BEFORE THE FILM CERTIFICATION APPLLATE TRIBUNAL

Tuesday, 19th August, 2014

Present: SHRI LALIT BHASIN, CHAIRPERSON

IN THE MATTER OF:

SANJEEV SHARMA   .....APPELLANT

VERSUS

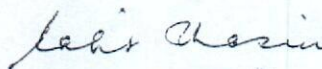CENTRAL BOARD OF FILM CERTIFICATION, HYDERABAD   ....RESPONDENT

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 PROMO OF "**KATTA 12 BOR KA**".

Appearances:

SANJEEV SHARMA   ......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 to 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 Mumbai, 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 RC Sharma, representative of Sanjeev Sharma who is the appellant. Shri Rajkumar, Regional Officer, Delhi is also present on behalf of the Central Board of Film Certification, Mumbai.

6. We have seen the promo in the presence of the parties. After viewing the promo, we see no reason to interfere with the certification given by the CBFC granting clear 'A' certificate to this promo. We agree with the reasoning of CBFC that the words and dance movements are not suitable for non-adults.

7. We order accordingly. The order has been pronounced in the presence of the parties. Parties to be informed accordingly.

(LALIT BHASIN)

CHAIRPERSON, FACT