



केन्द्रीय फ़िल्म प्रमाणन बोर्ड
CENTRAL BOARD OF FILM CERTIFICATION

सूचना और प्रसारण मंत्रालय भारत सरकार

Ministry of Information & Broadcasting Government of India

के.फि.प्र.बो./मुंबई/फि.प्र.अ.अ/आदेश/2021

दिनांक:- 11.01.2021

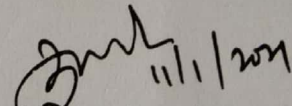
सेवा में,
सभी फिल्म संघों के पदाधिकारी/प्रतिनिधि (भारत)
(सूची संलग्न)

विषय:-केन्द्रीय फिल्म प्रमाणन बोर्ड/एफसीएटी सुनवाई में फिल्म प्रमाणन आवेदकों के उचित प्रतिनिधित्व के बारे में माननीय फिल्म प्रमाणन अपीलीय अधिकरण की टिप्पणियां ।

महोदय,

कृपया हिन्दी डब फिल्म "रोबोटिक इंटेलिजेंस" के संबंध में श्री अनिल एस हंसरजनी बनाम केन्द्रीय फिल्म प्रमाणन बोर्ड के मामले में फिल्म प्रमाणन अपीलीय अधिकरण (एफसीएटी) के संलग्नित आदेश (दिनांक 22.12.2020) का संदर्भ लें।

उक्त आदेश के पैरा क्र.6 एवं 7 में फिल्म प्रमाणन अपीलीय अधिकरण ने उल्लेख किया है कि, यदि अपीलकर्ता / आवेदक केन्द्रीय फिल्म प्रमाणन बोर्ड फिल्म की स्क्रीनिंग के दौरान स्वयं प्रस्तुत हुए होते तो अपील को टाला जा सकता था। उक्त आदेश में यह भी बताया गया है कि अपीलकर्ताओं के पास एफसीएटी में वीडियो कॉन्फ्रेंसिंग के माध्यम से आभासी सुनवाई का विकल्प है।


(रविन्द्र भाकर)

मुख्य कार्यकारी अधिकारी
केन्द्रीय फिल्म प्रमाणन बोर्ड, मुंबई

प्रतिलिपि:-

1. अध्यक्ष, केन्द्रीय फिल्म प्रमाणन बोर्ड
2. प्रादेशिक अधिकारी, केन्द्रीय फिल्म प्रमाणन बोर्ड, मुंबई/चेन्नई/ कोलकाता/ हैदराबाद/बंगलुरु/ तिरुवनंतपुरम/ दिल्ली/ कटक/ गुवहाटी
3. श्रीमती.इंद्राणी बोर, सचिव, फिल्म प्रमाणन अपीलीय अधिकरण (एफसीएटी) नई दिल्ली
4. केन्द्रीय फिल्म प्रमाणन बोर्ड की वेबसाइट



केन्द्रीय फिल्म प्रमाणन बोर्ड
CENTRAL BOARD OF FILM CERTIFICATION

सुचना और प्रसारण मंत्रालय भारत सरकार
Ministry of Information & Broadcasting Government of India

CBFC/MUM/FCAT/ORDERS/2021

Date: 11.01.2021

To,
The Office Bearers/ representatives,
All film associations (Across India),
(List enclosed)

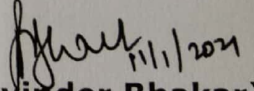
Subject: Hon'ble Film Certification Appellate Tribunal (FCAT) observations regarding proper representation by Film Certification Applicants in CBFC/FCAT hearings req.

Sir,

Kindly refer to enclosed FCAT order dated 22.12.2020 in the matter of Anil S. Hansrajani vs. CBFC, in respect of Hindi Dubbed Film "ROBOTIC INTELLIGENCE".

In the Para 6 and 7 of above order, Hon'ble FCAT has acknowledged that the Appeal could have been avoided had the Appellant/Applicant presented itself during the CBFC screening of the movie. It has also been informed that Appellants have the option of asking for a virtual hearing, i.e. through video conferencing in FCAT.

The complete order is being circulated herewith in compliance of Hon'ble FCAT instructions.


(Ravinder Bhakar)
Chief Executive Officer
CBFC, Mumbai

- CC: - 1) Chairperson, CBFC.
2) The Regional Officers, CBFC, Mumbai/Chennai/ Kolkata/ Hyderabad/ Bengaluru/ Thiruvananthpuram/ Delhi/ Cuttack/ Guwahati.
3) Smt. Indrani Bose, Secretary, FCAT, New Delhi.
4) CBFC Website

BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL

22.12.2020

Appeal No. 9 of 2020

Present: CHIEF JUSTICE (RETD.) MANMOHAN SARIN, CHAIRPERSON,
FCAT
MS. BINA GUPTA, MEMBER, FCAT
MR. SHEKHAR IYER, MEMBER, FCAT

IN THE MATTER OF:

ANIL S. HANSRAJANI APPELLANT

VERSUS

CENTRAL BOARD OF FILM RESPONDENT
CERTIFICATION (CBFC), MUMBAI

APPEAL UNDER SECTION 5C OF THE CINEMATOGRAPH ACT, 1952 (37 OF 1952)
AGAINST THE DECISION OF CENTRAL BOARD OF FILM CERTIFICATION (CBFC)
IN RESPECT OF HINDI DUBBED FILM "ROBOTIC INTELLIGENCE"

FOR THE APPELLANT: CHARANPREET SINGH [REPRESENTATIVE]
FOR THE RESPONDENT: MAHESH KUMAR [RO CBFC, DELHI]

ORDER

Chief Justice (Retd.) Manmohan Sarin (ORAL)

This is an appeal preferred by Mr. Anil S. Hansrajani claiming to be a right-holder of the film titled "Robotic Intelligence" (Hindi/dubbed). The Appellant is aggrieved by the order dated 16th September, 2020, whereby the Examining Committee of CBFC granted 'A' certificate to the film subject to three modifications as given in the impugned order. The ground given for 'A' Certificate was "Excessive violence, gory visuals suitable only for adults". The three modifications directed by CBFC were: No.1- Add anti-smoking disclaimer, No.2- Add Anti-smoking video at the beginning and at the interval respectively, No. 3- delete the visuals of nude lady at TCR 1.28.44

Manmohan Sarin

Bina Gupta

2. The Appellant in the Memorandum of appeal has accepted the modifications and deletions as desired and in addition made voluntary cuts before CBFC which are reproduced at page 9 of paper book.

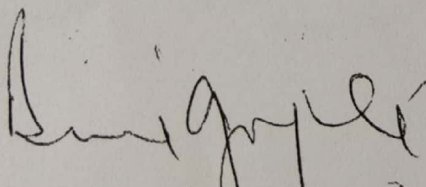
3. The Appellant contends that the film does not have any explicit sexual scenes, obscenity or vulgarity to warrant 'A' Certificate. Additionally, it is sought to be urged that since 'Robos' are being picturized, they are devoid of any human feeling/ emotions. Hence, there cannot be any actual display of obscenity or vulgarity. The above contention does not deserve acceptance as otherwise any film picturizing 'Robo' or based on Artificial Intelligence (AI) could have simulated sexual scenes or obscenity and yet claim that it does not tantamount to any obscenity or vulgarity because 'Robos' are devoid of human emotions and feelings.

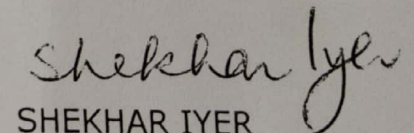
4. The movie has been screened before us. Based on the theme itself, the object is to subjugate and dominate individuals by use of 'Robos' and Artificial Intelligence' (AI). In this process of capture, of necessity, the story portrays killings, taking over, eliminations and surgical procedures to have mental control. Given the theme, one cannot say that there should not have been any splattering of blood in the movie.

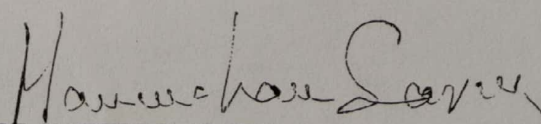
We have heard Mr. Mahesh Kumar, Regional Officer, (Delhi) on behalf of the respondent, who submits that some of the scenes showing extreme violence deserve to be deleted or blurred. Accordingly, the violent scenes are directed to be deleted completely and/or partly as indicated below.

- i. Close-up shot of Doctor to be deleted at TCR 1:03:26 to 1:03:36
- ii. Live organ movement on drum to be deleted at TCR 1:28:16 to 1:28:26
- iii. Scattered body part to be deleted at TCR 1:11:46 to 1:11:50

5. We are of the view that the film may be granted 'U/A' certificate with aforesaid excisions and modifications. The appeal is partly allowed in the above terms.
6. Before parting with the appeal, we wish to record our anguish in the manner in which appeals are at times conducted by the Appellants. Mr. Mahesh Kumar, RO, CBFC Delhi informs that the Appellant in this case also did not present itself during the screening of the movie. Had the Appellant been present some of the issues such as additional cuts required could have been resolved then and there. This could have even avoided the filing of the present appeal.
7. We also find that the representation before us is not by a duly instructed person, who is familiar with the subject. The Appellants have the option of asking for a virtual hearing i.e. through video conferencing, if they have any difficulty in being physically present or arranging proper representation through Legal Counsel. It is hoped and expected that appellants would pay heed to the above which is for their benefit apart from being cost effective. A copy of this order be sent by CBFC to the concerned association of the film producers and directors for information.


BINA GUPTA
(MEMBER, FCAT)


SHEKHAR IYER
(MEMBER, FCAT)


CHIEF JUSTICE (RETD.) MANMOHAN SARIN
CHAIRPERSON, FCAT