

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

UNSTARRED QUESTION NO:1107

ANSWERED ON:22.07.2016

Film Certification

Birla Shri Om;Dev Km. Sushmita;Gutha Shri Sukender Reddy;Pandey Shri Hari Om;Patil Shri A.T. (Nana);Reddy Shri Ch. Malla;Scindia Shri Jyotiraditya Madhavrao;Senthilnathan Shri PR.;Sundaram Shri P.R.;Thomas Prof. Kuruppassery Varkey

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government has received a number of complaints/representations from film industry regarding functioning of Central Board of Film Certification (CBFC);
- (b) if so, the details thereof during the last two years and reaction of the Government thereto;
- (c) whether the Government has constituted a Committee under the chairmanship of Shri Shyam Benegal to revamp the CBFC to bring transparency and make it controversy free, if so, the details thereof;
- (d) whether the said committee has submitted its report to the Government, if so, the major recommendations thereof along with action taken by the Government thereon;
- (e) whether the Government has plan to formulate any new norms for CBFC to facilitate members to provide censor films including TV serials and certain TV programmes with controversial themes and unethical practices, if so, the details thereof; and
- (f) the corrective steps taken by the Government to prevent the criticism of film certification system in the country?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]:

- (a) to (f) : The Government has not received any complaint/representation from Film Industry regarding the functioning of Central Board of Film Certification (CBFC). There are, at times, difference of opinion relating to certification in individual cases between the producers and Board. These cases have been dealt with in accordance with the provisions of Cinematograph Act, 1952. The Government constituted a Committee of Experts headed by noted filmmaker Shri Shyam Benegal on 1st January, 2016 to recommend broad guidelines/ procedures to set principles which shall guide the Board with respect to certification of films. The other members of the Committee were Shri Rakeysh Omprakash Mehra, Shri Piyush Pandey, Ms Bhawana Somaaya, Ms Nina Lath Gupta, Shri Kamal Haasan, Shri Goutam Ghose, all noted film industry professionals. The Committee has since submitted first part of its report in April, 2016 and final part in June, 2016. The report submitted by the Committee is under examination in the Ministry. Some of the key recommendations of the Committee are as under:-
- (i) CBFC not to order excisions, modifications or amendments. The scope of certification process to be limited only to suggest what category of audiences [age groups] can watch a particular film.
 - (ii) Guidelines to be revised for each category of certification in order to empower viewers to make informed viewing choices by specifying the category.
 - (iii) New categories of certification other than 'U', 'A' or 'UA' are proposed.
 - (iv) Films violating the provisions of Section 5B(1) of the Cinematograph Act, i.e. film depicting scenes against the interests of the sovereignty and integrity of India, security of the State, friendly relation with foreign States, public order, decency or morality, defamation or contempt of court etc. to be refused certification.
 - (v) CBFC Chairperson & Board Members to play a role in guiding the Board at apex level than participating in routine certification process.
 - (vi) Number of members in the Board should be reduced.
 - (vii) Role envisaged for NCW/NCPCR/film professionals in making nominations to Examining Panels.
- (viii) The Advisory Panel for Revising Committees to be selected from amongst persons of in depth understanding of Indian society, i.e. sociologists, anthropologists or psychologists or persons of eminence. To have 20% representation from film industry at each region.
- (ix) Out of turn (Tatkal Scheme) film certification.
- (x) Re-examination of the films by the CBFC on complaints received after certification in certain cases for violation of provisions of Section 5B (1) of the Act.

The report submitted by the Committee is under examination of the Government.

Government has no plan for regulating content of TV programs through CBFC. The existing system under the Cinematograph Act, 1952 provides the requisite checks and balances as far as certification of films are concerned. Periodical reviews such as examination by Expert Committee are undertaken. Sufficient provisions for redressal of grievances of film producers with regard to certification of films have been made in the existing Act & Rules, viz. Revising Committee and FCAT. In the event of grievances persisting even after these channels are exhausted, the film producers can always take recourse to legal remedies.
