforms, skilled bodies for action stunts, trained animals, etc. – are prepared in these sweatshops and then assembled at the shooting location. These workers are still not counted in the scheme of things concerning mobilization of workers in the industry.

1983: The Film Studio Setting and Allied Mazdoor Union is formed.
1993: The Movie Action Dummys and Effects Association is formed.
1999: The Association of Voice Artistes is formed as their demand increases due to the new practice of releasing dubbed versions of Hollywood films.

18 M. Madhav Prasad, 'The Economics of Ideology', in Ideology of the Hindi Film: A Historical Construction, New Delhi: Oxford University Press, 1998.

In the mid-1980s the two apex bodies, FWICE and producers' body, formed a Joint Dispute Settlement Committee (JDSC) for internally solving the disputes of the film industry. The JDSC consisted of elected members from both the apex bodies, and had a team of legal experts to guide it. This committee was the first of its kind in the world which followed the legal model of assigning three hearings per case – the first two hearings were meant to listen to both the parties, and the last for announcing the decision made by the committee.

> After the joint dispute settlement committee all strikes, bandh, etc., everything is over. Now in our industry, work never stops and the film person is all-round protected. We mostly get cases of delay in payments, extension in shooting schedule, ill-treatment on sets, contradictions between contract and actual work expected, and copyright. But the committee is always able to come to an agreement so that no one suffers; this is the best part about our industry.
>
> I was invited to talk in a meeting of International Labour Organization (ILO) in Geneva and everyone was so impressed by the working of this unique committee. America's legal advisor asked me, 'But how is it possible?' I said, 'No question of possibility Sir, it is functioning for the last decade.'
>
> – Chandrashekhar, founder of JDSC and President of FWICE from 1983 to 1996[19]

Two JDSC cases explain the effectivity and political will of the committee. Irfan Sheikh (name changed), a member of the Cine Dancers Association, filed a complaint against the producers of a film after his colleague died in a road accident. Irfan and his colleague, as part of a team of 100-odd dancers from the Association, were rehearsing for a dance sequence for ten consecutive days, and on the last day they were made to work two shifts (sixteen hours) at a stretch. They finished at 4 am and were again instructed to report at the set for a dress trial. Irfan and his friend David were going to the set on a motorbike when David snoozed for a few seconds and had an accident. David died on the spot. Since the accident had occurred outside the shooting space, the Dancers Association denied having to pay any compensation. Irfan filed a case against the producers with the JDSC, claiming that the accident had occurred due to sheer exhaustion resulting from overwork. The producers could not justify why the dancers were made to work two shifts at a stretch without the mandatory break. The JDSC found the producers at fault and asked them to pay a compensation of Rs 1 lakh to David's family.

The second case was filed by Amit Shah (name changed), a member of the Film Writers Association, who worked with a reputed production house as an assistant director and also wrote two songs for one of the films it made. The production house owed him Rs 1,20,000 for this. They made him sign some travel vouchers and subsequently sent him a cheque of Rs 10,000 only. After multiple visits to their office and on receiving no concrete response from them, Amit filed a case with the JDSC. During the hearings the producers' side submitted some vouchers signed by Amit and claimed that he was paid his fees as an assistant director in cash. The argument they made regarding the two songs was that it was primarily written by the director and that Amit had merely given some additional inputs. It was said on record that it was only benevolence on the part of the director to credit him in the film as the writer of the songs, and that it in no way called for any monetary compensation. Amit protested that these were fake vouchers and that the songs were entirely written by him, but he

19 Excerpt from an interview, courtesy Majlis Footage Archive, 2010.

had no evidence to prove it. The Committee declared that the producers did not owe any money to Amit.

Within the feudal structure of the film industry where jobs for small-time players, irrespective of their union affiliation, come through personal contacts, it is considered blasphemous to ask for a written contract, despite the risk that lack of a formal document is likely to go against the worker in case of a dispute. Thus remuneration is often denied in the name of giving an opportunity – a 'break', as it is referred to by industry insiders. While the JDSC claims that 98 per cent of the cases brought before it are resolved by the Committee, Amit's case demonstrates the unwillingness of the FWICE and respective associations to implement a strict procedure for hiring technicians thus leaving a lot of loopholes through which producers can escape. The JDSC openly discourages workers from going to court if they are not satisfied with the verdict of the Committee. Its oft-repeated logic is that the 'integrity' of the film fraternity needs to be preserved at any cost, and that 'outsiders' (read the courts and state agencies) should not be brought in to settle its internal affairs.

Apart from disputes with producers that are addressed through the FWICE, there are also instances of internal conflicts within the workers' associations. The Cine Costume, Make-up Artistes and Hair Dressers Association maintains a convention that prohibits women to work as make-up artistes, restricting them to only the costume and hair departments. In the last decade or so many women have tried to break this taboo, but they are forced to work in secrecy and have to pay heavy fines if caught by vigilantes of the Association. Director–producer Farah Khan is an exception who hires women make-up artistes, on the ground that 'they are simply better'. The Association has had to succumb in the face of Khan's influence in the industry.

Moreover, membership of associations has become a privilege that comes at a price. Many associations ask for a huge membership fee, contrary to the amount mentioned in their forms. The Cine Dancers Association states Rs 5000 as starting membership fee, but many of its members claim that they have paid as much as Rs 1 lakh to get a membership card. This kind of practice has made the posts of the executives in some associations very lucrative, and the elections to these are fought with vigorous campaigning, issuing of threats and even physical assault. Yet, in the context of the country's poor social security measures (which fail even workers of the organized sector), it is these associations that have managed to provide unorganized workers of the unorganized film industry with financial aid for health emergencies, education of their children and marriage in the family. For example, the Artistes Association provides medical assistance of up to Rs 20,000 to a member in cases of work-related accidents, and the Junior Artistes Association uses a part of the membership fees towards a sort of pension for retired members.

In 1994 FWICE demanded a 12.5 per cent rise in wages which the FMC (Film Makers' Combine) refused to entertain. FWICE called for a general strike and all shooting activities were stalled. An interesting instance of intra-industry dispute developed between the FMC and its member Vinod Chopra against this backdrop. Chopra, who was in the middle of a new film with a foreign cast on an expensive set, had requested both the FWICE and the FMC to allow him to continue shooting at the old rates in the interim, till the dispute was resolved. Though FWICE obliged him, FMC refused him permission. When Chopra went ahead with the shoot he was fined

Rs 5 lakhs and the FMC ordered the industry to boycott him. The matter reached the court and after much negotiation, FMC was held guilty under the Monopolies and Restrictive Trade Practices (MRTP) Act for issuing a boycott notice against one of its own members.

The non-party affiliation status of FWICE and its member associations has worked in two ways: on the one hand, it may have taken away the staying power of the workers when pitted against the producers; but, on the other hand, it has helped them to remain secular and autonomous of the dominant politics of the land. Political parties in India have always been attracted to the film industry because of its visibility; from recruiting famous actors for election campaigns to actors becoming elected or nominated Members of Parliament, they have now shifted their focus to the cine workers as a vote bank. In 2006 there was a serious attempt to permeate the FWICE by offering it party support to increase its bargaining power. However, this offer met with major resistance on the grounds that the Indian film industry has survived against all odds only because it has maintained its status as a secular, autonomous body, and that the members do not wish to get entangled with any political party and its agenda.

Within two years of this offer, in 2008, the right-wing Maharashtra Navnirman Sena (MNS) founded a parallel outfit called the Maharashtra Navnirman Cine Workers' Association (MNCWA). By 2011 the membership of MNCWA was 10,000, as against that of FWICE which was 1,39,025. There have been reported instances of the MNS urging workers in the film industry to join their union with the assurance that they would take a far more militant stand against the producers than has been done so far by the FWICE. To prove their militancy, they have periodically raised parochial slogans against the Hindi hegemony in the film industry and also invaded shooting floors with the demand that their members be guaranteed employment. In an interview[20] in 2010, the general secretary of FWICE, Dinesh Chaturvedi, said, 'Recently, actor–producer Rajpal Yadav faced a similar problem. The MNS wanted their dancers to be part of a song that was being filmed for his film Lapataganj, but we objected to it. He didn't want to get into trouble, so he decided to shoot the song without dancers.'

But the territorial conflict between the secular FWICE and the party-affiliated MNCWA becomes somewhat irrelevant in the face of Bombay cinema's attempt to acquire a new look by shedding some of its old-fashioned entourage. This development took place following the industry status granted to the film industry in 1998, qualifying it for institutional finance, which in turn facilitated the entry of finance from the corporate sector and from international studios. Since the turn of the century, foreign dancers, production stylists from the fashion and advertisement world, and location shootings on foreign lands facilitated by the tourism industry of those countries have been ushered in to give a face-lift to the industry, thus helping it to aquire a global standing.

Natalia: I have done lots of dancing in films and TV commercials in India, in Ukraine I only had experience in photo shoots because we don't have big budget productions like in India. Our market is absolutely different from yours. Most of the people in my country come to Asia since this region does not require very tall people; in Europe and USA minimum height requirement for actors and models is 176 cms.

Question: So have you faced any problem in getting work?

Natalia: I don't deal with anyone directly; I have come here with the help of my modelling

20 Bharati Dubey, 'Cine workers get Rane's support against MNS', Times News Network, 26 September 2010, http://articles.timesofindia.indiatimes.com/2010-12-26/mumbai/28215760_1_mns-workers-cine-workers-ameya-khopkar

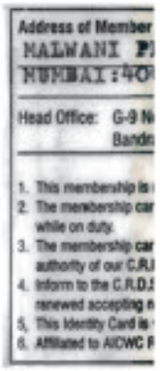
agency. They get requirements from the producers and depending on that, the agency shortlists us. I have come to India on a six-month work permit visa, so it's not like I am working here illegally!

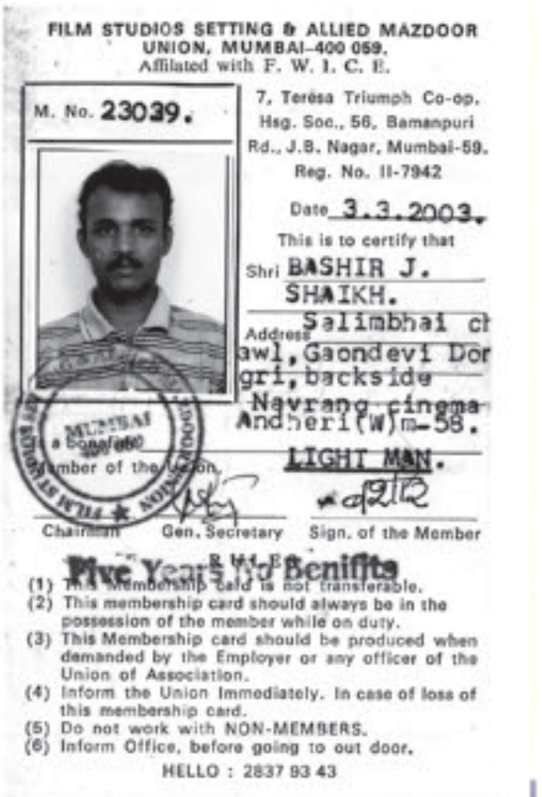
– Natalia, Ukrainian dancer working in Bollywood[21]

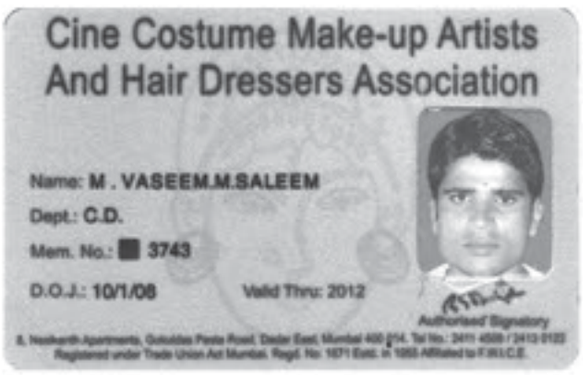
The producers claim that changing tastes of audiences and the demand of the market compel them to keep introducing newer attractions, and it seems that the preference for white-skinned female dancers is one such instance of public taste. That the unionized Indian dancers get rendered jobless in the process is only an eventuality. Perhaps it is even a lesser eventuality in the scheme of things whereby the foreign dancers have to work and survive in a vaguely defined set-up without access to norms of compensation, safety, wage structure, etc., and remain vulnerable in the hands of their agents. The FWICE neither restricts the influx of the foreigners nor regularizes them by developing applicable contractual terms.

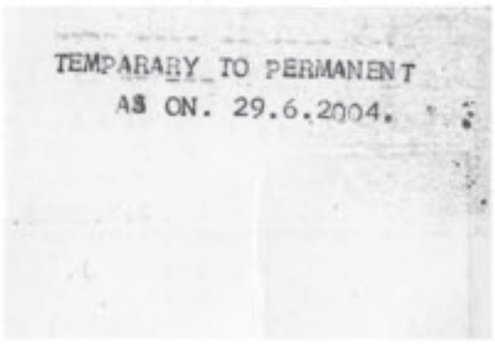
Thus, between the mercurial market of entertainment and the underdefined mandate of unions, workers' rights in the manufacturing and exhibition sectors of cinema remain either rhetorical or an occasional privilege.

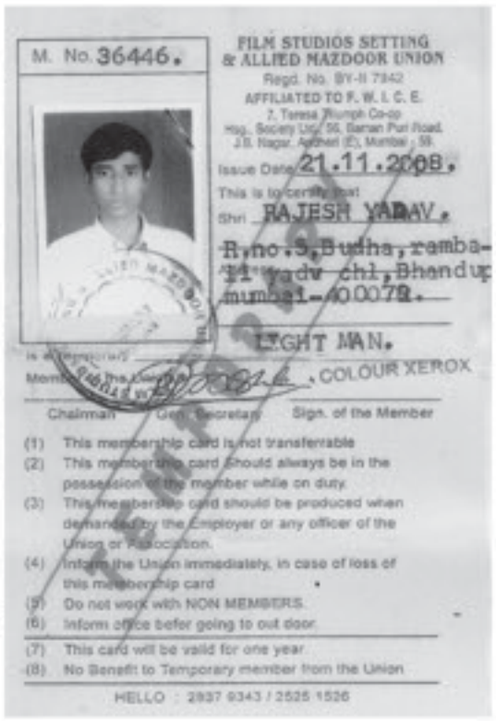
21 Excerpt from interview, courtesy Majlis Footage Archive, 2011

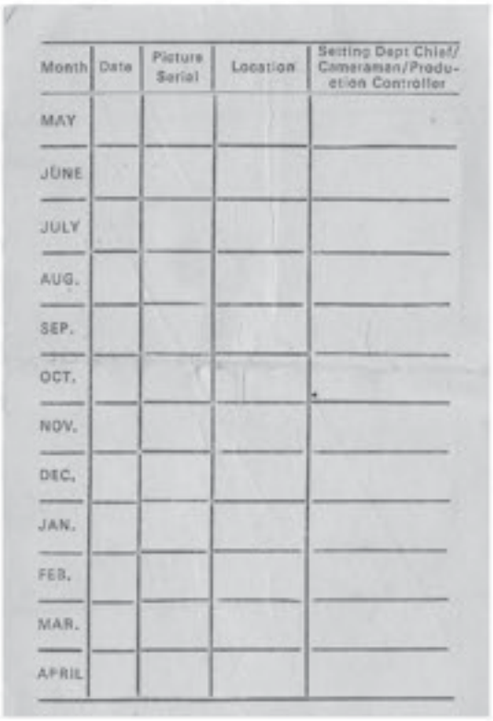

Address of Member
MALWANI P
MUMBAI-40
Head Office: G-9 N
Bandr
1. This membership is
2. The membership car
while on duty.
3. The membership car
authority of our C.R.I
4. Inform to the C.R.D.
renewed accepting
5. This Identity Card is
6. Affiliated to AICWC


FILM STUDIOS SETTING & ALLIED MAZDOOR UNION, MUMBAI-400 059.
Affiliated with F. W. I. C. E.
M. No. 23039.
7, Teresa Triumph Co-op. Hsg. Soc., 56, Bamanpuri Rd., J.B. Nagar, Mumbai-59.
Reg. No. II-7942
Date 3.3.2003.
This is to certify that
Shri BASHIR J. SHAIKH.
Address Salimbhai ch
awl, Gaondevi Dor
gri, backside
Navrang cinema
Andheri(W)m-58.
LIGHT MAN.
Chairman Gen. Secretary Sign. of the Member
Five Years Benifits
(1) This membership card is not transferable.
(2) This membership card should always be in the possession of the member while on duty.
(3) This Membership card should be produced when demanded by the Employer or any officer of the Union of Association.
(4) Inform the Union Immediately. In case of loss of this membership card.
(5) Do not work with NON-MEMBERS.
(6) Inform Office, before going to out door.
HELLO : 2837 93 43


Cine Costume Make-up Artists And Hair Dressers Association
Name: M . VASEEM.M.SALEEM
Dept.: C.D.
Mem. No.: 3743
D.O.J.: 10/1/08
Valid Thru: 2012
Authorised Signatory


TEMPARARY TO PERMANENT
AS ON. 29.6.2004.


M. No. 36446.
FILM STUDIOS SETTING & ALLIED MAZDOOR UNION
Regd. No. BY-II 7942
AFFILIATED TO F. W. I. C. E.
Issue Date 21.11.2008.
This is to certify that
Shri RAJESH YADAV.
R.no.5,Budha,ramba-
LIGHT MAN.
COLOUR XEROX
Chairman Gen. Secretary Sign. of the Member
(1) This membership card is not transferrable
(2) This membership card should always be in the possession of the member while on duty.
(3) This membership card should be produced when demanded by the Employer or any officer of the Union or Association.
(4) Inform the Union immediately, in case of loss of this membership card
(5) Do not work with NON MEMBERS.
(6) Inform office befor going to out door.
(7) This card will be valid for one year.
(8) No Benefit to Temporary member from the Union
HELLO : 2837 9343 / 2525 1526



Month	Date	Picture Serial	Location	Setting Dept Chief/ Cameraman/Produ-ction Controller
MAY				
JUNE				
JULY				
AUG.				
SEP.				
OCT.				
NOV.				
DEC.				
JAN.				
FEB.				
MAR.				
APRIL				