

Technology, Media & Telecommunications, Barunesh Chandra, Chair

From Monika Singh (India):

Role of Central Board of Film Certification (CBFC): certification or censorship?!

Recently, the CBFC in India has been in the eye of the storm for ‘suggesting’ the deletion of kissing scenes in the James Bond movie 'Spectre' (in preparation of its India release) and more recently, demanding 89 modifications in a Hindi feature film highlighting rampant drug menace and its impact on youth. The Hindi feature film was finally released with just one modification pursuant to the intervention of the Bombay High Court which stated amongst other things that the CBFC has been formed to certify and not to censor.

In fact, the Ministry of Information and Broadcasting had constituted an expert committee (comprising of accomplished names of the film fraternity) in January 2016 to lay down a holistic framework for certification of films by CBFC. The said committee submitted its report in April 2016 which had the following key recommendations:

- Any alteration or modification to a film has to be made by the owner (producer) of the film or with his consent and the current system of CBFC ‘suggesting’ changes to a film should be done away with and CBFC must function only as a film certification body.
- The 1991 Guidelines currently in force are vague, subjective and open to varying interpretations such as requiring films to be “sensitive to the values of the society”, “providing clean and healthy entertainment” and as such were not within the ambit of CBFC.

In this regard, the committee presented a new set of draft guidelines for the CBFC, the objectives of which are (a) artistic expression and creative freedom of filmmakers be protected through parameters that are objective; (b) children and adults are protected from potentially harmful or otherwise unsuitable content; (c) audiences (especially those with responsibility of children) are empowered to make informed viewing decisions; (d) the process of certification is responsive to social change at all times.