

CHAPTER 5

STRUCTURE AND OPPORTUNITIES OF EMPLOYMENT IN MOBILE THEATRE

5.1 INTRODUCTION:

The concept of itinerant theatre is a universal model and in almost all geographical regions of the world we can observe the existence of such mobile theatre groups with different forms and performances. In India, such itinerant theatre groups exist mainly in the states of West Bengal, Karnataka and Kerala. The existence of such theatres in various countries like Japan, United States, South America, Russia etc. has already been pointed out in the introductory chapter. But the question is why we call the mobile theatre of Assam or Bhramyoman unique?

The answer lies in the size, operation and business structure of Assam mobile theatre which has no parallel anywhere in the world. Bhramyoman sees itself as an exclusive professional theatre that has provided employment to thousands of families over the last few decades and is already recognised as a distinct cultural platform capable of sustaining itself. This is the secret behind the establishment of nearly two hundred mobile theatre groups since the days of Natraj Theatre. At least two hundred of these theatre groups employed a huge number of people. (*List of Bhramyoman Theatre since 1963 is shown in Appendix-5.1*) The total number has not been recorded by any of the mobile theatre groups in a proper format, but many estimate that it has been more than two to three lakh people in the last six decades. Despite the many unseen livelihood risks, new entrepreneurs are still eager to enter the fray and the average number of mobile theatre groups operating per year in Assam is always between twenty and thirty, with some joining and others ceasing to operate every year. During the heyday of

mobile theatre in the first decade of this century, there were some years when this number even reached forty (Deka, 2009).

Now the question arises: what are the reasons that a jatra performer, who all his life considered jatra as a charitable service to his community, changed his mind set and adopted acting as a source of income? If we want to find out the reasons why a person who joins a particular folk performance without getting any financial gain for it, we will find that such a performer has always considered his role as a moral obligation towards his own community, which is essential for its social existence. The structure of any folk art built on a participatory model allows it to communicate with the community through the gifted talents of these performers without regard to financial or other gain. However, with the rapid spread of the British Empire, especially in the eastern and northeastern parts of what was then India, the Jatra gradually transformed into a structure that could generate income from its performances. But unfortunately, for many reasons, no concrete structure could be developed within the Jatra groups that would have enabled the Jatra activists to make a greater transition in creating livelihood opportunities. To take a major step towards economic sustainability, they had to wait for the advent of mobile theatre which eventually changed the entire scenario of the performance arena of Assam in the second half of the twentieth century.

Sharma and Kalita (2020) had mentioned this transition in the following words “If we look back in the history of mobile theatre, we would see that during the 1960s mobile theatre had emerged as an alternative platform capable of providing sustenance to those amateur cultural workers who had been working in *Jatras* and other traditional form of theatrical performances without getting any stipulated and assured wages or remuneration. Before the advent of mobile theatre, performing artists were mainly farmers, farm workers, artisans or daily wage earners who had engaged themselves with theatre for satisfying their creative urge, for providing entertainment and for their spiritual/religious satisfactions. Theatre was not a livelihoodThe Bhramyaman theatre of Assam brought in a professionalism and business perspective to the traditional form of theatrical performances unlike *Jatras*. It established means of permanent income for numerous amateur artistes and also introduced somewhat of a norm for

remuneration of the artistes as well as other non-performing workers. The financial involvement and business risks in a *Jatra* party was much lower compared to the bigger set-up of a mobile theatre. Braja Nath Sarma had tried to bring in some kind of professionalism into *Jatra* parties but business and profits were not priorities. Sada Lahkar had a very successful *Jatra* party; but again, profit or businesses were always secondary considerations.” (Pp: 224-225)

But breaking all these previous norms and financial pattern, the pioneer of this mobile theatre Late Achyut Lahkar started this form of theatre with considerable amount of investment most of which he received as credit and support from his friends, family members and people of then Pathsala. Remembering this great adventure, late Lahkar revealed many times that he started Natraj Theatre at his own risk. At that time nobody was convinced that this form could do good business and hence everybody was reluctant to offer any financial support to him. In his words “I had to manage everything. As you know that producing a professional theatre show can be expensive and sometimes risky. There is a huge financial outlay before the show opens; auditioning and rehearsing, designing and building sets, designing and making costumes and props etc. And there is an element of risk concerning how popular the show might be. A well-known classic or musical will usually be a less risky venture than a new play by an unknown writer. If the show is a success, there could be a financial return but if it is a flop, the losses can be catastrophic”¹

5.2 STRUCTURE OF A MOBILE THEATRE

5.2.1 FINANCIAL AND ORGANISATIONAL

The basic organisational structure of the mobile theatre has evolved from the traditional structure, management and operation of Jatras. The primary objectives of a jatra were to entertain the masses through some kind of philanthropic creative practises. In contrast, the pioneer of mobile theatre Achyut Lahkar wanted

¹ Interview by Kishor Kumar Kalita with Achyut Lahkar on 22nd February 2004, at his own residence at Pathsala and quoted in the book *Theatre on Wheels: A brief history of mobile theatre in Assam*, Guwahati: Blue Sparrow Books written by Dr. Jayanta Kumar Sarma and Kishor Kumar Kalita

to transform the mobile theatre into a unique business venture that could provide a sustainable livelihood to the artists and at the same time make some profit to the owner. This motto has been the driving force for the mobile theatre from the very beginning, which in turn has always been a separate business venture in the unorganised sector. Regarding the financial capital of the mobile theatre, the owner of Awahan Theatre explains Krishna Roy: "Anyone who wants to start such a business has to take a high financial risk from the very beginning. We know that the assets, which include the equipment and materials for the stage, halls and seating, have no resale value and if you want to get rid of these items after the theatre closes, you have to sell them like scrap. Similarly, it is quite difficult to recoup the investment used to buy vehicles, musical/sound instruments and other technical equipment. Therefore, every mobile theatre owner must have some knowledge about financial management, whether it is formal or informal. The main objective of the owner is to maintain the theatre without having a financial deficit after paying each employee a reasonable salary and incurring other related expenses. Therefore, we have to be very choosy in selecting the staff to run a theatre. It is quite difficult to estimate the total expenditure of a mobile theatre as it varies from theatre to theatre depending on the capital investment and other organisational structures. In my theatre Awahan, I spent about five rupees. This includes all kinds of wages and salaries, cost of music composition, advertisement in print media, television and digital platforms, travel, communication, food and accommodation expenses, cost of purchasing various equipment for pandal, stage, sound and music etc." ²

As we mentioned earlier, extant mobile theatre companies have been informally categorised as A, B, or even C based on their staffing levels, level of activity, investment, prominence, revenue, and long-term viability. There are few established criteria or written standards for such classification, and classifications are mainly peer-reviewed and hypothetical. Organisationally, regardless of its classification, a mobile theatre has some official positions, obligations or tasks entrusted to it by the owner or proprietor or, if it is run by a foundation/company or

²Interview by Parag Barman with Krishna Roy on 20th May 2020, at his own residence at Pathsala.

a cooperative, by the relevant executive acting on behalf of that legal entity.³ To manage the whole troupe, each mobile theatre usually appoints two or three secretaries or/and managers (subordinate managers). The number of these managerial posts depends on the unofficial grade of each troupe. These secretaries/managers perform most operational and administrative tasks and sign all types of contracts on behalf of the producer. They are also empowered to fix the price for each show to be held at different venues, popularly known as 'Show Money'. This show money is the main source of income of a mobile theatre group and is fixed after negotiations between the managers/secretaries of the theatre group and the concerned committee inviting the theatre group to their venue.

Apart from fixing the performances and paying the fees, the Secretaries/Managers shall also be responsible for the accommodation, food, transport and any other activities as may be assigned by the Producer from time to time. Every employee, from the top performer to the lowest worker, must work or serve in a mobile theatre on a contractual basis. Their contract is for eleven months. The labour requirement varies from seventy to one hundred and fifty people, depending on the size, scope, and unofficial classification of a mobile theatre. Each member of this core group must move from one location to another according to a schedule set before the first performance of the season begins. This group consists of both skilled professionals and unskilled labourers (who are tasked with setting up the stage and auditorium at each location), male and female actors, playback singers, makeup person, costume designers, male and female dancers, choreographers, musicians, set designers, sound technicians, photographers, painters, tailors, carpenters, electricians, drivers, cooks, and labourers. In addition to this core group, a mobile theatre also employs a whole host of people who do not normally move from place to place, such as the core group mentioned above, which includes directors, dramaturgs, publicity specialists, music directors, artistic directors, lyricists, marketing specialists, etc.

The categorization of actors is a matter of the owner's discretion, as Krishna Roy says, "It takes about a hundred and fifty people to run a mobile theatre.

³ Interview by Parag Barman with Krishna Roy on 20th May 2020, at his own residence at Pathsala

Nevertheless, the number of staff varies according to the unofficial rank and financial capacity of the theatre. There are some star actors and actresses who are in the greatest demand among ordinary audiences. This is the only reason why any organising committee inviting a mobile theatre in their locality gives preference only to those mobile theatre groups who have such star actors. As there are few such popular star actors in the state of Assam, these actors increase their fees every year. These actors even get more than one crore rupees per performance year. It is also a fact that such actors are able to attract the audience to the theatre halls, which ultimately guarantees the continuity of a mobile theatre group. Even though a large amount of capital is spent on recruiting such star actors, an owner can rightly expect a return on the money spent on them. There is also competition between the various theatre companies to attract the best actors and actresses for the commercial success of their respective troupes. This does not mean that such a tradition has a negative impact on the other actors that we usually classify as second or third category. On the contrary, due to the gradual or in some cases accelerated increase in the rates of VIP actors, the above two classes of actors are also increasing their contract rates, which are now several lakhs per month, even for those who used to get a minimal amount of twenty to thirty thousand per month. Apart from these actors, there are quite a few people in the mobile theatres who work in the fields of dance-drama, music and lighting. Their salaries vary from person to person depending on their past experience in the theatre, and these salaries or allowances also vary from theatre to theatre. There are no set rules or guidelines for determining their wages. It is at the discretion of the artistic director or owner how much they pay. In my theatre, many have been paid twenty to thirty thousand rupees per month depending on their skills and experience. We do not usually use the term 'skilled' or 'unskilled' for the working classes. But they are the men who run a theatre in the real sense, regardless of any challenges. It is a common phenomenon that weather is unpredictable everywhere and we have to be on top of everything even in such conditions. In such situations, like heavy rain, we have to set up the stage and the pandal within the stipulated time as we promised the inviting committee. According to the agreements we made with the committee, we are obliged to prepare everything so that the show can start in the scheduled time. All these difficult and challenging tasks are in the hands of the workers who work manually. For this reason, a mobile theatre usually needs to employ more people as workers so that

there is no shortage of workers in times of need. A worker who starts his work in a mobile theatre may not have any experience. But gradually, through practise, he develops into a professional and earns the wages he demands. The average salaries for such workers are eighteen to twenty thousand rupees and can save a lot of money as no member of a mobile theatre family has to spend even a penny on food and accommodation.”⁴

5.2.1.1 INCOME AND EXPENDITURE:

Sharma and Kalita (2020) have mentioned that the capital investment of a mobile theatre comes from two sources- producer’s own fund and loans. The authors also mentioned that a theatre group needs around forty to fifty lakh rupees as working capital at the very beginning of each season starting from the month of June. This working capital is managed from advance payments taken from committees with whom agreement for stipulated shows were signed. Apart from this, mobile theatre groups also arrange capitals (both fixed and working) from individuals, local bodies, organisations, clubs etc as share capital. These shareholders receive profit as per their share of capital. (P-249)

The main income of a mobile theatre comes from tickets that have been sold to the audiences. The local bodies, clubs. Cultural - religious organisations whoever may be inviting a theatre takes the responsibility of selling tickets for the scheduled shows. While such body/organisations executed one agreement with the mobile theatre group terms and conditions of which are written down evidently in regards show money,⁵ detail of revenue sharing model and mode of payment. The theatre group also received an amount as advance that is adjusted later on against the share of the sale proceeds of show tickets. The agreed money that is given to the

⁴ Interview by Parag Barman with Krishna Roy on 20th May 2020, at his own residence at Pathsala

⁵ Show money means the total rate of a show performed by a particular mobile theatre group. This show money has been fixed at the time of executing the agreement between the mobile theatre group and inviting committee. This is a fixed amount for every show for all three or four days as agreed in the agreement. The stipulated show money has no relation with the revenue generated from the selling of tickets. The organizing body has to pay the show money even if there is no sale of tickets. For the second and third show of the day, the revenue collected for sale of tickets is shared at the ratio of 70:30 or 60:40 between the theatre group and the organizing body that invites theatre to particular locality. If any additional show is decided then revenue sharing has been fixed through negotiations. In the very initial year of NatrajTheatre the show money was fixed at one thousand rupees.

proprietor or managers after the completion of shows in particular venue is the income of a theatre. The amount of show money had been over the years increased to one lakh twenty to forty thousand rupees in recent years according to the grade of a theatre.⁶ Mousumi Devi for her thesis submitted to Gauhati University has revealed that the show money is the source of almost ninety percent revenue of a mobile theatre. She also disclosed a fact of revenue collection of ten mobile theatres in the year 2013-14 accumulated amount of which was around rupees seventeen and half crores with each group earning within a range of one crore thirty lakh rupees to two crore rupees. On the other hand, the total expenditure of these ten mobile theatre groups during the same year was about twelve crore seventy lakh rupees. Thus, these ten mobile theatre groups together earned a profit of almost five crore rupees in 2013-14. (Devi, 2016)

On the other hand, the profit generated by organising such shows goes to the organising committee which again uses to construct school colleges, clubs, library and other social institutions. Now a day's many organisations invest such profit for many other economic activities including formal as well as informal financial market. So, a close observation of financial input and output reveals about the viability of the mobile theatre industry. We have seen that there are a good number of theatre groups whose return on the investment in the form of profit had been a whopping forty-one percent. Because of this reason every year at least two or three mobile theatre forms in the state despite the fact that more than one hundred and sixty groups had to close their venture as a result of financial loss and mismanagement.

In regards expenditure, the main outlay of a theatre could be divided into two parts. The first part is the initial fixed capital investment that is mostly used for developing the infrastructure that primarily means the cost for making the stage, purchasing equipment, vehicles etc and the improvised auditorium. As most of the assets that have been used in the stage and auditorium including the musical and other technical equipment are depreciable, therefore every year more capital is needed to cover such depreciation. How often glamorous actors/actresses increases

⁶ Interview by Parag Barman with Tapan Lahkar on 24th July 2020, at his own residence at Pathsala

the capital investment that have been rightly elaborated by Sharma and Kalita (2020) as- “Since the basic structure of a mobile theatre does not have much scope for drastic overhaul, the value addition to marketability of a theatre group is often done in the form of star actors with high glamour quotient. There has always been an undeclared war among mobile theatre groups to rope in the most glamorous of the actors. That allows the actors to negotiate very high salary which often pushes up the total expenditure of the mobile theatre groups.” (Pp-234-235)

The second part is the running cost or working capital which is mainly for salaries, accommodation, and food and transportation. We can see a wide disparity in the salary structure of a mobile theatre. While a star actor received around crore rupees for a particular working year the ordinary artiste, labour get less than one lakh in the same tenure. Such inequality which is evident in the salary structure can also be seen in providing accommodation where lead actors get special status in different venue and during the rehearsal period, contrary to that in most places cheap and uncomfortable accommodation are provided to the artistes/labours by the organising committee.

The expenditure and income generation of a mobile theatre can be summarised in following headings:⁷

A) Average Annual Income:

1) Total show: A theatre group starts its shows right from the middle of August and continues up to the second week of April month of the next year without any interval. Counting from 15th August of a particular year to the 10th of April next year a mobile theatre performs almost 240 days per year. As per this order a mobile group performs two shows in average. In that sense the performance statistics of a theatre group can be counted as shown in Table 5.1

⁷ Every theatre group has different cost and earning modules depending upon the capital investment, financial loan and infrastructural expenditure. The statistics drawn here is developed after a thorough discussion with a number of people who are associated with the management of mobile theatre for a long time.

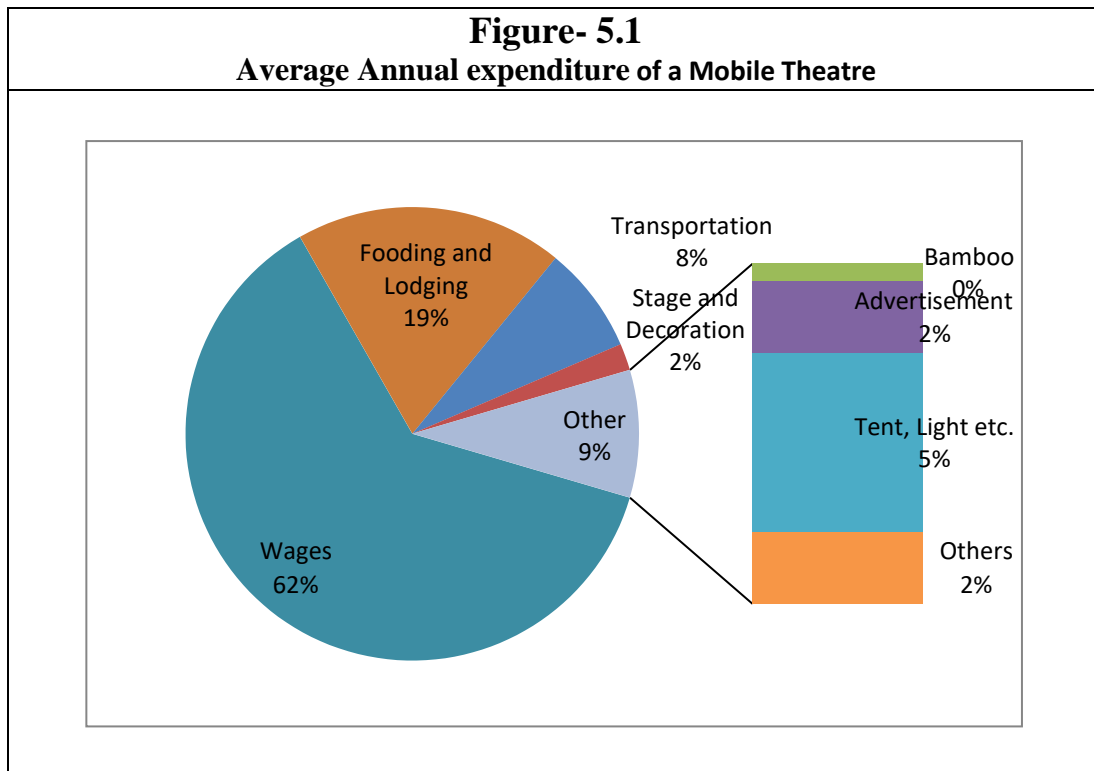
Table- 5.1 Average Annual Revenue of a Mobile Theatre
Average 1 show per day X 240 days Plus around 100 extra shows (Second show in one night) = 340 shows
Total income from shows: The average rate of a mobile theatre per show is Rs.50,000/-
As per this calculation a group can annually earn: $340 \times 50,000 = 1,70,00,000$ (One crore Seventy lakh per year)
Source: Field Survey

B) Average Annual Expenditure:

From the data in Table No. 5.1 one can rightly come to the conclusion that if a mobile theatre can successfully tour on the scheduled days and perform plays successfully, it can generate at least twenty to thirty lakh rupees as profit after deducting the bank interest and paying the profits to its stake holders.⁸ Usually, every producer of a mobile theatre takes the financial support from banks and also takes personal loans from individual as well as social organization i.e., social institution, clubs, literary and cultural organization etc. to meet the annual stipulated expenditure. Every turnover is counted after the scheduled tour is completed and the producer makes the audit. After the audit is completed, such is disclosed before the committees who offered financial support in the very beginning of the precedent year.

⁸ Most of the Theatre groups take financial support from different sources for its capital investment. A theatre group needs around forty to fifty lakh rupees at the very beginning of each year that started from the month of June. Apart from advance money taken from committees with whom agreement for stipulated shows are signed, the theatre group also takes money from the local bodies, organisations, clubs etc who in return receive profit as per their share of capital.

Table- 5.2			
Average Annual expenditure of a Mobile Theatre			
Sl. No.	Expenditure Head	Amount (in INR)	Amount (in INR)
1	Total Payments to Actors	60,00,000/-	Total Wages 65,00,000/-
2	Payment for script writing (For 4 dramas)	2,00,000/-	
3	Director's Remuneration	1,00,000	
4	Remuneration for music director	1,00,000/-	
5	Remuneration for Art director	50,000/-	
6	Remuneration for Choreographer	50,000/-	
7	Food and lodging	20,00,000/-	Total Non-Wage Expenditure 39,50,000/-
8	Transportation (within the state)	8,00,000/-	
9	Stage and decoration	2,00,000/-	
10	Bamboo	50,000/-	
11	Tent, light, Sound system, Chairs and other wooden products and Utensils	5,00,000/	
12	Advertisement and posters	2,00,000/-	
13	Others	2,00,000/	
Total Expenditure:		1,04,50,000/- (One crore and four lakh fifty thousand)	
Source: Field Survey			

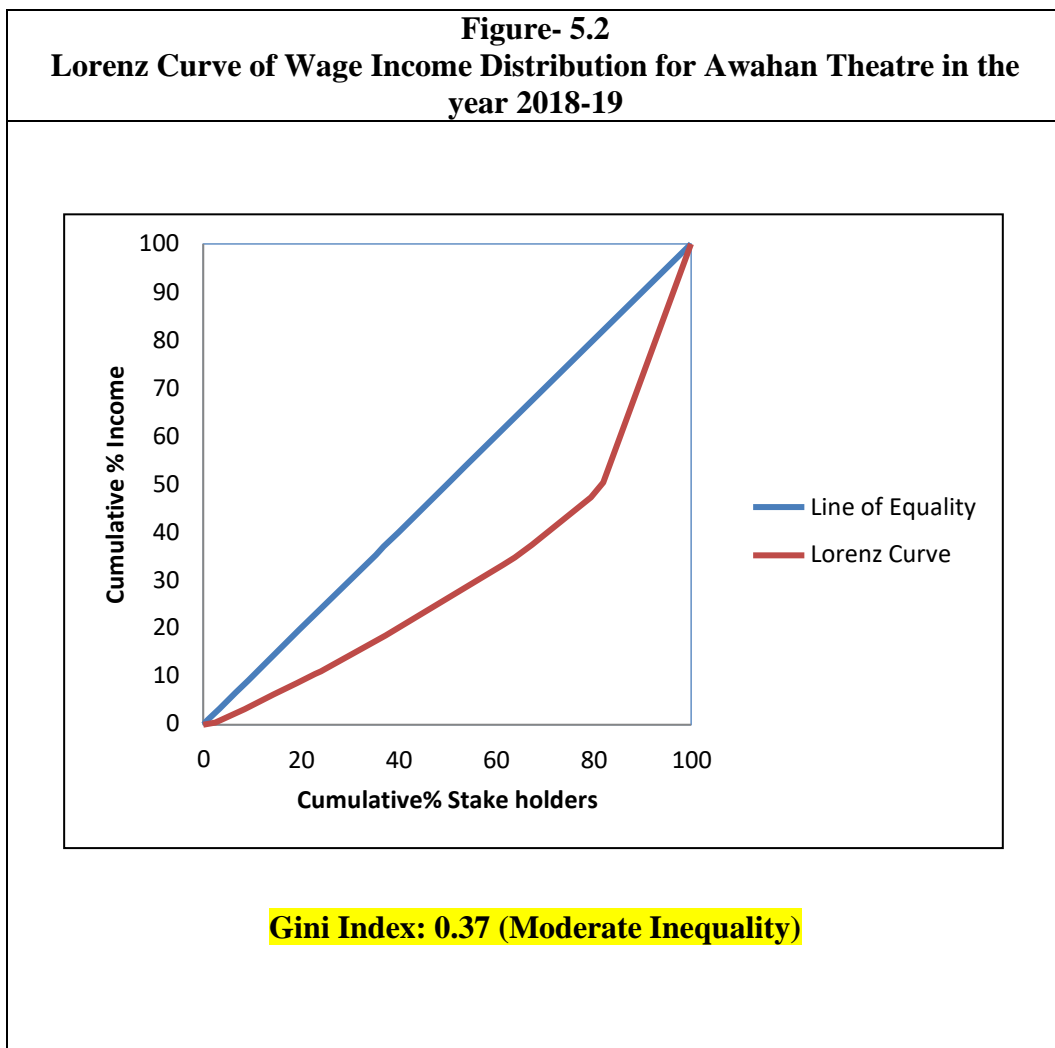


It may be noted that majority of Expenditure goes to Total wages with 62% share. Keeping in view this aspect, we further investigate into the different stake holders who received this amount in the form of wage income for Awahan Theatre from primary investigation as shown in table no. 5.3.

Table - 5.3				
YEARLY INCOME OF STAKE HOLDERS ENGAGED IN AWAHAN THEATRE IN THE YEAR 2018-19				
Sl. No.	Stake Holders	Number Of Stake Holders Engaged	Income Earned	Remark
1	Producer/ Owner	1	-	-
2	Manager	3	450000	One Chief with Two Assistants
3	Actor	15	8100000	40.5% (Highest)
4	Dancer	10	1100000	
5	Singer	2	500000	
6	Musician	5	500000	
7	Technician (Light, Sound, Stage)	10	1600000	
8	Driver	4	360000	
9	Security	4	400000	
10	Cook	2	250000	
11	Unskilled Labour	20	2400000	
12	Script Writer	3	300000	Per Drama 1 Lakh
13	Music Director	1	80000	
14	Choreographer	1	50000	
15	Art Director	1	100000	
16	Costume Designer	1	100000	
17	Tailor	1	30000	
Total Wage Payments			1,63,20,000	
Total Non-Wage Expenditure			36,80,000 (=2,00,00,000 -1,63,20,000)	
Note: 1. No Of Drama per Pandal: 3 2. No Of Pandals: 80 3. No Of Show: 240 4. Total money incurred by the producer in 240 shows: 2,00,00000 5. Producer's income in not taken into consideration as the remaining part of total revenue is earned as profit				
Source: Primary Survey				

The distribution of income for different stake holders as shown in the table no. 5.3, appears to be moderately unequal distribution among them which can be

noted from figure no. 5.2 depicting the Lorenz curve with the resultant Gini coefficient value of 0.37.



It may further be noted that out of the total stake holders, it is the actors who takes aside majority of total wages with 40.5% in this particular case. The most striking inequality of wage structure lies within the category of actors. Primary survey for the same year 2018-19 for the same Awahan Theatre reveals as seen in table no. 5.4.

Out of the total 15 actors the highest paid star actor amasses more than half of the total wages for actors with Rs 40 lacs per annum. Whereas, the lowest wage with only Rs 1 lac per annum (which is just above 1% paid to the actors) going to nine individuals. Both range and standard deviation appears to be very high.

Table- 5.4		
YEARLY INCOME OF ACTORS ENGAGED IN AWAHAN THEATRE IN THE YEAR 2018-19		
Actors	Yearly Contract Wage (in INR)	Statistical Measurements
Actor 1	40,00,000	<p>N = 15,</p> <p>Range: 39,00,000</p> <p>Mean Wage: 5,40,000</p> <p>Standard Deviation: 10,04,845</p>
Actor 2	10,00,000	
Actor 3	8,00,000	
Actor 4	7,00,000	
Actor 5	5,00,000	
Actor 6	2,00,000	
Actor 7	1,00,000	
Actor 8	1,00,000	
Actor 9	1,00,000	
Actor 10	1,00,000	
Actor 11	1,00,000	
Actor 12	1,00,000	
Actor 13	1,00,000	
Actor 14	1,00,000	
Actor 15	1,00,000	
Source: Field Survey		

Comparing table no. 5.2 and table no. 5.3, it is found that it is the expenditure on men power as wage which makes difference in total expenditure pattern of a mobile theatre, else the non-wage expenditures vary quite marginally.

Looking at the wages paid to the highest paid actors in different theatre groups also confirms high inequality in wage structure which defines the concentration of glamorous actors in selected few groups. The names of the actors have been kept withheld for confidentiality. Statistical calculations show high value of dispersion as can be seen in Table 5.5

Table No. 5.5			
YEARLY INCOME OF HIGHEST PAID ACTORS ENGAGED IN DIFFERENT THEATRES IN THE YEAR 2019-20			
Theatre Group	Actors	Yearly Contract Wage (in INR)	Statistical Measurements
Surjya	Actor 1	40,00,000	N = 10, Range: 50,00,000 Mean Wage: 27,80,000 Standard Deviation: 15,25,924
Awahan	Actor 2	60,00,000	
Rajtilak	Actor 3	25,00,000	
Kohinoor	Actor 4	10,00,000	
Chiranjib	Actor 5	15,00,000	
Bordoicila	Actor 6	30,00,000	
Hengul	Actor 7	18,00,000	
Brindaban	Actor 8	40,00,000	
Bhagyadevi	Actor 9	15,00,000	
Sudarshan	Actor 10	25,00,000	
Source: Field Survey			

5.2.2 STATUTORY PROVISIONS:

In 1997, Late Achyut Lahkar received the Kamal Kumari National Award award for his unprecedented contribution to the cultural heritage of Assam by introducing Bhramyoman theatre. In his acceptance speech, he narrated how he met the then Chief Minister of Bihar Karpoori Thakur with a written request for exemption from entertainment tax when he performed in Bihar and how the then Chief Minister promptly issued orders making mobile theatre tax free in Bihar. His lecture was attended by the then Chief Minister of Assam Prafulla Kumar Mahanta and after concluding the programme, he assured Late Lahkar that the Assam Government would soon make necessary arrangements to exempt mobile theatres from tax. Accordingly, Chief Minister kept its promise and Assam Government had exempted mobile theatres from Entertainment Tax since 1998.

But, unfortunately, there is no mobile theatre legislation to control this huge entertainment business with fixed standards and regulations. Late Ratan Lahkar had advocated strict regulations for mobile theatre till his death and had anticipated many apprehensions about Bhramyoman. Moreover, a section of

intelligentsia and actors have been demanding intervention of the state, not only in the interest of survival of mobile theatre but also to give it an organisational form so that the actors and workers get some financial security. According to Sharma and Kalita (2020), there are two reasons for this demand: first, the widespread deterioration in the quality of dramas staged by mobile theatres and a kind of cultural invasion by cheap and vulgar entertainment that emphasises sex and violence. Second, the terms of payment for workers were dictated almost exclusively by the owners of the producers, leading to great disparities in income. The unregulated and unorganised mobile theatre had begun to exhibit characteristics of a buyer's market, where a star actor could get in for an annual package of more than ten lakhruppes, while other actors could be hired for a paltry sum of one lakh rupees per year. Producers could adopt a hire-and-fire policy leading to uncontrolled exploitation. (p. 242)

Finally, in 2010, the Government of Assam enacted a law Assam Mobile Theatre (Regulation & Artists' Welfare Fund) Act 2010 (*Appendix-5.2*) to regulate the activities of mobile theatre companies. The Act received the assent of the Governor on 31 August 2010 and was notified on 7 September 2010. The Act aims to better regulate mobile theatre and control the haphazard growth of mobile theatre. The Act requires every mobile theatre group to register with the government and provides for a fine of one thousand rupees for each day of performance without registration. However, it makes no reference to any authority or mechanism to monitor such violations. The Act also makes no reference to the amount of registration fees and leaves this to the Director of Cultural Affairs, who would make the rules under the powers conferred on him by Section 25 of the Act.

This Act was enacted for the better regulation of Mobile Theatres, to curb the uncontrolled growth of Mobile Theatres, and for the establishment of Welfare Fund, to maintain the cultural standard and welfare of artists in the State of Assam, including Hills Districts and matters connected therewith and incidental thereto. The preamble to the Act states, "Whereas it is expedient to provide for better regulation of Mobile Theatres to curb the uncontrolled growth of Mobile Theatres and for the establishment of Welfare Fund for the purpose of maintaining the cultural standard and welfare of the artistes in the State of Assam, including Hills Districts and matters connected therewith and incidental thereto." The Act defines

the term "Mobile Theatre" as follows: "Mobile Theatre" means a theatrical group performing dramatic and other cultural performances for remuneration in the State of Assam, held on a temporary basis at various places and having at least two stages with lighting and sound system erected on a temporary basis; in a temporary pandal with seating for the audience in front of the stages, with a reasonable number of performers and other staff, both technical and non-technical, either occasional or regular, on their payroll and with permanent ground for the use of the Mobile Theatre on behalf of the Mobile Theatre or the producer, as the case may be, and the words "Mobile Theatre Groups" shall be construed accordingly:

Some of the main provisions of the Act are;

5.2.2.1 Registration of Mobile Theatre (Section 3):

(1) No person shall carry on the business of Mobile Theatre Mobile Theatre in the State of Assam, including Hills Districts, without being registered as a mobile theatre company with the Director in accordance with the provisions of this Act or renewing such registration.

(2) Any person desirous of establishing a new Mobile Theatre shall make an application in the prescribed form and with the prescribed fee to the Director for obtaining a provisional theatre group registration, if he undertakes in the prescribed form to comply with all the requirements under section 6 and to complete the establishment of Mobile Theatre within two months from the date of such undertaking. The application shall be accompanied by documentation of the land and property available in the name of the producer or mobile theatre group, as the case may be, and a plan and estimate of expenses for one year relating to the establishment and operation of the proposed Mobile Theatre, showing the recurring and non-recurring expenses necessary for that purpose, and a Bank Guarantee to demonstrate the financial soundness of the owner or the theatre group, the Director shall issue a provisional certificate of registration subject to the condition that the owner or theatre group shall complete the establishment of Mobile Theatre with all necessary infrastructure, equipment, artists and other personnel within the prescribed period of two months. On completion of this work, the provisional registration shall become final for that year after following the procedure provided

in Section 4. If the holder or the group Mobile Theatre fails to comply with the requirements within the prescribed period, the provisional registration shall be automatically cancelled after the expiry of two months from the date of signing of the undertaking and the holder or the group Mobile Theatre concerned shall not be entitled to carry on the business of the proposed Mobile Theatre.

(3) The extraordinary groups which do not yet have the requirements specified in section 6 shall also have filed an application for provisional registration with the Director in the same manner as in subsection (2) within thirty days from the date of coming into force of this Act. If they meet all the requirements under section 6, they shall be finally registered as Mobile Theatre group by the Director after completing the necessary formalities under this Act. In case the existing theatre groups fail to comply with all the requirements under section 6, the existing theatre groups shall not be entitled to carry on the business of Mobile Theatre.

(4) The existing Mobile Theatre groups which already comply with all the requirements under section 6 and have all the infrastructure, requisite number of artistes and other staff as required under this Act shall, within thirty days of the commencement of this Act, submit an application on the prescribed form along with the prescribed fees, if any, to the Director. The application shall also be accompanied by the documents relating to land and properties, infrastructure, equipment, artistes and other personnel to register the Mobile Theatre and obtain a final certificate of registration in its favour to operate the Mobile Theatre. Upon receipt of such application, the director shall cause the proper officer of the Cultural Centres of the respective county to conduct an investigation within thirty days of the director's receipt of the application. The proper officer of Cultural Centres shall, within fifteen days of receipt of the order of inquiry, submit a report to the Director, on the basis of which final registration of the Mobile Theatre concerned may be granted for the remainder of the year on payment of the prescribed registration fee and a certificate of registration in the prescribed form shall be issued to the registered Mobile Theatre.

(5) If the report of the officer in charge of Cultural Centres the districts concerned indicates that a theatre group applying for registration under sub-section (4) does not have the requisite infrastructure, equipment, requisite number of artistes and

other personnel and other requirements under this Act, the Director shall refuse final registration to such theatre group and the reason for such refusal shall be duly communicated to the producer concerned. Such theatre groups denied registration by the Director shall not be allowed to continue their performances and shall immediately cease their activities:

Provided that as soon as the theatrical group has acquired the requisite infrastructure, equipment, requisite number of artistes and other personnel and other requirements under this Act, notice thereof shall be given to the Director and the Director may, if satisfied that the theatrical group has complied with all the requirements under this Act, grant final registration and issue a certificate of registration for the remaining period of the year to the said Mobile Theatre group, subject to payment of the prescribed registration fees.

5.2.2.2 Finalisation of Provisional Registration (Section 4):

(1) Before the expiry of the provisional registration granted to a theatrical group under sub-sections (2) and (3) of section 3, the producer of the theatrical group shall comply with the requirements for incorporation of the Mobile Theatre and shall make an application in the prescribed form for the grant of final registration and issue of the final certificate of registration in respect of the Mobile Theatre concerned and shall pay the prescribed fees.

(2) On receipt of the application, the Director shall cause the proper officer of the concerned Cultural Centre of the District to hold an inquiry within fifteen days of the receipt of the application. The officer-in-charge of the concerned Cultural Centre of the District shall make such investigation and inspection as may be necessary and submit a report to the Director within fifteen days of receipt of the order of the Director, on the basis of which the Director may grant final registration and issue a certificate of registration for one year or the balance of the year, as the case may be, to the concerned Mobile Theatre, subject to payment of the requisite registration fee as may be prescribed.

(3) If the report of the officer of Cultural Centre of the district concerned indicates that a theatre group which has applied for final registration under sub-section (1)

does not have the requisite infrastructure, equipment, requisite number of artistes and other personnel and other requirements under the Act, the Director shall deny final registration to such theatre group and the reason for such denial shall be duly communicated to the producer concerned:

Provided that once the theatrical group has acquired the requisite infrastructure, equipment, requisite number of artistes and other personnel and other requirements under this Act, notice thereof shall be given to the Director and the Director may, if satisfied that the theatrical group has complied with all the requirements under this Act, grant final registration and issue a certificate of registration for the remaining period of the year to the said Mobile Theatre, subject to payment of the prescribed registration fee.

5.2.2.3 Renewal of Registration (Section 5):

(1) Every manufacturer of registered Mobile Theatre, who desires to continue Mobile Theatre in subsequent years, shall, before March 31 of each year, file with the Director an application for renewal of the registration of Mobile Theatre in the prescribed form and pay the prescribed fees. The application shall be accompanied by a Income Tax Clearance Certificate and Entertainment Tax Clearance Certificate for the preceding year.

(2) Upon receipt of an application for renewal of registration, the Director may, if satisfied that the Mobile Theatre group has successfully completed its performances during the preceding year and has maintained the required infrastructure, equipment, number of performers and other personnel and other requirements under this Act, grant renewal of registration and issue a Renewal Certificate to the Mobile Theatre for that year before April 30 of each year.

5.2.2.4 Requirements to be fulfilled for Registration as a Mobile Theatre and renewal thereof (Section 6):

A theatre group must meet the following requirements to be eligible for registration as and renewal of Mobile Theatre.

- (i) The theatre group must have at least two stages and adequate lighting and sound equipment.
- (ii) It must have at least one hundred artistes and other technical and non-technical staff on its payroll, either as casual or permanent employees, as the case may be, or such number of artistes and other technical and non-technical staff as may be specified by the Government from time to time by notification.
- (iii) It must have fixed properties and immovable properties in the name of the producer or Mobile Theatre and used exclusively for the Mobile Theatre group.
- (iv) It must have the necessary infrastructure and equipment without which the performance of Mobile Theatre is considered impossible.
- (v) It shall provide the necessary fire-fighting arrangements, including the appropriate equipment.
- (vi) It shall employ an adequate number of its own security forces as it deems necessary.
- (vii) It must provide the latest clearance certificate Income Tax for all funds used to support the theatre.
- (viii) It shall have all other things, articles and facilities and shall maintain the standards prescribed in the rules.

5.2.2.5 Effect of non-registration (Section 7):

(1) A mobile theatre company that does not have a valid registration or renewal registration as required by this Act is not authorised to engage in the business of Mobile Theatre.

(2) If the Director finds that any Mobile Theatre group is performing dramatic and other cultural performances at any place without having a valid registration as required by this Act, he may order the Mobile Theatre group concerned or its producer to stop the performance immediately.

(3) Any mobile theatre group operating Mobile Theatre and performing its

performances without having a valid registration under this Act shall be liable to pay a fine of Rupees One Thousand (Rs. 1,000/-) per day for each day of such performance without registration, levied from the date from which the Mobile Theatre group operates Mobile Theatre and performs performances without valid registration.

(4) The amount of the fine shall be deposited by the Producer at the request of the Director within the time specified in Demand Notice and shall be credited to the Artists' Fund Welfare Fund:

The Director shall issue to the Producer the required receipt for payment of the fine.

(5) Mobile theatre groups which fail to produce a valid registration certificate when applying for tax exemption from the Government shall not be entitled to any tax concession.

5.2.2.6 Obligation of the Mobile Theatre (Section 9):

(1) Every mobile theatre company shall endeavour to protect and preserve the cultural heritage of Assam and all programmes produced by the mobile theatre company shall be free from vulgarity and obscenity. The producer shall give an undertaking to this effect to the Director at the time of final registration of the mobile theatre in the prescribed form.

(2) If public opinion arises or if the Director receives a complaint or other information against a group Mobile Theatre that the group Mobile Theatres has violated the provisions of the undertaking given under subsection (1), the Director may have the complaint or information by such panel of experts as he may appoint for the purpose and on receipt of the report of the panel of experts, the Director shall be satisfied that the group Mobile Theatre has in fact produced a programme or scene containing vulgarity or obscenity, he may direct the group Mobile Theatre, enclosing a copy of the report of the panel of experts, to cease and desist from broadcasting such programme or scene, which shall be binding on the group Mobile Theatre. Failure to comply with any such direction of the Director may be grounds for refusal to renew the registration of the relevant Mobile Theatre group in the next

year. Further, the concerned manufacturer of such Mobile Theatre group who defies such direction may also be treated as disqualified for manufacturing any Mobile Theatre in future: Provided that the refusal to renew the registration or registration on the ground of non-compliance with the direction of the Director under this section shall be communicated in writing to the concerned Mobile Theatre group or the concerned manufacturer as the case may be.

5.2.2.7 Establishment of Artists' Welfare Fund (Section 11)

(1) The State Government shall, by notification in the Official Gazette of Artists' Welfare Fund, establish a fund to be known as Artists' Welfare Fund for the welfare of the artists of Mobile Theatre in Assam, with effect from the commencement of this Act.

(2) The Fund shall be credited with:

(a) All sums of money collected under Sections 3, 4 and 5 from the registration and renewal fees of Mobile Theatres;

(b) The amount paid annually by the Government for the registration and renewal of Mobile Theatres in any year, which amount shall in no case be less than the amount collected under subsection (a) of this section;

(c) Any amount of money collected/disbursed as fines under paragraphs (3) and (4) of section 7 and section 8, respectively;

(d) Any other donation, contribution or subscription from any person, body, authority or committee and any grant from the Government.

5.2.2.8 Utilization. of the Artists' Welfare Fund (Section 12)

Artist List Welfare Fund will be used for regular or one-time financial assistance to artists of registered Mobile Theatre in Assam when they are in urgent need of money for the following reasons:

(i) For their own medical treatment or that of a family member due to serious illness;

(ii) If the artist is unable to perform on Mobile Theatre due to ill health, old age or any other physical or mental disability;

(iii) Any other reason for which the Artists' Association Welfare Fund Committee deems it necessary to provide urgent financial assistance to the Artist concerned.

Explanatory Note: For purposes of this section, the term "family member" includes the artist's wife or husband, dependent parents, and non-working sons and daughters, and the word "parent" includes stepparents.

5.2.2.9 Constitution of the Artists' Welfare Fund Committee (Section 13)

13(1) The State Government shall, by notification in the Official Gazette of the Artists, with effect from the date specified therein, constitute a Welfare Committee to be known as " Artists' Welfare Fund Committee".

(2) The Committee shall be a body corporate having perpetual succession and a common seal and shall have power to acquire, hold and dispose of property and to sue and be sued in that behalf.

(3) The committee shall consist of,

- Senior Secretary to the Government of Assam, Cultural Affairs Department -- Ex-officio Chairman.
- Director, Cultural Affairs, Assam - Secretary.
- Two representatives of the All-Assam Mobile Theatre Producers Association. -Members
- Two eminent persons of the theatre. -Members
- One representative of the Finance Dept./or Director of Accounts, Assam. -Members
- One representative of the Dept. of Public Enterprises. - Members

(4) The term of office of the non-official members shall be three years from the date of announcement:

Any member who has completed the three-year term may be reappointed by the State Government for a further period of three years.

Though the said Act was enacted as a beneficial legislation for the artistes, unfortunately, it has never been implemented in the last decade as the Directorate of Cultural Affairs, Government of Assam, is yet to lay down the rules for the implementation of the proposed Act. Even the mobile theatre groups in the state are not making any effort to insure their employees under the provisions of Provident Fund or the Employees State Insurance Scheme.

In this regards the proprietor of Awahan Theatre Krishna Roy states- “Yes, it is a fact that workers need such beneficial arrangements for their larger interest. But unfortunately, the organisational or financial resources of a mobile theatre are not capable of running such a programme continuously. We hired artists or workers on contract and their engagement lasts only nine to ten months. Most of them changed the mobile group frequently because they got more pay and promised better opportunities. When I received the Atul Chandra Hazarika award from Assam Government in recognition of my contribution to the mobile theatre, the then Chief Minister of Assam Late Tarun Gogoi, asked me to take the initiative so that the government could recognise Bhramyoman Theatre as an industrial unit. The respected Chief Minister also suggested to me that if mobile theatre is recognised as an industrial unit, the state government would be able to provide a loan to such a group at a very low rate of interest, perhaps one percent or less. But we had some reasonable concerns at that time about granting industry status to the mobile theatre. We felt that if the mobile theatre was recognised as an industry, every theatre would be legally bound to follow various rules and regulations of the various authorities. In this sense, our freedom would be restricted, and we would have to follow certain strict norms which are not possible for a mobile theatre. In most cases, we host the theatre quite casually and there are some hidden inherent norms that are crucial for the mobile theatre to thrive. There is a kind of mutual understanding and cooperation between management and staff, and we do not like mandatory norms in running our organisations. If the government introduces a new mobile theatre

loan programme, many will come forward to start a mobile theatre and their hidden agenda would be to swallow the loan without running the proposed business.”⁹

5.2.3 OPERATIONAL:

After all arrangements have been made by the owner through his agent or himself with the various employees of the mobile theatre group in question, including various categories of actors and actresses, the group's activities usually begin in June with the opening of rehearsals on a given day. It has already been mentioned that a person is employed for a period of eleven months for the mobile theatre and the contract period usually ends with the last performance of a year i.e. mid-April. There is no fixed rule or prescribed norms for mobile theatre. The amount of fees varies widely between actors, dramaturgs, directors, technicians, dancers, singers, etc. and between categories. There are many factors that affect the amount the crew receives. A popular and successful director will likely receive more money than a new director. Likewise, well-known actors who have a higher glamour quotient will receive more money. On the other hand, an actor will naturally receive more than a singer or dancer.

The rehearsal camps are permanently erected at a certain place of the owner's choice, and last nearly two or two and a half months, during which time the troupe prepares them for public performances. After the rehearsals are completed, each mobile theatre troupe organises an inauguration programme, especially in mid-August in the place where it originates or where the rehearsal camps are located. With this inauguration ceremony, the mobile theatre begins its performance tour, which continues without interruption until April. During this long period, which begins with rehearsals in June and ends before Rangali bihu in April, the entire mobile theatre group becomes one big family and the entire team moves from one place to another to perform dramas and dance dramas in more than seventy venues across the state. The task of feeding and housing the entire group for nine months, transporting the entire crew along with the heavy equipment, large tents and stage props to all destinations every third day, is an extraordinary and unique feature of

⁹ Interview by Parag Barman with Krishna Roy on 20th May 2020, at his own residence at Pathsala

the mobile theatre. It is an accepted custom for a mobile theatre group to perform in one location usually for three days. During these three days, the group performs an average of two to three shows per day. The number of performances depends on the popularity of the play and the actors, and is largely weather dependent.

5.2.4. STRUCTURE OF STAGE AND HALL:

Although it is nowhere mentioned or no one has prescribed a particular model, the usual size of the stage of a mobile theatre is about eight hundred and seventy-five square feet (35 feet by 25 feet). In many theatres of the first class, stages of one thousand square feet (40 feet x 25 feet) have recently been used, with a ramp projecting from the stage into the auditorium, and affording additional space for dancers and actors. Generally, each theatre has at least four such stages. Of these four stages, two are erected side by side at a particular place where the performance is to take place, while two other stages are erected in advance at the next place, so that the performance may go from one place to the next without interruption. Once the performance is over at a particular venue, the stages are taken down and moved to the third venue in line. The stages are set up under a huge, makeshift, waterproof tent that covers about twenty thousand square feet of space (200 feet by 100 feet). The first group of workers, consisting of twenty to thirty people, arrives at the venue at least three days before the event to set up the tent. The second group of performers and others do not arrive until the day before the show. Their food and lodging are arranged at a public facility such as a school or house of worship. A team of cooks and helpers travel with the team to prepare food for the group. (Sharma and Kalita, 2020, p:229-230)

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5.3 EMPLOYMENT OPPORTUNITIES IN MOBILE THEATRE

5.3.1. OCCUPATIONAL/ CAREER OPTION

The term 'Career' refers to a profession or occupation, especially one with opportunities for advancement, for which one trains, and pursues as a life's work. Career determines a number of things like lifestyle, work environment, routine, earnings, comfort, challenge, physical exertion and so on. The concept of career has changed a lot in the recent past. In the past only brilliant academic results were of utmost importance in the society. The emphasis was more on academic results than on the development of personality traits. Times have now changed. It has turned out to be a myth that only brilliant personalities make it to the top of their profession or make a name for themselves in the industry. Excellence is recognized in every field in today's world.

Nowadays, performing arts like acting, singing, music, dance etc. are no longer hobbies. They have become a challenging and lucrative career option in today's India. Music is a performing art which is an integral part of our culture. In today's life, music has also become a lucrative career option for many who are serious about this profession. The sudden growth of satellite television has led to a surge in demand for actors, filmmakers, directors, editors, dancers, screenwriters,

¹⁰ Interview by Parag Barman with Krishna Roy on 20th May 2020, at his own residence at Pathsala

and a host of artists needed in this field. These people can pursue their careers in theatre.

The first thing to know about theatre is that it is not just a few artistically inclined like-minded people who come up with random ideas, write down simple and complicated scripts or boring dialogues and discuss philosophy and poetry all day long, flaunting their jholas and kurtas and beards as proud accessories. On the contrary, there is more to theatre, much more than that. The production design, the set design, the costumes, and props, preparing scripts, rehearsals that stretch into the wee hours, printing and distributing flyers, putting up posters, taking care of lighting and sound requirements.

There was a time when it was unthinkable to think of theatre as a profession. But today, young people are actively interested in it. We now live in a time when people, especially the young, are not afraid to follow their hearts and pursue their passions. In states like Maharashtra and Gujarat, West Bengal and Assam, commercial theatre is very popular and has its own audience. The Mobile Theatre of Assam is one of the most successful urban commercial theatre movements in the country. Apart from being rewarding for the artists, it has also opened up a number of opportunities in terms of technological innovations. Moreover, various institutes like National School of Drama, Nandikar etc. have moved with the times and adopted a more diverse approach to theatre in terms of allied professions like sound and lighting design, besides the usual academic training in acting, directing and scriptwriting.

In an interview, Dr Bhabendra Nath Saikia had explained why he was committed to the mobile theatre. Reportedly, mobile theatre was a source of financial security for hundreds of artists and others engaged in a creative medium that provided meaningful employment. Yet, the medium had come under criticism for promoting crude entertainment without genuine cultural engagement. The contribution of mobile theatre in mobilising funds for numerous schools, colleges, cultural clubs, organisations and sports promotion could not be compared to any other endeavour. Dr Saikia was of the opinion that it was better to get involved with the mobile theatre and try to make a difference rather than criticise it for what it could not do. He felt that someone should take responsibility for providing quality entertainment

through better plays that spoke to the sense of society. This was his driving force that kept him tied to Awahan Theatre from the second year of its inception (1982) until his death in 2003.

How mobile theatre has contributed to society at large and how such an endeavour has provided employment opportunities to thousands of people has been noted by one of the doyens of mobile theatre entrepreneurship Late Ratan Lahkar in the following words:

"The mobile theatre will survive as long as the Assamese nation survives. However, I cannot say whether the mobile theatre will be able to maintain the same quality or not. But it will certainly survive. I would like to clarify one point here. The organisers who invite us to perform do so for profit. We need to bring in enough for them to keep a certain amount, even if they cover all costs, including payments to us. They need that money because often a mobile theatre is invited to serve a much larger cause, like building a permanent building for schools, etc. I can give two examples here. The people of Tangla and Dhekiajuli will always remember the contribution of Kohinoor Theatre to the construction of Tangla Girls High School and Dhekiajuli Girls' High School. So there is a commercial aspect in our performance. We have to think of the market. So the market determines the limits of our experiments. Within that boundary we have experimented a lot. *Matir Garhi*, *Ashemot Jar Heral Seema*, *Purush*, *Soraguri Chapori*, *Titanic* etc speak for me. But at the same time, I am against compromising on the quality of our production. I feel that good plays can be produced and staged even if one does not compromise on the economic aspects. Mobile theatre would produce good plays if people are willing to accept them. However, my personal experience, especially in 1983-84, has not been very encouraging.

Some people accuse us of corrupting our culture. They say we are playing for the gallery and adopting cheap glamour and ignoring our responsibility to preserve and promote Assamese culture. To them I must say this: we go to a place and stay there for three or four days. We perform an average of seven hours a day. What do you do during the rest of the year to preserve and promote Assamese culture...? We give jobs to many people - skilled and semi-skilled. A mobile worker gets more than five thousand rupees a month, apart from board and lodging. These people have no skills

and could not earn so much elsewhere. We also train them. An amateur group cannot even imagine this."

Mobile Theatre is one of the most popular mediums of entertainment in Assam. The journey began in Pathsala, a small town in southern Assam and the traditional centre of mobile theatre, where the legendary Achyut Lahkar, the founder of mobile theatre, realised his dream in 1963. One of the most important contributions of Achyut Lahkar was to bring folk artists like flute players, Jatra actors, dancers, drummers etc. on stage and make the profession profitable. Nowadays, the popularity of Jatra in Assam has surpassed even that of the film industry. It has gained popularity since its inception in the 1960s and has attained an undisputed status among the various forms of popular entertainment. It is a unique form of commercial theatre in the world. It is different from other forms of theatre prevalent in other places in India and abroad. In Assam, Mobile Theatre groups carry the stage and associated paraphernalia from place to place. Today, there are more than 20 active mobile theatre groups in Assam (Mobile Theatre Producers' Association, 2012). Each group has about 100 members - a mix of technicians, cooks, helpers and of course the acting crew.

5.3.2 SCOPE OF EMPLOYMENT

Mobile theatre, one of the most popular mediums of entertainments in Assam began its journey in Pathsala, a small town in southern Assam and the traditional centre of mobile theatre, where the legendary Achyut Lahkar, the founder of mobile theatre, realised his dream in 1963. One of the most important contributions of Achyut Lahkar was to bring folk artists like flute players, jatra performers, dancers, drummers etc. on stage and make the profession profitable. Nowadays, the popularity of Jatra in Assam has surpassed even that of the film industry. It has gained popularity since its inception in the 1960s and has attained an undisputed status among the various forms of popular entertainment. It is a unique form of commercial theatre in the world. It is different from other forms of theatre prevalent in other places in Assam, is home to Mobile Theatre, a unique form of entertainment. Mobile theatre groups visit towns and villages, carrying their own generators, stage equipment and even auditoriums in trucks. They pitch tents in open spaces and erect (makeshift) auditoriums with a capacity of 1200 to 1500.

Two stages are set up for quick scene changes. Each mobile theatre group travels across the state to 70-80 pre-arranged locations and performs for 225-240 nights without a break, usually performing plays for three days after rehearsing for about two months. Hardly any obstacle can stop theatre enthusiasts from filling the tents in droves. This makes mobile theatre the biggest entertainment industry in Assam, leaving mainstream cinema in Assam far behind. What is unique about the mobile theatres is that the entire troupe - nearly 100 people of different categories like actors, producers, directors, cooks, technicians, helpers and even the drivers - travel and live together like a commune for nine months, going about their respective tasks and continuously coordinating their activities. In this way, the mobile theatre creates employment opportunities for thousands of skilled and unskilled workers throughout the year. Based on interviews and data from various mobile theatre actors, we can estimate the following positions in a mobile theatre:

- 1) Owners: Sharma and Kalita (2020) have prepared a non-exhaustive list of mobile theatre groups in Assam which includes 147 mobile theatre groups formed in different parts of the state. If we accept the concept of single ownership, we can conclude that this entrepreneurship has produced no less than 147 single owners or perhaps more in the last 57 years.
- 2) Manager: The post of manager of a mobile theatre is next to the owner who has the overall responsibility of running a mobile theatre company. He/she is also responsible for ensuring that all agreements signed between the theatre group and the organising committee are followed. A manager is also the chief financial and administrative officer of a theatre group. Many A-list theatres hire more than one manager and assign different responsibilities to him/her.
- 3) Actor/Actress: There are no set rules or traditions for the appointment of actors in a theatre. The number of actors/actresses in a theatre depends on the role and characters to be portrayed in the plays.

- 4) **Dancers:** Dance dramas are the distinctive feature of every mobile theatre group in Assam and a tradition since the early days of Bhramyoman. Every theatre group performs a dance drama before the performance of the original play. Apart from dance drama, a mobile theatre also hires such dancers for musical performances of a drama and also for some minor roles. In the history of mobile theatre, there are many such dancers who have made it to actors and actresses and eventually established themselves as respected artists.
- 5) **Singers and musicians:** every mobile theatre usually hires at least one singer. Although many theatre companies nowadays use recorded music and songs, theatre companies still rely on live performance for their shows. A theatre group usually hires a single musician for each musical instrument used by a group.
- 6) **Skilled Worker:** A skilled worker is one who is able to work efficiently, exercise a considerable degree of independent judgement, and perform his duties responsibly. He must have a thorough and extensive knowledge of the trade, craft, or industry in which he is employed. Mobile theatre does not follow any definition, but nevertheless a theatre company requires a good number of professionals, which may be from five to ten, according to the strength of the company. In the context of a mobile theatre, such professionals are electricians, sound engineers, costume designers, etc.
- 7) **Other Artists:** The Assam Mobile Theatre (Regulation & Artists' Welfare Fund) Act 2010 defines the term artists as- "Artists means any actor, singer, painter, musician, dancer, choreographer, costume designer, dramatist, script writer and other technical and non-technical staff of the Mobile Theatre who are directly involved in the live performance or facilitate the live performance by the Mobile Theatre which term shall also include the directors in different performing areas or branches of the Mobile Theatre". Apart from the skilled and unskilled labour, actor, actresses, dancer and

musicians a theatre group also engages script writer, music director, choreographer and art director who receive a good amount annually. The following shows the scope of employment in the mobile theatre in Assam:

Table- 5.6			
Employment in the mobile theatre in Assam			
(No. of Existing Theatre as recorded by			
Mobile Theatre Producers' Association, 2015)			
(Total 24)			
Sl.No.	Name of the Job (nine months duration)	Per Theatre	Total
1	Proprietor	1	24
2	Manager	1	24
3	Actor (Male and Female)	15	360
4	Dancer (Male and Female)	10	240
5	Singer (Male and Female)	2	48
6	Musician	10	240
7	Technician	10	240
8	Driver	3	72
9	Security	4	96
10	Cook	2	48
11	Unskilled Labour	20	480
12	Script Writer	3	60
13	Music Director	1	20
14	Choreographer	1	20
15	Art Director	1	20
16	Costume Designer	1	20
17	Tailor	1	20
Grand Total			2032
Source: Primary Survey			

In the theatre season, there are more than 2000 direct employment opportunities for actors, directors, producers, technicians, cooks, helpers and even drivers in mobile theatres in Assam. Apart from these, there are some other career opportunities related to mobile theatre. These are: Play Writer , Music Director, choreographer, artist, painter, Costume Designer, tailor etc. In a theatre season, every theatre performs at least three plays. So there are many opportunities to choose a career as a playwright in mobile theatre. When Achyut Lahkar started his

mobile theatre company, he offered Anupama Bhattacharya a lead role with a remuneration of INR 2000 for the entire nine months. That was a lucrative offer for any actor then and as a single father with family responsibilities, Bhattacharya could not refuse. Today, some of the actors like Jatin Bora, Prastuti Parassar charge more than INR 30 lakhs for a theatre season. A playwright like Abhijit Bhattacharya charges at least 70000/- per play. Even famous musicians like Jubin Garg, Tarali Sarma, Anurag Saikia are working with mobile theatres as singers or music directors.

It is thus evident that the mobile theatres in Assam, which are unique in their structure and provide direct employment to thousands of people while creating secondary employment opportunities, offer immense scope for both employment and income generation, provided the structural reforms initiated by the government are implemented in good spirit.

Appendix-I

BHRAMYOMAN THEATRE: SINCE 1963

Sl. No.	NAME OF INCEPTION	NAME	PLACE
1	1963	Nataraj Theatre	Pathsala
2	1964	Suradevi Theatre	Chamata, Nalbari
3	1966	Purbajyoti Theatre	Hajo
4	1968	Mancharupa Theatre	Pathsala
5	1968	Rupanjali Theatre	Barpeta
6	1970	Assam Star Theatre	Pathsala & Guwahati
7	1972	Mukunda Theatre	Makhibaha, Tihu
8	1973	Nataraj Silpa Niketan	Pathsala
9	1973	Ruplima Theatre	Abhayapuri
10	1973	Rupkowar Theatre	Nalbari
11	1975	Jyotirupa Theatre	Nitai Pukhuri
12	1975	Bhagyadevi Theatre	Marowa, Nalbari
13	1976	Kohinoor Theatre	Pathsala
14	1976	Moon Theatre	Chamata, Nalbari
15	1977	Kalpana Theatre	Belsor
16	1977	Bishnu-Jyoti Theatre	Chamata, Nalbari
17	1977	Lakshimi Theatre	Goalpara
18	1977	Manchakonwar Theatre	North Guwahati
19	1977	Kalpana Theatre	Belsor, Nalbari
20	1978	Biswajyoti Theatre	Nalbari
21	1978	Aparupa Theatre	Paschim Chamata
22	1978	Ma Lakhmi Theatre	Marangi Tiniali, Golaghat
23	1979	Aradhana Theatre	Pathsala
24	1980	Awahan Theatre	Pathsala
25	1982	Anirban Theatre	Pathsala

26	1982	Puberun Theatre	
27	1982	Indradhanu Theatre	Guwahati
28	1984	Chitralkha Theatre	Pathsala
29	1984	Kalpataru Theatre	Pathsala
30	1984	Aparupa Theatre	Panikhaiti, Kamrup
31	194	Apsara Theatre	Chamata, Nalbari
32	1984	Ranghar Theatre	Chamata, Nalbari
33	1985	Suruj Theatre	Dibrugarh
34	1985	Panchajanya Theatre	Jamuguri
35	1985	Dimond Theatre/Indrani Theatre	Patacharkuchi, Pathsala
36	1985	Hengool Theatre	Mariani
37	1987	Giriraj Theatre	Baniyakuchi, Sarthebari
38	1987	Radhikadevi Theatre	Singara
39	1987	Jayatu Asomi Theatre	Sarupeta
40	1987	Abhijaan Theatre	Mangaldoi
41	1987	Devadashi Theatre	Helona, Pathsala
42	1987	Meghdoot Theatre	Guwahati
43	1990	Natasurya Bishnu Jyoti Theatre	Pathsala
44	1991	Samannay Theatre	Moran
45	1993	Barluit Theatre	Marigaon
46	1993	Binapani Theatre	Sarthebari
47	1993	Pallavi Theatre	Pathsala
48	1993	Srimanata Sankardev Theatre	Hahsora, Kujibali
49	1993	Udayan Theatre	Baihata Chariali
50	1994	Monalisa Theatre	Suwalkuchi
51	1995	Anirban Theatre	Guwahati
52	1995	Tarangam Theatre	Dirak, Tinsukia

53	1995	Joi Jowan joi Kisan Theatre	Makhibaha, Tihu
54	1996	Manchajyoti Theatre	Barbhag, Nalbari
55	1996	Srimanta Sankar Madhab Theatre	Gahpur
56	1997	Meghali Theatre	Dudhnoi
57	1997	Amaltora Theatre	Naharani
58	1998	Saraighat Theatre	Jaiori, Nagaon
59	1998	Bardoichila Theatre	Nalbari
60	1998	Gadapani Theatre	Sepon
61	1998	Srimanta Theatre	Nalbari
62	1999	Mahadev Theatre (or Madhabdev?)	Balipara
63	1999	Ainitom Theatre	Belsor, Nalbari
64	2000	Theatre Ma Jonaki	Dibrugarh
65	2001	Sewali Theatre	Nazira
66	2001	Sakuntala Theatre	Nalbari
67	2001	Sriguru Theatre	
68	2001	Pragjyotish Theatre	Boragaon, Guwahati
69	2001	Asom Jyoti Theatre	Arikuchi, Nalbari
70	2001	Mahabahu Theatre	Niz Hatichong, Nagaon
71	2001	Theatre Mahabahu Brahmaputra	Sonari, (Nagaon?)
72	2001	Theatre Sonit Konwar (or Kinwari?)	Biswanath Chariali
73	2001	Mancha Tirtha Theatre	Khutikatia, Nagaon
74	2002	Ma Akashi Ganga Theatre	Laidogarh, Jorhat
75	2002	Aruna Theatre	Baihata Chariali (Deoduwar)
76	2002	Prithiraj Theatre	Biswanath Chariali
77	2002	Kamrupa Theatre	Dadara, Kamrup
78	2002	Nabarun Theatre	Dakshinpat Satra, Nagaon

79	2002	Natasurjya Theatre	Sapekhaiti, Kamrup
80	2002	Theatre Mahabharat	Chengmoragaon (or Kalbari), Sonitpur
81	2003	Bhagyashree Theatre	Sapekhaiti, Kamrup
82	2003	Sandini Theatre	Singra (Dimow), Sibsagar
83	2004	Ashirbaad Theatre	Sonapur, Guwahati
84	2005	Agnibaan Theatre	Dhakuwakhana
85	2005	Anurag Movie Theatre	Belsor, Nalbari
86	2005	Kaziranga Theatre	Nanoighat, Darang
87	2005	Lali Gurush Theatre	Kaoimari, Tezpur
88	2005	Theatre Amarjyoti	Nalbari
89	2005	Rajashree Theatre	Beltola, Guwahati
90	2005	Sakuntala Theatre	Nalbari
91	2005	Chitralkha Theatre	Nalbari
92	2006	Alakananda Theatre	Kaniha, Kamrup
93	2006	Kareng Ghar Theatre	Hatigaon, Guwahati
94	2006	Rajashree Theatre	Mukalmuwa, Nalbari
95	2006	Srikrishna Theatre	Gohpur
96	2007	Charaideo Theatre	Patsako, Sivsagar
97	2007	Devaraj Theatre	Nalbari
98	2007	Rupraaj Theatre	Jalukbari, Kamrup
99	2008	Natasurjya Jantrik Theatre	Baksa
100	2008	Rajtilak Theatre	Guwahati
101	2008	Chitralkha Theatre	Nalbari
102	2009	Rajmahal Theatre	Guwahati
103	2009	Itihas Theatre	Guwahati
104	2009	Brahmaputra Theatre	Guwahati
105	2009	Sharadhanjali Theatre	Baniyakuchi, Nalbari
106	2009	Rupantar Theatre	Hajo
107	2010	Brindaban Theatre	Chandrapur, Guwahati

108	2010	Rangdhali Theatre	Guwahati
109	2010	Nayantora Theatre	
110	2010	Jagaran Theatre	
111	2011	Brindaban Theatre	Guwahati
112	2014	Prarthana Theatre	Dibrugarh
113	2015	Jagravi Theatre	Sonapur, Kamrup
114	2015	Theatre Surjya	Sarthebari, Barpeta
115	2016	Rajmukut Theatre	Pathsala
116	2016	Chiranjeev Theatre	Guwahati
117	2016	Satabdi Theatre	Ghograpar, Nalbari
118	2016	Sudarshan Theatre	Khatowal, Dibrugarh
119	2016	Kamrupa Theatre	Hajo
120	2018	Himadri Theatre	Narayanpur
121		Purbabani Theatre	Chinamora, Jorhat
122		Pratiddhani Theatre	Naga Jonka, Mariani
123		Divyaddhani Theatre	Gahpur
124		Bhadoi Theatre	Dibrugarh
125		Bhaskar Theatre	Bokakhat
126		Samrat Theatre	Tinisukia
127		Panchanan Theatre	Diksou, Sivasagar
128		Barnali Theatre	Lanka, Nagaon
129		Srimanta Theatre	Naharkatia
130		Kalpataru Theatre	Bangaon, Tihu
131		Bandana Theatre	Sarupeta
132		Dhrubatora Theatre	Maniyeri Tiniali
133		Manikut Theatre	Hawajan, Sonitpur
134		Chitraban Theatre	Agiya
135		Dibyabani Theatre	Dubai, Sonitpur
136		Sourang Manju Theatre (Bodo Theatre)	Pathsala

137		Bordoichikhlā Theatre (Bodo Theatre)	Goreswar
138		Binanandini Theatre	Sonari
139		Meghdoot Theatre	Tingkhong, Dibrugarh
140		Himalaya Theatre	Khajikhowa, Dibrugarh
141		Parihareswar Theatre	Pathsala
142		Eagle Theatre	Ganak Pukhuri, Dergaon
143		Indrajit Theatre	Pathsala
144		Sankar-Madhab Theatre	Barigaon, Gahpur
145		Sri Madhabdev Theatre	Chakalaghat, Nagaon
146		Swagatam Theatre	Jorhat
147		Ranghar Theatre	Duliajan

Note : This list is not exhaustive. These data were collected from various sources, including unpublished PhD theses, articles in newspapers, books, oral sources etc. and then correlated and crosschecked as far as possible. There is still scope for improving the quality of the data.

Appendix-5.2

পঞ্জীভুক্ত নম্বৰ - ৭৬৮/৯৭

ed No. - 768/97

অসম  ৰাজপত্ৰ

सत्यमेव जयते

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 273 Dispur, Tuesday, 7th September, 2010, 16th Bhadra, 1932 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 7th September, 2010

No. LGL. 174/2008/13.-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XXVI OF 2010

(Received the assent of the Governor on 31st August, 2010)

THE ASSAM MOBILE THEATRE (REGULATION AND ARTISTS'

WELFARE FUND) ACT, 2010

AN

ACT

to provide for a better regulation of Mobile Theatres to check haphazard growth of Mobile Theatres and constitution of Artists' Welfare Fund, for the purpose of maintenance of cultural standards and welfare of the Artists in the State of Assam including the Hills Districts and matters connected therewith and incidental thereto.

Preamble

Whereas it is expedient to provide for a better regulation of Mobile Theatres to check haphazard growth of Mobile Theatres and constitution of Artists' Welfare Fund for the purpose of maintenance of cultural standards and welfare of the Artists in the State of Assam including the Hills Districts and matters connected therewith and incidental thereto.

It is hereby enacted in the Sixty-first Year of the Republic of India as follows :-

Short title, extent and commencement

1. (1) This Act may be called the Assam Mobile Theatre (Regulation and Artists' Welfare Fund) Act, 2010.
- (2) It extends to the whole of Assam including the hills Districts.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas.

Definitions

2. In this Act, unless there is anything repugnant to the subject or context,-
 - (a) "Artists" means any actor, singer, painter, musician, dancer, choreographer, costume designer, dramatist, script writer and other technical and non technical staff of the Mobile Theatre who are directly involved in the live performance or facilitate the live performance by the Mobile Theatre which term shall also include the directors in different performing areas or branches of the Mobile Theatre ;
 - (b) "Committee" means the Artists' Welfare Fund Committee constituted under section 13 ;
 - (c) "Director" means the Director of Cultural Affairs, Assam ;
 - (d) "equipment" means electrical items for lighting, generator set, sound system, musical instruments, laser instruments, projector and other items having mechanical process involved in it ;
 - (e) "existing Mobile Theatre" means a Mobile Theatre which is in existence and has been engaged in making live dramatic and cultural performance in the State of Assam on the date of coming into force of this Act ;
 - (f) "Fund" means the Artists' Welfare Fund constituted under section 11 ;
 - (g) "Government" means the Government of Assam in the Cultural Affairs Department ;
 - (h) "infrastructure" means the stages, settings, pandel, tents, sheds, screens, chairs, gallery and other items which are essential for live performance by a Mobile Theatre ;

- (i) "Mobile Theatre" means a theatre group engaged in the business of live dramatic and other cultural performances in the State of Assam in consideration of monetary payment to them, performing such activities in different places on a temporary basis, having at least two stages with light and sound system erected temporarily inside a temporary pandel with sitting arrangement for audience in front of the stages, having adequate number of artists and other staff, both technical and non technical, either casual or regular, in its pay roll and having fixed land and property for the use by the Mobile Theatre in the name of the Mobile Theatre or the producer as the case may be, and the words "Mobile Theatre Groups" shall be construed accordingly ;
- (j) "prescribed" means prescribed by rules made under this Act ;
- (k) "producer" means any person, group of persons, body or firm who produces, establishes, runs, operates, or sets up a Mobile Theatre and is solely responsible for its finance, maintenance, management and payment to the artists and other staff including other ancillary matters connected with the running of the Mobile Theatre group concerned;
- (l) "Registered Mobile Theatre" means a Mobile Theatre group registered under section 3;
- (m) "section" means a section of this Act ;
- (n) "year" means the year commencing on the first day of April of a year ending with the 31st day of March of the succeeding year.

Registration of Mobile Theatre

- 3.(1) No person shall carry on the business of Mobile Theatre in the State of Assam including the Hills Districts without being Registered as a Mobile Theatre Group or renewal thereof, before the Director under the provisions of this Act.
- (2) Every person desirous of setting up of a new Mobile Theatre shall make an application in such form and accompanied by such fee as may be prescribed, before the Director for obtaining a provisional registration of the Theatre Group on furnishing of an undertaking in the prescribed form to fulfill all the requirements under section 6 and to complete the setting up of the Mobile Theatre within a period of two months from the date of such undertaking. The application shall accompany the documents relating to the land and property available in the name of the producer or the Mobile Theatre Group as the case may be, a plan and estimate for one year in respect of establishment and running of the proposed Mobile Theatre showing the recurring and non-recurring expenditure involved for the purpose, and a Bank Guarantee to prove the financial soundness of the proprietor or the Theatre Group as the case may be, depending upon which, the Director shall issues a provisional registration certificate with the condition that the proprietor or the Theatre Group shall be required to complete the setting up of the Mobile Theatre with all required infrastructure, equipment, artists and other staff within the stipulated period of two months and on such completion, the provisional registration shall be made final for the concerned year after following the procedure as provided under section 4. In the event of failure on the part of the proprietor or the Mobile Theatre group to complete the requirements within the stipulated period, the provisional registration shall automatically stand cancelled after the expiry of two months from the date of signing of the undertaking and the concerned proprietor or the Mobile Theatre group shall not be entitled to carry on the business of the proposed Mobile Theatre.

- (3) The existing Theatre groups who do not already possess the requirements as stipulated under section 6, shall also apply before the Director for provisional registration in the same manner as stipulated under sub-section (2) within thirty days from the date of commencement of this Act and on fulfillment of all the requirements under section 6 they shall be finally registered by the Director as a Mobile Theatre group after completing necessary formalities under this Act. In the event of failure by the existing Theatre groups to fulfil all the requirements under section 6, the existing Theatre groups shall not be entitled to carry on the business of Mobile Theatre any further.
- (4) The existing Mobile Theatre groups already possessing all the requirements under section 6 and having all the infrastructure equipments, requisite number of artists and other staff as required under this Act shall make an application on the prescribed form accompanied by such fees as may be prescribed before the Director within thirty days from the date of coming into force of this Act. The application shall also accompany the documents relating to land and property, infrastructure, equipments, artists and other staff for getting the Mobile Theatre registered and obtaining a final registration certificate in their favour to run the Mobile Theatre. On receipt of such application, the Director shall cause an enquiry to be made by the concerned Officer-in-Charge of the Cultural Centres of the respective District within thirty days from the date of receipt of the application by the Director. The concerned Officer-in-Charge of the Cultural Centres shall after making such enquiry and inspection as may be required, furnish a report to the Director within fifteen days of receipt of the order for enquiry, on the basis of which final registration to the concerned Mobile Theatre may be granted for rest of the period of the year subject to payment of prescribed registration fee and a Certificate of Registration shall be issued in favour of the registered Mobile Theatre in the form as may be prescribed.
- (5) If the report of the Officer-in-Charge of Cultural Centres of the concerned districts indicates that any Theatre group seeking registration under sub-section (4) is lacking of the required infrastructure, equipments, requisite number of artists and other staff and other requirements under this Act, the Director shall refuse to grant final registration to such Theatre group and the ground for such refusal shall be duly communicated to the concerned producer. Such Theatre groups to whom registration is refused by the Director, shall not carry on their performance any further and immediately stop the business:

Provided that as soon as the Theatre group acquires the required infrastructure, equipments, requisite number of artists and other staff and other requirements under this Act, it shall be intimated to the Director and the Director after an enquiry caused to be made, if satisfied that the Theatre group has fulfilled all the requirements under this Act, may grant final registration and issue a Certificate of Registration for the remaining period of the year to the said Mobile Theatre group, subject to payment of the prescribed registration fees.

Finalisation of provisional registration

- 4.(1) Before expiry of the term of the provisional registration granted to a Theatre group under sub-section (2) and (3) of section 3, the producer of the Theatre group shall complete the requirements for setting up of the Mobile Theatre and make an application in the prescribed form furnishing such fees as may be prescribed, before the Director for granting final registration and issuing final Certificate of Registration in favour of the concerned Mobile Theatre
- (2) On receipt of the application, the Director shall cause an enquiry to be made by the Officer-in-Charge of the concerned Cultural Centre of the district within fifteen days of receipt of the application. The Office-in-Charge of the concerned Cultural Centre of the District shall make such enquiry and such inspection as may be required and furnish a report to the Director within fifteen days of receipt of order of the Director, on the basis of which the Director may grant final registration and issue a Certificate of Registration for one year or rest of the year as the case may be, to the concerned Mobile Theatre, subject to payment of necessary registration fee as may be prescribed.
- (3) If the report of the Officer-in-Charge of the Cultural Centre of the concerned District indicates that any Theatre group seeking final registration under sub-section (1), is lacking of the required infrastructure, equipments, requisite number of artists and other staff and other requirements under the Act, the Director shall refuse to grant final registration to such Theatre group and the ground for such refusal shall be duly communicated to the concerned producer :

Provided that as soon as the Theatre group acquires the required infrastructure equipments, requisite number of artists and staff and other requirements under this Act, it shall be intimated to the Director and the Director after an enquiry caused to be made, if satisfied that the Theatre group has fulfilled all the requirements under this Act, may grant final registration and issue a Certificate of Registration for remaining period of the year to the said Mobile Theatre, subject to the payment of the prescribed registration fee.

Renewal of Registration

5. (1) Any producer of registered Mobile Theatre desirous of continuing the Mobile Theatre in the succeeding year s also, shall make an application before 31st of day of March every year before the Director for renewal of the registration of the Mobile Theatre, in the prescribed form, on payment of such fees, as may be prescribed. The application shall be accompanied by an Income Tax Clearance Certificate and Entertainment Tax Clearance Certificate in respect of the previous year.
- (2) On receipt of an application for renewal of registration, the Director shall after an enquiry caused to be made, if satisfied that the Mobile Theatre group has successfully completed their performance during the preceding year, and has been maintaining the required infrastructure, equipments, requisite number of artists and other staff and other requirements under this Act, may grant renewal of registration and issue a Renewal Certificate of Registration to the Mobile Theatre for the relevant year before 30th day of April every year.

Requirements to be fulfilled for Registration as a Mobile Theatre and renewal thereof 6. A Theatre group shall be required to fulfil the following requirements to be eligible for registration as a Mobile Theatre and renewal thereof :-

- (i) The Theatre group shall possess at least two stages and adequate light and sound system ;
- (ii) It shall have at least one hundred artists and other staff both technical and non-technical in its pay roll, either casual or regular as the case may be or such number of artists and other staff both technical and non-technical as may be specified by the Government by notification from time to time ;
- (iii) It shall have fixed land and property in the name of the producer or the Mobile Theatre as the case may be, which are exclusively used for the Mobile Theatre group ;
- (iv) It shall possess requisite infrastructure and equipments without which the performance by the Mobile Theatre is considered to be impossible;
- (v) It shall provide necessary fire fighting arrangements including equipments for fire fighting ;
- (vi) It shall engage adequate number of security personnel of its own as may be considered necessary;
- (vii) It shall produce the latest Income Tax clearance certificate for entire funds by which the theatre would be promoted ;
- (viii) It shall possess such other things, items, facilities and maintain such standards as may be prescribed in the rules.

Effect of non registration 7.(1) Any Mobile Theatre group having no valid registration or renewal thereof as required under this Act, shall not be entitled to carry on the business of Mobile Theatre.

- (2) If it comes to the notice of the Director that a Mobile Theatre group has been running the business and engaged in live dramatic and other cultural performances in any place without having any valid registration required under this Act, he may issue notice to the concerned Mobile Theatre group or to its producer to immediately stop the performance.
- (3) Any Mobile Theatre group which runs a Mobile Theatre and carry on their performances without a valid registration under this Act shall be liable to pay a fine of Rupees one thousand (Rs.1,000/-) per day for every day of such performance made without registration, which shall be charged from the date from which the Mobile Theatre group has been running the Mobile Theatre and making performance without a valid registration.
- (4) The amount of fine shall be deposited by the producer on demand made by the Director within the period as stipulated in the Demand Notice, which shall be credited to the Artists' Welfare Fund :

Provided that necessary receipt in respect of payment of fine shall be issued to the producer by the Director.

- (5) No benefit of tax of any kind shall be admissible to those Mobile Theatre Groups who fail to produce a valid registration certificate while claiming any exemption of tax from the Government.

Realisation of fine as an arrear of Land Revenue

8. (1) Any amount of fine under sub-section (3) and (4) of section 7, remaining unpaid shall be treated as an arrear of Land Revenue and shall be recovered under the provisions of the Bengal Public Demand Recovery Act, 1913 (Act No. III of 1913)

Obligation of the Mobile Theatre

9. (1) Every Mobile Theatre Groups shall endeavor to protect and preserve the cultural heritage of Assam and all programmes produced by the Mobile Theatre Group shall be devoid of vulgarity and obscenity. An undertaking to this effect shall have to be given by the producer before the Director in the prescribed form at the time of final registration of the Mobile Theatre

(2) If any public opinion is created or any complaint or other information is received by the Director, against any Mobile Theatre group that the Mobile Theatres group has violated the provisions made in the undertaking given under sub-section(1), the Director may get the complaint or information as the case may be, verified by a group of experts as he may appoint for the purpose and on receipt of the report from the expert group, if the Director is satisfied that the Mobile Theatre group has actually produced a programme or scene containing vulgarity or obscenity, he may issue a notice to the Mobile Theatre group furnishing a copy of the report of the expert group to desist from showing such a programme or scene as the case may be, which shall be binding on the Mobile Theatre group. Non-compliance of such direction of the Director may be a point for refusal of renewal of registration to the concerned Mobile Theatre group in the next year. Moreover the concerned producer of such Mobile Theatre group defying such direction may also be treated as disqualified for producing a Mobile Theatre in future:

Provided that refusal of renewal of registration or registration on the ground of non-compliance of the direction of the Director under this section, shall be communicated in writing to the concerned Mobile Theatre group or to the concerned producer as the case may be.

Power of inspection and enquiry

10. Nothing in this Act or any other law for the time being in force, shall prevent the Director or the Government or any person or authority as may be authorized by the Director or the Government as the case may be, to make any inspection or carry on any enquiry in any matter pertaining to the Mobile Theatre group for the purpose of smooth implementation of this Act.

Establishment of Artists' Welfare Fund

11.(1) The State Government shall, by Notification in the Official Gazette constitute a Fund to be called the Artists' Welfare Fund, for the welfare of the artists of Mobile Theatre in Assam, with effect from the commencement of this Act.

(2) There shall be credited to the Fund,-

(a) All sums of money collected by way of registration fees and renewal fees of the Mobile Theatres under sections 3, 4 and 5;

- (b) The amount of Government subscription made annually, against registration and renewal of the Mobile Theatres in a year, which shall in no case be less than the amount collected under clause (a) of this sub-section ;
- (c) All sums of money collected/deposited by way of fine under sub-section (3) and (4) of section 7 and section 8, as the case may be ;
- (d) Any other donation, contribution or subscription made by any person, body, authority or committee, or grant, if any, made by the Government.

Utilization of the Artists' Welfare Fund 12. The Artists' Welfare Fund shall be utilized for giving periodical or one time financial assistance to the artists of the registered Mobile Theatre in Assam in case of urgent need of money on the following reasons :-

- (i) For the purpose of his own or his family member's medical treatment due to illness of serious nature;
- (ii) If the artist becomes incapable of performing in the Mobile Theatre due to his illness, old age or other physical disability or mental incapacity ;
- (iii) Any other cause for which urgent financial assistance to the concerned artist, is considered to be necessary by the Artists' Welfare Fund Committee.

Explanation :- For the purposes of this section the words "family member" shall mean an include the wife or husband, dependent parents and non earning sons and daughters of the artists and the word "parent" shall include the step parents also.

Constitution of the Artists' Welfare Fund Committee 13.(1) The State Government shall constitute, by notification in the Official Gazette, with effect from such date as may be specified therein, a Committee to be called the Artists' Welfare Fund Committee.

- (2) The Committee shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and shall by the said name, sue and be sued.
- (3) The Committee shall consist of, -

- | | |
|--|-----------------------|
| (a) Seniormost Secretary to the Government of Assam,
Cultural Affairs Department. | - Ex-officio Chairman |
| (b) Director, Cultural Affairs, Assam | - Member-Secretary |
| (c) Two representatives of the All Assam Mobile
Theatre Producers Association. | - Members |
| (d) Two eminent Theatre personalities. | - Members |
| (e) One representative of the Finance Deptt./or
Director of Accounts, Assam. | - Member |
| (f) One representative of the Deptt. of
Public Enterprises. | - Member |

- (4) The term of the non-official members shall be for a period of three years from the date of notification :

Provided that any member completing the three years term may be renominated by the State Government for another period of three years.

Disqualification and renewal of nominated members

14. No person shall be nominated and continue as a member of the Committee if he, --
- (a) is of unsound mind and stands so declared by a competent Court ; or
 - (b) is, or at any time has been, adjudicated insolvent ; or
 - (c) is or has been convicted by a Criminal Court for an offence involving moral turpitude, unless such conviction has been set aside ; or
 - (d) is a defaulter to the Fund.

Resignation and Casual Vacancy

- 15.(1) Any non official member of the Committee may resign his office by giving two months notice in writing to the Chairman of the Committee and on such resignation being accepted by the Chairman, the said member shall be deemed to have vacated his office.
- (2) If any member of the Committee becomes subject to disqualification under section 14 or is absent without leave from three consecutive meetings of the Committee, his seat shall thereupon become vacant.
- (3) A vacancy of non official member arising under sub-section (1) and (2) shall be filled as soon as possible in the same manner and for the same term or duration as in sub-section (4) of section 13.

Act of Committee not to be invalidated by vacancy, defect, irregularity

16. No act done or proceedings taken, under this Act or the rules made there under, by the Committee shall be invalid merely by reason of, --
- (a) any vacancy or defect in the constitution of the Committee; or
 - (b) any defect or irregularity in the nomination of any person as a member thereof ; or
 - (c) any defect or irregularity in such proceedings not affecting the merit of the case.

Vesting and application of the Fund

17. The Fund shall vest in and be held and applied by the Committee subject to the provisions and for the purposes of this Act.

Functions of the Committee

18. (1) The Committee shall administer the fund.
- (2) In the administration of the Fund, the Committee shall, subject to the provisions of this Act and the rules made there under, -
- (a) collect, preserve, manage and utilize the fund ;
 - (b) hold the amount in an account to be opened and operated jointly by the Chairman and the Member-Secretary in a Nationalized Bank.
 - (c) receive application from any artist of the registered Mobile Theatre claiming financial assistance from the fund and to dispose of such claims periodically. For the purpose of disposal of such claims the Committee may conduct such enquiry as may be deemed necessary ;

- (d) communicate to the applicant by registered post with acknowledgement due its decision on the application ;
- (e) sit once in the first week of every quarter for disposal of various business of the Committee or at such earlier times as may be required, which shall be determined by the Member-Secretary with the approval of the Chairman;
- (f) pay out of the Fund all amounts due and payable under this Act and incur all expenditure relating to the management and administration of the Fund ;
- (g) send periodicals, annual reports, annual audited statements of accounts to the Government from time to time;
- (h) make payment of sitting allowance and conveyance allowance from out of the Fund, to the non-official members of the Committee in connection with its meetings, at such rates as may be prescribed;
- (i) determine its own procedure in conducting its meetings.

**Functions of
the Member-
Secretary**

19. The Member-Secretary of the Committee shall,--

- (a) be the Chief Executive of the Committee ;
- (b) represent the Committee in suits and proceedings ;
- (c) authenticate by his signatures all the decision of the Committee ;
- (d) convene meetings of the Committee and issue notices thereof at least before fifteen days of the meeting;
- (e) attend the meeting of the Committee with all necessary records and information and record its minutes ;
- (f) maintain such forms, registers and other records and do all correspondence relating to the Committee ;
- (g) prepare an annual statement of accounts and other business during each financial year and place before the Committee ;
- (h) do all other things as may be directed by the Committee.

**Accounts
and Audit**

20. (1) The Committee shall keep and maintain books of accounts and other books in such form and in such manner as may be prescribed.
- (2) The accounts of the Committee shall be got audited by the Committee annually by a registered Chartered Accountant.
- (3) The Committee shall pay from the fund the charges for the audit.

**Manner of
holding
Meetings
of the
Committee**

21. (1) The Committee shall determine the manners and procedures in conducting its meeting.
- (2) One third of the members of the Committee shall form a quorum.
- (3) The Chairman and in his absence any member of the Committee shall preside over the meeting.
- (4) Any matter coming before the Committee for its decision shall be decided by a majority of votes of the members present and voting.
- (5) The Member-Secretary of the Committee shall have no voting right in the meeting.

Appeal

22. (1) Any person aggrieved by any decision or order of the Director or the Committee as the case may be, under this Act, may prefer an appeal against that decision or order before the Government within thirty days of receipt of such decision or order.

- (2) The appeal shall be in prescribed form accompanied by a copy of the order appealed against.
- (3) The Government may call for such records and after hearing the parties shall dispose of the appeal within thirty days of receipt of the same.
- (4) The decision of the Government in appeal shall be final and binding on the parties.

Protection of action taken in good faith

- 23.(1) No suit, presentation or other legal proceedings shall lie against any person for anything which is done in good faith or intended to be done in pursuance with the provisions of this Act or any rules made thereunder.
- (2) No suit or other legal proceeding shall lie against the Director or the Committee for any damage caused or likely to be caused by anything which is done in good faith or intended to be done in pursuance of the provisions of this Act or any rules made thereunder.

Bar of jurisdiction of Civil Court

24. No Civil Court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which, by or under this Act, require to be settled, decided or dealt with or to be determined by the Director or the Committee, as the case may be.

Power to make rules

- 25.(1) The Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) All rules made by the Government under this Act shall, as soon as may be after they are made, be laid before the State Legislature, while it is in session, for a total period of not less than fourteen days which may be comprised in one session or two or more successive sessions, and shall, unless some later date is appointed take effect from the date of their publication in the Official Gazette, subject to such modifications or annulments as the Legislature may, during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

MOHD. A. HAQUE,
Secretary to the Government of Assam,
Legislative Department, Dispur.