

**Religion can't bar a person from rendering own version of it: SC**

The film was a venerated projection of Guru Nanak in celluloid language, the CJI said.

It is a violation of secularism for a religion to bar a person from writing a book about it or portraying it through a painting, Justice D.Y. Chandrachud orally observed on Monday.

A religion cannot be adamant that its sole portrayal should be confined to just one "book." It cannot say that others are not free to sketch or render their version or ideas about the religion. Such a bar is just not enforceable, Justice Chandrachud said.

The Supreme Court made the observation on a plea by Sikhism's highest religious bodies to stop the release of the National Award-winning and Censor Board-certified movie *Nanak Shah Fakir* for having a human characterise Guru Nanak. The film won the National Award for promoting national integrity. Chief Justice of India Dipak Misra, who led the Bench, said the film was only a "venerated projection of Guru Nanak in celluloid language." "Any injunction [on the film] will be slightly stretching the constitutional principles," the Chief Justice observed. "This is a regional film which has won a National Award for promoting national integrity... it is not an ordinary award," Chief Justice Misra remarked.

**Cinematograph Act**

The Chief Justice said the film "actually makes people aware of the Gurus." He said the issue in the case was not the essential features of Sikhism, but instead, whether this movie has violated the provisions of the Cinematograph Act.

At one point, the Chief Justice asked the opinion of senior advocate Ram Jethmalani, who was sitting in the front row in his robes. "A religious injunction [against the human portrayal of the Gurus] cannot be converted into a legal injunction... Human beings are portraying the Gurus... So what?" Mr. Jethmalani, who has seen the film, said in court.

Senior advocate P.S. Patwalia, who is appearing for the Sikh religious bodies, said the Sikhs did not believe in living Gods or idols. He said the film had actors playing the Guru and His family. Mr. Patwalia said the SGPC, a statutory body, had resolved way back in 2003 against movies featuring the Gurus. This resolution had been reiterated time and again over the years. "Under Article 26, Sikhs have the freedom to manage their religious affairs, and every religion has rules," Mr. Patwalia submitted.

Senior advocate R.S. Suri, on behalf of the movie's producers, said his client has great respect for the religious bodies and has incorporated changes suggested by them. He said the film's message was that a "person is a person first before he or she became a Hindu or a Sikh, etc. People should not be divided over religion. The movie is that."

Towards the end of the hearing, Chief Justice Misra suggested whether the actor playing the Guru could desist from taking credit. "Let him not be named, let it be an abstract person..." Chief Justice Misra suggested orally. Finally, the court asked both parties to come up with suggestions to resolve the dispute and posted the case for hearing in May.

**END**