

2. The reasons given for grant of refusal is "A lot of double meaning dialogues, songs, adult contents not suitable for UA hence refused"

3. The Appellant while preferring the appeal has offered certain voluntary cuts, which are given at Page VII of the Appeal memorandum and are reproduced below for facility of reference.

CUT NO.	Description	Duration
1	Deleted Song Nathuniya Pe Goli Maare	03.25 min
2.	Deleted Visual of Hero and his friend kissing heroines.	00.11 sec
3.	Deleted Visual Shani and Doctor with Dialogue Naam..... kahin ke.	01.09 sec
4.	Deleted Visual of Doctor flirts with Hero with Dialogue Ka bhail... Pura bhorasha ba.	01.47sec
5.	Deleted Visual of Doctor touches hero.	00.18 sec
6.	Deleted Visual Hero and heroine kissing	00.04 sec
7.	Deleted Visual of Gundas hitting hero with stick.	00.09 sec
8.	Deleted Visual of Gunda hits hero with Rod.	00.09 sec
9.	Deleted Visual of Blood oozing out from mouth	00.01 sec
	Total	08.34 min

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4. The Appeal had been preferred beyond the 30 days period prescribed under Section 5 (C) of the Cinematograph Act. The Impugned order being of 26.11.2018, appeal could have been preferred within 30 days of the said date. The appeal was received on 10th of January 2019. The Appellant had requested for condonation of delay due to unavailability of the Script writer for translating the Bhojpuri version into English on account of the marriage of the Script writer's daughter. The Condonation application is bereft of requisite details regarding the date of the wedding etc. and the period of non-availability of the script writer.

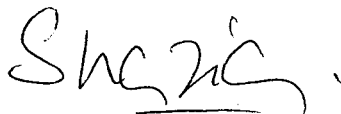
5. The Tribunal can condone the delay of 30 days in terms of Proviso to Section 5 (C), if it is satisfied that the Appellant was prevented by sufficient cause to file the Appeal within the prescribed time. In the present case, as noticed the requisite details for sufficient cause are missing.

6. However, at the request of the Appellant, the movie was screened and watched by us. We find that notwithstanding the voluntary cuts offered, the film still has songs and picturization depicting a lot of suggestive and titillating and provocative gestures of women

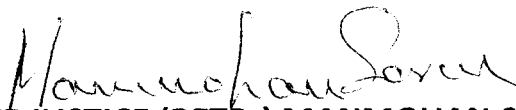
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characters, shown wearing skimpy dresses, irrespective of whether the same is required by the context or not. The wordings of the lyrics of the songs and gestures are unfit for U or U/A Certification.

7. In these circumstances, we are not inclined to interfere with the finding of the CBFC and carry out an elaborate exercise for major cuts which the Appellant's Representative wanted us to do.
8. In our view, the Appellant if it so desires, should apply afresh to the CBFC with a revised version giving in addition to the voluntary cuts already offered before us in the songs and script, to make the movie fit for UA Certification and for satellite viewing. It would be for the CBFC Authorities to assess the revised script of the film.
9. The appeal is dismissed with the aforesaid observations.



(SHAZIA ILMI)
MEMBER(FCAT)



CHIEF JUSTICE (RETD.) MANMOHAN SARIN
CHAIRPERSON, FCAT