

**BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL**

**Dated: 01.05.2019**

**Appeal No. 11/2019**

**IN THE MATTER OF:**

**CHILDREN'S FILM SOCIETY ..... APPELLANT  
INDIA (CFSI)**

**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 MOVIE "CHIDIAKHANA"**

**ORDER**

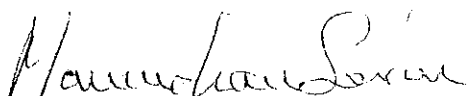
**Chief Justice (Retd.) Manmohan Sarin:-**

1. Aggrieved by the order dated 15.01.2019 of the Revising Committee of CBFC, refusing to grant 'U' Certification of the Hindi Film "**CHIDIAKHANA**", the Appellant has preferred this appeal before the Tribunal on 30/04/2019.
2. The Application for condonation of delay of 105 days has not been filed. However, the Appellant had sent an e-mail on 12.02.2019 stating that in the absence of CEO and Chairperson of CFSI, approval of the Competent Authority is being sought to appeal before the Tribunal. CFSI had

*M/S Sarin*

requested for extension of date of appeal for relaxation with regard to impugned order.

3. The Appellant was informed by an e-mail on 15.02.2019 that an appeal is required to be filed by an aggrieved person assailing the order within 30 days of the receipt of the impugned order. Further, under the provision of Section 5(C) of the Cinematograph Act, 1952, the Tribunal is empowered to condone a further delay of 30 days, if it is satisfied that the Appellant was prevented by sufficient cause from filing the appeal within 30 days.
4. In view of the foregoing discussion, the delay of 105 days in filing of the appeal is beyond the statutory power of this Tribunal to condone. Accordingly, the appeal is dismissed as barred by limitation. The Appellant may seek appropriate remedies as advised in approaching the High Court for a direction to dispose of the appeal on merits or invoke the revisional powers of the Central Government as advised.

  
**CHIEF JUSTICE (RETD.) MANMOHAN SARIN**  
**CHAIRPERSON, FCAT**