

Business Standard

Denial of certification to 2 films: HC seeks Centre, CBFC reply

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The Delhi High Court today sought response of the government and the censor board on two separate pleas challenging denial of certification for public screening of films "Kaum De Heere" and "Textures of Loss".

While "Kaum De Heere" is a Punjabi movie which allegedly glorifies assassination of Indira Gandhi by Satwant Singh, Beant Singh and Kehar Singh, "Textures of Loss" is a documentary on those affected by violence in Kashmir.

Justice Rajiv Shakti issued notice to the Ministry of Information and Broadcasting, the Central Board of Film Certification (CBFC) and the Film Certification Appellate Tribunal (FCAT), seeking their replies on the pleas of makers of the two movies.

"I have to examine it... Issue notice," Justice Shakti said and listed the Punjabi movie's plea for hearing on March 12 and the documentary on February 26.

The plea against denial of certification for "Textures of Loss" has been filed by its producer-cum-director Pankaj Butalia, represented by senior advocate Colin Gonsalves, challenging the December 2013 and September 2014 orders of CBFC and FCAT, respectively. Both the authorities, in their respective orders had directed Butalia to insert a disclaimer as well as make cuts in the documentary before it is allowed for public screening.

Butalia, however, contended that if Shahid Kapoor-starrer "Haider" can be screened despite having explicit scenes and showing the army in a bad light, why is his documentary being asked to make cuts and insert disclaimers. "Kaum De Heere" was initially granted 'A' certification but later the movie was barred from release in India by the government. The movie's producers, Sai Cine Productions, has challenged CBFC's August 2014 and FCAT's October 2014 orders by which the film's certification was withdrawn.

The production company has contended the censor board "had no factual or legal basis for withdrawal of certificate" after granting it. Additional Solicitor General Sanjay Jain and advocate Anurag Ahluwalia appeared for the ministry and CBFC in this matter and said the withdrawal of certification was done according to the provisions of the Cinematograph Act, 1952 and on the orders of the central government.