

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 1255
TO BE ANSWERED ON: 09.02.2022

PETITIONS IN HIGH COURT

1255. SHRI KARTI P. CHIDAMBARAM:

Will the Minister of Electronics and Information Technology be pleased to state:

the current status of various petition(s) filed in High Courts around the country challenging the Intermediary Guidelines and Digital Media Ethics Code Rules, 2021?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

There are 20 (twenty) cases in various High Courts challenging the Information Technology(Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The details are placed at Annexure.

Annexure

Details of 20 cases challenging the IT Rules 2021

S. No	Case Details	High Court	Pertains to	Present Status
1	W.P.(C) No.6272 of 2021(H)- Live Law MediaPrivate Limited &Ors Vs UOI &Ors(MeitY and MIB)	Kerala	MeitY and MIB (challenges both Part II and Part III).	Interim Order passed on 10th day of March 2021. <u>Order</u> : “The respondents shall not take any coercive action against the petitioners for non- compliance of the provisions contained in Part III.....” Case is further sub-judice.
2	W.P.(C)No.3659 of 2021 - Quint DigitalMedia & Anr Vs UOI &Anr(MeitY and MIB)	Delhi	MIB (Primarily challenges Part III).	Cases 2, 3, 4, 13 and 14 are clubbed together. Case is further sub-judice.
3	W.P. (C) No. 3125 of 2021 - Foundation forIndependent Journalism &Ors. v. UOI &Anr(MeitY and MIB)	Delhi	MIB (Primarily challenges Part III).	Cases 2, 3, 4, 13 and 14 are clubbed together. Case is further sub-judice.
4	W.P.(C) No.3483 of 2021 - Sanjay KumarSingh Vs UOI &Ors (Cabinet Secretariat, MeitY, MIB and MoL&J)	Delhi	MeitY (Primarily challenges Part II).	Cases 2, 3, 4, 13 and 14 are clubbed together. Counter affidavit filed by MeitY in this case. Case is further sub-judice.
5	W.P.(C) No.12604 of 2021 - BhakatTripathy Vs UOI &Ors (MeitY and MIB)	Orissa	MIB (Primarily challenges Part III).	The case came up on 19.07.2021, 02.08.2021, 13.09.2021,20.09.2021. Case is further sub-judice.
6	W.P.(C) No. 18084 of 2021 – PraveenArimbrathodiyil v UOI &Anr(MeitY and MIB)	Kerala	MeitY (Primarily challenges Part II).	Came up on 09.04.2021. Later came up on 22.09.2021 and the court has directed filing of counter affidavit by the parties within 3 weeks. No interim order is passed. Case is further sub-judice.
7	W.P. No. 6491 of 2021 - Truth Pro Foundation India VsUOI&Ors (MeitY and MIB)	Karnataka	MIB (Primarily challenges Part III)	Case was listed on 06.09.2021. Case is further sub-judice.
8	W.P.(C) No. 7281 of 2021 - Facebook Inc Vs UOI (MeitY is the sole	Delhi	MeitY (challenges section 4(2) of Part II of the IT Rules –	Came up on 27.08.2021, 22.10.2021 and 12.01.2022. MeitY has filed counter affidavit.

	respondent)		information on first originator).	Case is further sub-judice.
9	W.P.(C) No. 7284 of 2021 - WhatsApp LLC Vs UOI (MeitY is the sole respondent)	Delhi	MeitY (challenges section 4(2) of Part II of the IT Rules – information on first originator).	Came up on 27.08.2021, 22.10.2021 and 12.01.2022. MeitY has filed counter affidavit. Case is further sub-judice.
10	W.P.A.(P) No.153 of 2021 - SayantiSengupta Vs UOI Rep. by MeitY&DeitY (MeitY is the sole respondent)	Calcutta	MeitY (Primarily challenges Part II)	Came up on 04.08.2021 and 16.11.2021. Counter affidavit filed by MeitY. Case is further sub-judice.
11	W.P. No. 12515 of 2021- T.M. Krishna Vs UOI (MeitY & MIB)	Madras	MeitY and MIB (challenges both Part II and Part III).	As directed by court on 13.08.2021 MeitY has filed its counter affidavit. Separate counter affidavits have been filed by MIB and MeitY in two cases (DNPA and TM Krishna). On 16.09.2021 the court has stayed rule 9(1)&(3) of the IT Rules 2021 similar to the order of Bombay High Court. Case is further sub-judice.
12	W.P. No.13055 of 2021 - Digital News Publishers Association and Anr Vs UOI (MeitY and MIB)	Madras	MeitY and MIB (challenges both Part II and Part III)	As directed by court on 13.08.2021 MeitY has filed its counter affidavit. Separate counter affidavits have been filed by MIB and MeitY in two cases (DNPA and TM Krishna). On 16.09.2021 the court has stayed rule 9(1)&(3) of the IT Rules 2021 similar to the order of Bombay High Court. Case is further sub-judice.
13	W.P.(C) No. 5973 of 2021 - Pravda Media Foundation Vs UOI (MeitY and MIB)	Delhi	MIB (Primarily challenges Part III).	Cases 2, 3, 4, 13 and 14 are clubbed together. Case is further sub-judice.
14	W.P.(C) 6188/2021 The Press Trust of India Limited Vs UOI (MeitY and MIB)	Delhi	MIB (Primarily challenges Part III and to a smaller extent Part II).	Cases 2, 3, 4, 13 and 14 are clubbed together. Case is further sub-judice.
15	WP (L) No. 14172 of 2021 -AGIJ Promotion ofNineteenonea Media	Bombay	MIB (Primarily challenges Part III - digital news and code	Clubbed with the Nikhil MangeshWagle case. By order dated 14.08.2021 the court has

	Pvt. Ltd & Anr. Vs UOI (MeitY and MIB)		of ethics).	stayed the operation of sub-rule (1) and (3) of rule 9 of the IT Rules 2021. MIB has filed its counter affidavit on behalf of MeitY also in this case. Case is further sub-judice.
16	WP(C) No. 14204 of 2021- Nikhil MangeshWagle Vs. UOI (MeitY) (MeitY is the sole respondent)	Bombay	MeitY and MIB (challenges both Part II and Part III).	MeitY has filed a counter affidavit in this case in respect of Part II of the IT Rules 2021. Cases 15 and 16 are clubbed together. Case is further sub-judice.
17	W.P. No. 13675 of 2021 - The News Broadcasters Association Vs UOI (MeitY & MIB)	Kerala	MIB (Primarily challenges Part III).	Based on the earlier order passed in <i>Live Law Media Private Limited</i> (Case No.1 above), the court passed the following interim order on 09.07.2021 : “In the light of the interim order passed by this Court in W.P.(C)No.6272 of 2021 on 10.03.2021, there will be an interim order directing the respondents to refrain from taking coercive action against the petitioners for non compliance of the provisions contained in Part III....” Case is further sub-judice.
18	W.P. No. 6844 of 2021 –UdayBedi Vs UOI(MeitY is the sole respondent)	Delhi	MeitY (challenges Part II - intermediary rules).	By order dated 22.07.2021, the court has directed filing of counter affidavit. Came up on 13.09.2021 and 17.11.2021. MeitY has filed its counter affidavit. Case is further sub-judice.
19	WP No.10796 of 2021 - Charitha V Vs MeitY and MIB	Karnataka	MeitY and MIB (challenges both Part II and Part III).	Case was listed on 06.09.2021. Case is further sub-judice.
20	W.P. No.25619 of 2021 - Indian Broadcasting and Digital Foundation Vs MeitY	Madras	MeitY (details or copy of petition not available)	The case came up on 06.12.2021 and has been ordered to be posted along with WP 13055 of 2021 Digital News Publishers Association and Anr Vs UOI (MeitY and MIB – Case No.12 above). Case is further sub-judice.
