

**BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL**

27.04.2019

**Appeal No.7/2019**

**Present: CHIEF JUSTICE (RETD.) MANMOHAN SARIN, CHAIRPERSON,  
FCAT  
MS. MADHU JAIN, MEMBER, FCAT  
MR. SAIBAL CHATTERJEE, MEMBER, FCAT**

**IN THE MATTER OF:**

**C. VENKATESH ..... APPELLANT**

**VERSUS**

**CENTRAL BOARD OF FILM ..... RESPONDENT  
CERTIFICATION(CBFC),BANGALORE**

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 **KANNADA FILM "DANDUPALYAM-4"**

**FOR THE APPELLANT: C. Venkatesh (Producer)  
Ravi. N. S. (Representative)**

**FOR THE RESPONDENT: D.N Sreenivasappa (RO,CBFC Bangalore)**

**ORDER**

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

The movie was screened and viewed by the Members of the Tribunal. Mr. C. Venkatesh (Producer) and Mr. Ravi. N.S (Representative) on behalf of the Appellant submitted that the movie **Dandupalyam-4** is the 4<sup>th</sup> film in the series. Three earlier parts of the movie Dandupalyam 1,2,3 have already been granted "A" Certificate with cuts. The earlier parts of the film also had same theme and

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similar depiction of sexual crimes viz. rape murders and portrayal of horrific characters of gangsters.

2. The Appellant's grievances as set out in the memorandum of appeal emanated from the initial delay in the screening of his film by the Regional Officer CBFC. He had sought redressal of his grievance by approaching higher echelons in the administration. In any case, the movie had been screened before the Revising Committee of CBFC, Bangalore and the impugned order has been passed by the Revising Committee, though after considerable delay. As per the Appellant this caused financial loss to them. The same need not detain us in proceeding with the disposal of the appeal.

3. Appellant has submitted before us that considering that the movies with similar theme, storyline depiction of violence has been shown in earlier parts, there would be no justification to direct total deletion of the rape scenes which are central to the story.

4. We find that the overall film has considerable violence and depicts sadistic and voyeuristic tendencies. However, considering that the movie has been already granted "A" Certificate and earlier films of the series have been certified and shown. In this case, it is the total deletion or extended duration of cuts, which is being questioned by the Appellant, we have examined the same.

5. After hearing Mr. D.N. Shreenivasappa, RO CBFC, Bangalore and considering the comments of CBFC in their letter of March, 2019 as well as the background of the movie, we are of the view that the following deletions/modifications and duration of the scenes would be appropriate in

reducing the impact of violence without affecting the theme and essential features of the film.

**Excision No. 1-** The appellant has agreed voluntarily to blur the visual as directed. The modification is retained.

**Excision No. 2** Considering the background in which the expression appears and used by the criminal, the excisions is directed to be deleted. Accordingly, it need not be muted.

**Excision No. 3** Deletion of this scene is reduced by 50 % to dilute the impact.

**Excision No.4** The said excision is not necessary considering the colloquial use of the cuss word and therefore is deleted.

**Excision No. 5** Duration of the scene be reduced by 40 %

**Excision No. 6** Considering that the movie has been granted A Certification, the excision is deleted and the scene may be retained.

**Excision No. 7** The excision is directed to be retained.

**Excision No. 8** The excision is reduced by 40 seconds.

**Excision No. 9** The duration of the scenes be reduced by 50%

**Excision No. 10** The cut is directed to be retained.

**Excision No. 11** The cut is directed to be retained.

**Excision No. 12** The duration of scene is reduced by 50%

**Excision No. 13** The cut is directed to be retained.

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**Excision No. 14** The cut is directed to be deleted.

6. We further direct that the scene at **55.03** i.e. the scene where Govidna, Venkata, Muniya & Konde bite into hen's neck & suck blood be deleted as the same is found to be disgusting, revolting horrific.

7. The Appeal is partly allowed in the above terms.



**SAIBAL CHATTERJEE**  
MEMBER, FCAT



**MADHU JAIN**  
MEMBER, FCAT



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