

BEFORE THE FILM CERTIFICATION APPELLATE TRIBUNAL

30.04.2019

Appeal No.10/2019

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

IN THE MATTER OF:

LUV RANJAN APPELLANT

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 SONG "VADDI SHARABAN"**

**FOR THE APPELLANT: Ravindra Suryawanshi & Ms. Aanchal
Mullick (Counsels for the Appellant)
Mr. Luv Ranjan (Appellant)**

FOR THE RESPONDENT: Nemo

ORDER

Chief Justice(Retd.) Manmohan Sarin

This is an appeal preferred by the Appellant aggrieved by the Order dated 5th April, 2019 passed by the CBFC (hereinafter to as the impugned order). By the impugned order, it was communicated to the Appellant that the film title Song

MS

No. 1 '*Vaddi Sharaban*' from the film "*De De Pyaar De*" (Hindi) has been viewed by the Revising Committee of CBFC.

2. The Revising Committee reached the conclusion that the song was not suitable for U/A public exhibition but may be suitable for public exhibition restricted to adults, provided the Appellant carried out the excisions/modifications as directed.

3. The modification required was "**Blur the liquor label**" wherever it occurs. The Appellant has confined the challenge in this appeal to the impugned order and the other promos to which reference has been made are not the subject matter of appeal.

4. In the meanwhile, we have also received the response of the Regional Officer CBFC, Mumbai which is taken on record and has been considered by us.

5. Learned Counsel for the Appellant submitted that the song appears in the background of a wedding celebration at Brunch in London, where the heroine is dancing in a festive mood. Considering, the social background and norms of the strata of the society being shown by the Appellant, it is urged that the same would be a normal occurrence.

6. We have heard the Appellant as well as considered the response note of the respondents and watched the song including the voluntary cut as offered by the Appellant during which the scene of the heroine holding the bottle has been

voluntarily deleted. We are of the view that the song can be granted U /A Certification subject to parental caution with the condition that the alcohol bottle is not held by the Heroine and remains on the table, if at all to be shown. The order regarding blurring of the *liquor label* would remain.



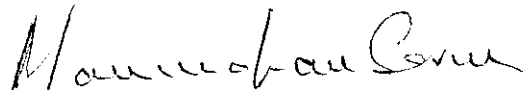
SAIBAL CHATTERJEE

MEMBER, FCAT



MADHU JAIN

MEMBER, FCAT



CHIEF JUSTICE (RETD.) MANMOHAN SARIN

CHAIRPERSON, FCAT