

BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNALTuesday, 19<sup>th</sup> August, 2014

Present: SHRI LALIT BHASIN, CHAIRPERSON

IN THE MATTER OF:

MEERA CHOUDHARY

.....APPELLANT

VERSUS

CENTRAL BOARD OF FILM CERTIFICATION, HYDERABAD

.....RESPONDENT

APPEAL UNDER SECTION 5-C OF THE CINEMATOGRAPH ACT, 1952 (37 OF 1952)  
 AGAINST THE DECISION OF CENTRAL BOARD OF FILM CERTIFICATION (CBFC) IN  
 RESPECT OF ENGLISH DOCUMENTARY "EN DNO MUZAFFARNAGAR".

Appearances:

MEERA CHAUDHARY

.....for the Appellant

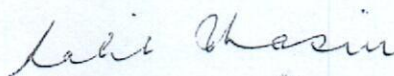
ORDER

1. This is an Appeal under Section 5-C of the Cinematography Act, 1952 (37 of 1952) filed by Meera Chaudhary.
2. Shri Vipin Gogia informed the Secretary, FACT telephonically that he could attend today's hearing.
3. The Chairman would have adjourned the matter but keeping in view the expense incurred by the appellant in coming all the way from Hyderabad, the parties have desired that the Chairman should proceed with the hearing and viewing of the promo.
4. The Chairman has gone through the provisions of the Cinematograph Act as well as rules thereunder. Unlike the provisions relating to a quorum for a meeting of the



CBFC, there is no provision for a quorum as far as the FCAT is concerned. Keeping in view the legal provisions as well as the request of the parties and in the interest of justice and expeditious disposal of the appeal the Chairman decide to proceed with the hearing singly.

5. The Tribunal has heard Meera Chaudhary who is the appellant. Shri Rajkumar, Regional Officer, Delhi is also present on behalf of the Central Board of Film Certification, Kolkata.
6. We have seen the documentary and we see no reason to interfere with the order of the CFBC which is well-reasoned and the documentary definitely is in breach of Guidelines 2(xii) and (xiii) of the Guidelines of the certification of films.
7. The film has the grave potential of creating communal disharmony. It is highly and openly critical of one political party (BJP) and its top leadership by name and tends to give an impression of the said party's involvement in communal disturbances. This is in gross violation of Film Certification Guidelines. We see no infirmity in the order of CFBC.
8. We order accordingly. The order has been pronounced in the presence of the parties. Parties to be informed accordingly.



(LALIT BHASIN)

CHAIRPERSON, FACT