No.2/09/2020-FCAT
FILM CERTIFICATION APPELLATE TRIBUNAL
Room No. 970, 9th Floor, Soochna Bhawan, New Delhi-3

Dated: 01.01.2021

To,

Regional Officer,
Central Board of Film Certification,
Films Division Complex,
Phase-I Building, 9th Floor,
Dr. G. Deshmukh Marg, Mumbai-400026

Mr. Anil S. Hansrajani
Benchmark Plaza, 502
33rd Road, Bandra
Mumbai-50

Subject: Order of the Tribunal in r/o the Hindi-dubbed Film **"Robotic Intelligence"**

Sir,

A copy of the order of Tribunal dated 22nd December, 2020 in respect of the Hindi-dubbed Film "Robotic Intelligence" is forwarded herewith for information and necessary action.

Your faithfully,

01/01/2021

(V.K. Gupta)
Principal Private Secretary
Tel: 24367760

Copy to:

Chief Executive Officer,
Central Board of Film Certification
Films Division Complex,
Phase - I Building 9th Floor,
Dr. G. Deshmukh Marg,
Mumbai -400 026

Justice(Retd) Manmohan Sarin , Chairperson(FCAT)
D-127, Panchsheel Enclave, New Delhi-110017

Ms. Madhu Jain, Member, FCAT
43 Paschimi Marg, Vasant Vihar

Ms. Bina Gupta, Member, FCAT
B-1, Defence Colony, New Delhi-110024

Mr. Saibal Chatterji, Member, FCAT
23T, Parsvnath Estate, Sector Omega 1
Greater Noida 201307, Uttar Pradesh

Mr. Shekhar Iyer, Member, FCAT
115-Kalavihar Apartment, Mayur Vihar,
Phase-1 Extension, New Delhi-110091

Copy for information:-

Secretary,
Ministry of Information & Broadcasting
Room No. 655, A Wing,
Shastri Bhawan, New Delhi-110001

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 CERTIFICATION(CBFC),MUMBAI ..... **RESPONDENT**

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

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