

**BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL**

16.05.2019

**Appeal No.4/2019**

**Present: CHIEF JUSTICE (RETD.) MANMOHAN SARIN, CHAIRPERSON,  
FCAT  
MS. POONAM DHILLON, MEMBER, FCAT**

**IN THE MATTER OF:**

**K.E. GNANVELARAJA ..... APPELLANT**

**VERSUS**

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

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 **TAMIL FILM "PALLU PADAMA PATHUKO"**

**FOR THE APPELLANT: N.C. Narindra Adithyan (Advocate)  
S. Sriram (Executive Producer)  
R. Vijay Varadharaj (Director)**

**FOR THE RESPONDENT: A. Muthukrishan (ARO, CBFC, Chennai)**

**ORDER**

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

The Appellant had preferred this appeal against the order of the Revising Committee of CBFC dated 4<sup>th</sup> January, 2019 by which the Film **Pallu Padama Pathuko (Tamil)** had been granted 'A' Certification subject to 27 excisions/modifications.

2. We had watched the film on 13.03.2019. During the hearing it was found that the impugned order did not indicate the exact location and place of the offending dialogues from Serial No. 3 to 27. Also, the subtitles had to be re-worked so that it accurately matched the dialogues spoken for every scene. The Appellant was directed to re-work the subtitles with time-ticker and provide the revised DVD to CBFC. Meanwhile the CBFC was directed to file a report and give their comments on the reworked subtitles with time ticker.



3. Thereafter, the CBFC sent the report dated 4<sup>th</sup> April, 2019 received by the office of the Tribunal on 10<sup>th</sup> April, 2019 along with the re-worked DVD.

4. For the sake of clarity the modifications/excisions as per the Order dated 4.1.2019 are being reproduced along with FCAT decisions.

Sl. No.	Reel No./TCR Code	Description of Excisions/Modification as per the CBFC order dated 4.01.2019	Voluntary modifications/excisions offered by the Appellant as per CBFC report dated 03.04.2019	FCAT Directions
1.	General	General disclaimer for smoking & drinking.	Applicant agreed to insert disclaimer as per norms	Disclaimer is to be inserted
2.	General	The entire film subtitles are to be reworked so that it accurately matches the dialogue spoken in that scene for every scene.	Applicant agreed to insert the exact dialogues in the subtitles	Reworked DVD given, that has been verified by CBFC as per the letter dated 4 <sup>th</sup> April, 2019.
3.	General	Mute the following words wherever it occurs in the film: (corresponding word in English subtitle also to be removed) 'Dickhead, Mother fucker, Fuck, Fucker, Ass ranting, Bastard, Bitch, Asshole, anal, Oththa, Tha, Sunni, Kunju, Baadu, Loosuk koothi, thevadiya, Lavada, Lavadu, Punda mavaney, Ommaala, Poolu, Sooththu, Sappa Paduvaargal'. (Public decency)	Applicant accepted to mute/remove all the word, except the word 'anal' & 'Kunju'. Applicant agreed to change the name as 'Kunjithanny kaadu' (Kerla) in the Name Board and accordingly in the dialogue.	To be modified as agreed by the Appellant
4.	Reel 1 05:44	Remove/Replace the dialogue 'Thadavaraan..... kurutukabothi'. (double meaning/ridicule)	Applicant requested to retain the dialogue and accepted to mute the last part of dialogue 'Kuruttukabothi'.	The dialogue can be retained till "Thadavaraan" which means 'what are you stroking'. Mute the remaining dialogue till 'Kurutukabothi' as per the order.
5.	Reel 1 06:18	Remove/replace the dialogue related to		The dialogue as in the original

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		Vocal in shot Nos. 51, 52 and 53. (double meaning)		version can be retained.
6.	Reel 1 10:21 10:31 to 10:38	Mute the word 'kanja karuppu' (Shot 125) And also remove/replace the dialogue 'Yenda.... marakka kaththukka arumai' (Defamation/double meaning)	Applicant agreed to replace the dialogue.	The dialogue as in the original version can be retained.
7.	Reel 1 11:00	Mute the word 'Mani'. (Shot No. 133) (double meaning)	Applicant agreed to mute the word uttered at the second time in shot 133.	The dialogue as in the original version can be retained.
8.	Reel 1 11.22	Mute the words 'Eppollam kammiyaathan varadhu' (shot 137) (Double meaning)	Applicant agreed to modify the dialogue.	Modify the dialogue 'Eppollaam Kammiyaaththan varadhu' to 'Kobam varundhu'
9.	Reel 1 12.08 12.11	Mute the words 'Pinnaadi tharuvaaru'(shot 147) & 'Niraiya Thandhaaru'. (shot 149) (Double meaning)	Applicant requested to retain the dialogue as it was used colloquially.	The dialogue as in the original version can be retained.
10.	Reel 1 17.12	Mute the words 'Cake' and 'Plumps' (Shot220) (double meaning)	Applicant requested to retain the dialogue as it was used colloquially.	The dialogue as in the original version can be retained.
11.	Reel 1 01.10	The opening sequence in the forest between man and woman to be removed in entirety. (Shot Nos. 1 to 110 (Vulgarity))	Applicant agreed to replace all visuals of vulgarity, along with moaning sound in BGM.	To be modified as agreed by the Appellant
12.	Reel 2 33.43	Mute the word 'Allahu Akbar' (Reel 2) (Religious)	Applicant accepted to carry out the cut.	The dialogue as in the original version can be retained.
13.	Reel 2 24.32	Mute the words 'Raanuva mandhiri' & 'Andhammava konjam wait panna sollu'. Shot 1 (Defamation)	Applicant agreed to mute 'Raanuva' & change the gender in the second part.	The dialogue as per the original version can be retained
14.	Reel 2 27.04	Remove the dialogue 'Engammadhaan. vera Country'. (shot 30)	Applicant accepted to carry out the cut.	The dialogue as per the original version can be

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		(anti-national)'		retained
15.	Reel 2 34.16	Mute the word 'Alleluyaa'. (shot 128) (Reel 2) (Religious)	Applicant agreed to mute the word "Mayiru" so that the context gets changed.	Alleluya can be retained but mute the word 'Mayiru'
16.	Reel 2 36.36	Mute the word 'Yendhirikkudhu' (shot Nos. 163, 166 & 167 Double meaning)	Applicant agreed to mute the word in Shot No. 167 and requested to retain the word in Shot No. 163 & 166 as it was used colloquially	The dialogue as in the original version can be retained.
17.	Reel 2 38.11	Replace the name Nithyanandham (Shot 177 Defamation)	Applicant accepted to carry out the modification	The name Nithyanandham can be retained subject to the inclusion of the disclaimer in Para 6 of the order.
18.	Reel 2 44.23	Remove the closing visuals of drilling the eyes of Rayudu's mother (shot 245) (violence)	Applicant accepted to carry out the modification	To be deleted as per the CBFC order
19.	Reel 3 47.42 48.14 50.14	Mute the words 'H Raja' (Shot 14), 'IT Gannu' (shot 24), 'simbu, Julie, Mannai saathi'(shot 40) (Defamation)	Applicant requested to waive the cut and agreed to mute the word 'IT' in the words IT Gannu	The dialogue as per the original version can be retained
20.	Reel 4 01.09.18 01.12.02 01.12.08 01.16.15 01.17.17 01.18.50 01.21.12	Mute the words 'Keezhadi' (Shot 100), 'State Board' 7 'Neet' (Shot 120), 'Monu Thuppaakki' (Shot 138), 'Serena Williams' (Shot 159), 'Panjali' (Shot 178) & 'Kundi' (shot 209) (Defamation/double meaning/ Religious/public decency)	Applicant agreed for some cuts & requested to retain some cuts and accordingly the cut is modified.	Shot 138 to be replaced with 'Rendu Thuppaakki' (English translation "two guns"). Mute the word Serena Williams since the dialogue is 'Bloody Serena Williams' as per the subtitle. Others can be retained.
21.	Reel 4 01.16.45	Remove the dialogue related to female frog explanation. (Shot 149) (Vulgarity)	Applicant agreed to mute the word 'Female'	To be modified as agreed by the appellant

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22.	Reel 4 01.05.00	Blur the TV scene, where the couple have sex, (Shot 41) Vulgarity	Applicant agreed to replace all visuals of vulgarity, along with moaning sound in BGM.	To be modified as agreed by the appellant.
23.	Reel 5 01.26.52 01.27.25 01.31.12 01.34.47 01.42.08	Mute the words 'Kaiyadi'(shot 61), 'Virundhaalikku porandha vilaimagan' (Shot 68), 'Pin' in 'Pinnudhavi' (shot 109), 'Nameetha' (shot 139) & 'Anirudh'. (Shot 212) (Double meaning/defamation)	Applicant agreed for some cuts & requested to retain some cuts and accordingly the cut is modified.	The dialogue as per the original version can be retained and so directed.
24.	Reel 5 01.42.27	Remove/ replace the dialogues and visuals related to attacking the godown by drawing the plan in the sand in Shot No. 213. (Vulgarity)	Applicant agreed to defocus the visuals in the scene.	To be modified as agreed by the appellant.
25.	Reel 5 01.37.40 01.37.50	In Song No. 23, Mute/Replace the Lyric 'Podu'. (double meaning)	Applicant accepted to carry out the modification	The dialogue as in the original version can be retained.
26.	Reel 6 01.44.25 01.44.52 01.45.10 01.45.57 01.46.29 01.48.03	Mute the words 'Eppodhaan thookiyirukken' (Shot 4), 'Srireddy' (Shot 14), 'Saamaan thookakkoodaathu' (Shot 31) 'Oviya purushan' (shot 43), 'Oru uraiyil erandu vaal, pala vaalgal' (Shot 58), 'Hole vidraapla' (Shot 66) & 'Malarthey theerum' (Shot Nos. 186 & 187) (Double meaning/defamation) '	Applicant agreed for some cuts & requested to retain some cuts and accordingly the cut is modified	The dialogue as per the original version can be retained.

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27.	Reel 6 01.52.26	The Mango/Banana audio dialogues to be replaced wherever it occurs (double meaning).	The representative of the Appellant informs that they had agreed to mute the number of fruits that is 2 or 1 as it appears in the dialogue. This has been due to long time for which the release of the movie had been pending.	We have considered the context and watched the scenes. In our view the dialogue fits into the plan for escape of the Heroine. Considering A certificate for the movie, the proposed cuts are not necessary and dialogues are permitted to be retained. <i>AB</i>
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5. For some of the scenes even though it appears that the appellant to expedite the release of its movie conceded to the cuts /mutings as indicated. The Tribunal in its discretion found some of these scenes to be innocuous and, therefore, have been permitted to be retained in an adult movie. Accordingly, we have indicated against those scenes that the same can be retained.

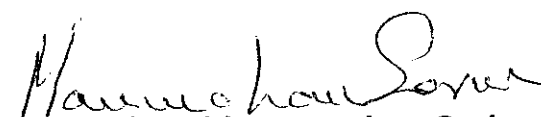
6. **Disclaimer to be added:-**

***All characters and names appearing in this film are fictitious. Any resemblance or reference to real persons, living or dead is purely coincidental.***

7. The Appeal is allowed with the aforesaid directions. Copy of the order be furnished to both the parties forthwith.



**Poonam Dhillon**  
Member, FCAT



**Chief Justice (Retd.) Manmohan Sarin**  
Chairperson, FCAT