

# Report Summary

## Report of the Expert Committee on CBFC

- An Expert Committee (Chair: Mr. Shyam Benegal) constituted to recommend guidelines for certification of films by the Central Board of Film Certification (CBFC) submitted its report in April 2016. The Committee was created on January 1, 2016, by the Ministry of Information & Broadcasting. The terms of reference of the Committee included: (i) to study the procedures of certification being followed by CBFC, (ii) to recommend guiding principles with respect to certification of films, within the ambit of the Cinematograph Act, 1952 and (iii) suggest a suitable staffing structure for a more efficient service.
- **Role of CBFC:** The Committee observed that an owner of a film has complete rights over it. Any alteration or change in the film can only be made by the owner or with his consent. It recommended that the current system of suggesting modifications and amendments to a film by the CBFC should be done away with and the Board must function only as a film certification body.
- **Modification to 1991 guidelines:** Guidelines were issued in 1991 under section 5B of the Cinematograph Act, 1952. Section 5B states that a film will not be certified if a part of it or the entire film is against the interest of the sovereignty and integrity of the country, decency or morality, etc. The Committee noted that some of the objectives under these guidelines, such as requiring the film to be sensitive to the values of the society, providing clean and healthy entertainment, were not within the ambit of the CBFC.
- In this regard, the Committee has drafted a new set of guidelines. The objective of the guidelines is: (i) artistic expression and creative freedom of filmmakers is protected through parameters that are objective, (ii) audiences are empowered to make informed viewing decisions, (iii) the process of certification is responsive to social change. The guidelines also state that an applicant must mention in his application, (i) the category of certification he seeks, and (ii) the target audience. Further, any cuts in a film can only be made by the applicant, depending on the certification he needs for his film.
- **Sub-division of existing categories of certification:** The Committee also suggested that two categories of certification, that is UA (films that contain certain scenes not suitable for children below the age of 12) and A (films suitable for adults only), should be further sub-divided into sub-categories. The UA category should be divided into two sub-categories: UA 12+ and UA 15+. While UA 12+ will cater to young teenagers yet to be exposed to the adult world, UA 15+ will cater to young adolescents at an age where they are being exposed to issues in the adult world, in a moderate manner. The A category should include an A-C (films suitable for adults only, with caution) sub-category, for films that may contain explicit material, such as nudity, violence, etc. This categorisation will help audiences to make distinct choices.
- **Guidelines for certification:** The Committee has proposed guidelines for certification, that have been divided into three categories: (i) general, (ii) issue related, and (iii) category specific. The general guidelines define the approach to be followed while certifying a film, with respect to general factors in a film, such as context, theme, etc. The issue related guidelines list issues in a society that apply to all categories of certification. Category specific guidelines lay down the approach that CBFC should take with respect to various categories of film certification.
- **Functions of CBFC:** The Committee recommended that the CBFC should confine itself to: (i) submission of an annual report to the central government, containing an analytical study of the trends in the film industry, to be tabled in Parliament each year, (ii) prescribing the manner in which the records and accounts of the Board will be kept, (iii) reviewing the work of regional officers and the Regional and Central Advisory Panels, (iv) periodically review guidelines laid down for certification of films, etc.
- **Staffing pattern of CBFC:** In order to reduce the human interface between applicants and officials of the CBFC, the Committee recommended that process of application, and selection of members for the Examining Committee (that will sit through the screening of a film and deliberate on it) and Revising Committee (that will function as the first point of appeal) should be done through a computerised software.

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