

3. The Appellant contends before us that the film is recipient of several awards such as in Accolade Film Festival, California for the best Asian film and in the Jaipur International Film Festival (JIFF).

4. As per the CBFC, fresh Certification as sought by the Appellant was declined since the content was almost the same and the Appellant was advised to seek alteration in the Certificate in terms of Rule 33 of the Cinematograph (Certification) Rules, 1983.

5. We have had the benefit of hearing Mr. Mahesh Kumar (Regional Officer, Delhi) and Mr. Sanjay Jaiswal (Senior Administrative Officer, CBFC Mumbai), latter also being the Examining Officer of the film. The Appellant pointed out to the both of them the changes made in the film, whereby five songs of the film and some portions of the dialogues had been changed to Hindi language.

6. After reflection, the Appellant also realises and recognises that the film content is almost the same barring the introduction of Hindi language and dialect in the songs and few places.

7. Accordingly, he seeks leave of the Tribunal to withdraw the present appeal, with liberty to apply to the CBFC afresh seeking altered Certification under Rule 33 of the Cinematograph (Certification) Rules, 1983 for the film under the category Rajasthani and partly Hindi language.

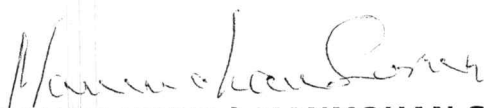
8. Mr. Mahesh Kumar, Regional Officer, Delhi states that if such an application is moved in the next 15 days, it would be disposed of within a fortnight of the receipt of the same. The said statement is taken on record. The appeal is dismissed as withdrawn with liberty as aforesaid and the direction that in case an application is moved by the Appellant, the CBFC shall decide the same within fortnight of receiving the completed application.



SAIBAL CHATTERJEE
MEMBER, FCAT



BINA GURTA
MEMBER, FCAT



CHIEF JUSTICE (RETD.) MANMOHAN SARIN
CHARIPERSON, FCAT