

**BY EMAIL & DoT website**

**Government of India  
Ministry of Communications  
Department of Telecommunications  
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001  
(Data Services Cell)**

No. 813-07/LM-47/2023-DS-II

Dated:11-09-2024

To,

All Internet Service Licensee

**Subject: CS(COMM) 730 of 2023: Viacom18 Media Private Limited vs. Biggbos.live & Ors. Before Hon'ble Delhi High Court**

Kindly find the enclosed Hon'ble Delhi High Court order dated **12.10.2023** and additional 3<sup>rd</sup> affidavit dated **30.07.2024** on the subject matter.

2. Please refer to the **para 24** of the said court order in respect of blocking of websites enumerated in **annexure A** of affidavit.

3. In view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking of the said websites, as above, for compliance of the said court order.

Signed by  
Ram Kailash Meena  
Director (DS-III)  
Date: 11-09-2024 17:44:27  
Email: [crs2-dot@nic.in](mailto:crs2-dot@nic.in)  
Encl:A/A

Copy to:

- i. Sh. V.Chinnasamy, Scientist E ([chinnasamy.v@meity.gov.in](mailto:chinnasamy.v@meity.gov.in)), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi for kind information and with request to take action as per Annexure-B.
- ii. Srishti Dhoundiyal ([s.dhoundiyal@saikrishnaassociates.com](mailto:s.dhoundiyal@saikrishnaassociates.com)), counsel for the plaintiff with following requests:

(a) Take action as per Annexure-B.

- iii. IT wing of DoT for uploading on DoT website please.



\$~22

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(COMM) 730/2023, I.A. 20182/2023, 20183/2023, 20184/2023,**  
**20185/2023**

VIACOM18 MEDIA PRIVATE LIMITED ..... Plaintiff

Through: Mr. Sidharth Chopra, Mr. Yatinder  
Garg, Mr. Akshay Maloo, Ms. Srishti  
Dhoundiyal & Mr. Priyansh Kohli,  
Advs. (M: 7987503554)

versus

BIGGBOS.LIVE & ORS. .... Defendants

Through: Mr. PD Gupta and Ms. Kiran Bala  
Agarwal, Advs for Applicant. (M:  
9811647897)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **12.10.2023**

1. This hearing has been done through hybrid mode.

**I.A.20183/2023 (for exemption)**

2. This is an application filed by the Plaintiff seeking exemption from filing certified/cleared/typed or translated copies of documents, left side margins, electronic documents, etc. Original documents shall be produced/filed at the time of Admission/Denial, if sought, strictly as per the provisions of the Commercial Courts Act and the DHC (Original Side) Rules, 2018.

3. Exemption is allowed, subject to all just exceptions. Accordingly, the application is disposed of.

**I.A. 20185/2023 (for additional documents)**

4. This is an application filed by the Plaintiff seeking leave to file additional documents under the Commercial Courts, Commercial Division



and Commercial Appellate Division of High Courts Act, 2015 (hereinafter, 'Commercial Courts Act'). The Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly as per the provisions of the Commercial Courts Act and the DHC (Original Side) Rules, 2018.

5. Application is disposed of.

**CS (COMM) 730/2023**

6. Let the plaint be registered as a suit.

7. Issue summons to the Defendants through all modes upon filing of Process Fee.

8. The summons to the Defendants shall indicate that the written statement(s) to the plaint shall be positively filed within 30 days from date of receipt of summons. Along with the written statement(s), the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiff, without which the written statement(s) shall not be taken on record.

9. Liberty is given to the Plaintiff to file the replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the Plaintiff, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

10. List before the Joint Registrar for marking of exhibits on 1st December, 2023. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

11. List before Court on 9<sup>th</sup> April, 2024.

**I.A. 20182/2023 (u/O XXXIX Rules 1 & 2 CPC)**



12. Issue notice.

13. The Plaintiff-Viacom18 Media Private Limited, a leading broadcaster has filed the present suit seeking protection of rights including reproduction rights in the programme 'Bigg Boss' in all formats, against the Defendant Nos.1 to 5 who are the streaming and downloading websites. 'Bigg Boss' is a reality show, which is based on the format of international Dutch show 'Big Brother' in which the rights are owned by M/s Endemol Shine IP BV. The said show revolves around a number of participants and their interpersonal relationships, who live isolated in a particular premise.

14. The Plaintiff has obtained the format rights for this programme from M/s Endemol Shine IP BV, which was recognized vide agreement dated 17th August, 2020 for Bigg Boss Hindi, seasons 17 and 18. 'Bigg Boss' programme has been produced and broadcasted in India since 2008. The said programme has had 16 seasons in Hindi language and season 17 of Bigg Boss Hindi is expected to be launched on 15<sup>th</sup> October, 2023.

15. The format of the show is owned by M/s Endemol Shine IP BV. The Bigg Boss show has also been produced and telecasted in two regional languages Kannada and Marathi. Endemol Shine IP BV has given the exclusive license of the format to the Plaintiff for Bigg Boss Hindi seasons 17 and 18, scheduled to be broadcasted from 15th October, 2023 and Bigg Boss Kannada Seasons 10 to 12 to be broadcasted from 8th October, 2023 as also Bigg Boss Marathi seasons 5 to 8. The Plaintiff broadcasts these programmes on the television channels Colors and Colors Kannada as also on its OTT platform 'JioCinema'.

16. It is the case of the Plaintiff that it owns the rights in the format of the show having been licensed the same from M/s Endemol Shine IP BV. In



addition, in the original broadcast, which are produced and created in India, the Plaintiff owns the cinematographic rights as also the broadcast reproduction rights.

17. The Defendants 1 to 5 are the following domain names :

Biggbos.live	Defendant No.1
Bigg-boss.in	Defendant No.2
Bigg-boss17.com	Defendant No.3
Biggboss17online.com	Defendant No.4
Biggbosslive.net	Defendant No.5

18. They are currently running the websites wherein previous seasons and programmes of Bigg Boss are being made available in an unauthorized and non-licensed manner for viewing. The domain name of the Defendants are also registered in the name of Bigg Boss. As per paragraph 22 of the Plaint, these Defendant websites work through the mode of Video-On-Demand (VOD), where users are required to first register and then subscribe and /or make payment to access the unauthorized content which is hosted, streamed *etc.* It is submitted by Mr. Chopra, Id. Counsel for the Plaintiff that the websites are also advertising the next two seasons, which are going to be produced and telecasted on the Plaintiff's platform, contending that the same would also be launched on these websites.

19. The Domain Name Registrars, who have registered the said domain names are Dynadot LLC - Defendant No.6 and NameCheap, Inc. - Defendant No.7. The Defendant Nos.8 to 14 are ISPs and the Defendant Nos.15 & 16 are DoT and MeitY respectively and Defendant No.17 are Ashok Kumar (s).



20. The apprehension of the Plaintiff is that apart from the unauthorized dissemination, which has already been indulged into by the Defendants for the previous seasons and programmes, the Defendants are going to completely make a monetary dent on the Plaintiff's business. Even permitting the recordings of the programmes of the new seasons, which are yet to be launched on their platforms would cause gross violation of the copyrights of the Plaintiff. It is, thus, prayed that the injunction be granted against the said domain names/websites.

21. Heard, the counsel for the Plaintiff. The Bigg Boss programme enjoys enormous popularity even in India and the unauthorized and illegal dissemination of the Bigg Boss programmes, irrespective of past and future seasons, would be clear infringement of the Plaintiff's copyright of broadcast and reproduction rights. If such mushrooming of websites, which also use the name Bigg Boss, is permitted, it would boost piracy and unauthorised dissemination causing heavy losses to the Plaintiff, which may have obtained the rights in the said event/programme after making considerable investment. The Plaintiff's OTT channel Jio cinema is also a subscription platform and if the illegal websites are permitted to unauthorizedly telecast these programmes, the subscription base of the Plaintiff is also likely to be jeopardized.

22. Considering the overall facts, this Court is convinced that the Plaintiff has made out a *prima facie* case of *ex- parte* injunction. Irreparable loss/harm will be caused to Plaintiff if the Defendants are not restrained from illegal and unauthorized telecasting, broadcasting of the Plaintiff's show BIGG BOSS, either past or present episodes as also the said episodes which are already scheduled for telecast shortly. Balance of convenience would



also be in favour of the Plaintiff against the Defendants.

23. Accordingly, the Defendant Nos.1 to 5 are restrained from broadcasting, telecasting, streaming, retransmitting and hosting any episodes of the Bigg Boss programme, which have already been telecasted or which are likely to be telecasted in near future. The domain names of the said websites shall be suspended/locked immediately by the said DNRs, to whom the Plaintiff shall communicate the exact domain name details to the Grievance Officer of the said DNRs. The DoT- Defendant No.15 and MeitY- Defendant No.16 shall issue blocking orders against these websites, which shall be blocked by all the ISPs upon receiving communication from the Plaintiff or from DOT/MeiTy.

24. If any further websites with the name Bigg Boss are found by the Plaintiff, or any other websites which are telecasting illegally the programmes of the Plaintiff, an application shall be filed impleading these websites as parties under Order 1 Rule 10 CPC, 1908, along with an affidavit before the Joint Registrar showing evidence that these are rogue websites infringing the Plaintiff's exclusive right in broadcasting and telecasting Bigg Boss show. The present injunction shall accordingly extend to those websites as well. Upon filing of such an affidavit, the said domain names shall also be locked/suspended and the blocking orders shall be issued to the ISPs by the DoT and MeitY. All ISPs to comply with the blocking orders, on receipt of affidavit or blocking orders.

25. The DNRs shall give details of the registrants of the impugned domain names upon receiving communication from Id. Counsel for the Plaintiff.

26. Compliance of Order XXXIX Rule 3 CPC within one week is



permitted to be made through email.

27. List on the dates fixed above.

**PRATHIBA M. SINGH, J.**

**OCTOBER 12, 2023/dk/ks**



IN THE HIGH COURT OF DELHI AT NEW DELHI  
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)

CS (COMM) NO. 730 OF 2023

IN THE MATTER OF

Viacom18 Media Private Limited

...Plaintiff

Versus

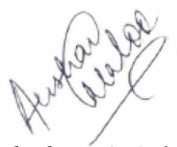
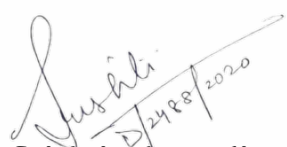
Biggbos.live & Ors.

...Defendants

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3.	Evidence with respect to 3 <sup>rd</sup> Additional list of 31 Websites comprising rogue websites that are engaged in inter alia, communicating to the public, hosting, streaming and/or making available to the public the Plaintiff's content <i>inter alia</i> Bigg Boss Show	8-271

Place: New Delhi  
Date: .07.2024

  
  
Akshay Maloo | Srishti Dhoundiyal  
(D/4515/2018) | (D/2488/2020)  
Saikrishna and Associates  
Advocates for the Plaintiff  
57 Jor Bagh, New Delhi, 110003  
+91 9910634753  
[s.dhoundiyal@saikrishnaassociates.com](mailto:s.dhoundiyal@saikrishnaassociates.com)

IN THE HIGH COURT OF DELHI AT NEW DELHI  
(ORDINARY ORIGINAL COMMERCIAL JURISDICTION)  
CS (COMM) NO. 730 OF 2023

IN THE MATTER OF

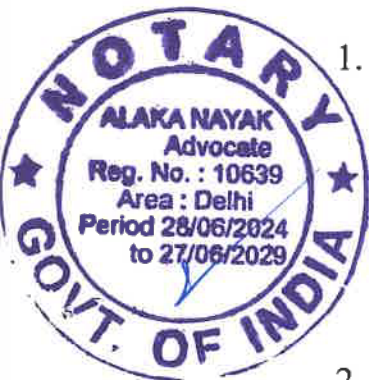
Viacom18 Media Private Limited ...Plaintiff

Versus

Biggbos.live & Ors. ...Defendants

AFFIDAVIT OF MR. SHAISHWA KUMAR, S/O LATE SHRI RAM BABU PRASAD, AGED ABOUT 48 YEARS, AUTHORIZED SIGNATORY OF PLAINTIFF, HAVING OFFICE AT ZION BIZ WORLD, SUBHASH ROAD A, VILE PARLE (EAST) MUMBAI 400057, INDIA, AND HAVING ITS BRANCH OFFICE AT 2<sup>ND</sup> FLOORM BHAGERATH PALACE, CHANDNI CHOWK, DELHI- 110006. PRESENTLY AT NEW DELHI, INDIA, ON BEHALF OF THE PLAINTIFF.

I, the above-named deponent, do hereby solemnly affirm and declare as under:



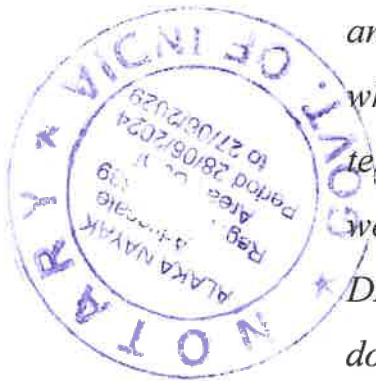
1. That, I am the Authroized Representative of the Plaintiff in the present suit and as such I am conversant with the facts and circumstances of the present suit and competent to depose in respect thereof.
2. That the Plaintiff in the course of its business has acquired exclusive rights in the format of 'Big Brother' for exploitation of Bigg Boss Hindi Season 17 and 18, Bigg Boss Kannada seasons 10 to 12, and Bigg Boss Marathi

Season 5 to 8 respectively (collectively referred as “Bigg Boss show”). I state that the rights include but are not limited to copyright and broadcasting rights, over which the Plaintiff has Exclusive Rights, through various platforms for viewing on various devices such as televisions, computers, laptops, mobile phones, tablets etc.

3. I state that I am aware of the present suit and the order dated 12.10.2023 whereby the Hon’ble Court was pleased to pass an *ex-parte ad-interim* order in terms of the following:

*“22. Considering the overall facts, this Court is convinced that the Plaintiff has made out a prima facie case of ex-parte injunction. Irreparable loss/ harm will be caused to Plaintiff ‘s show BIGG BOSS, either past or present episodes as also the said episode which are already scheduled for telecast shortly. Balance of convenience would also be in favour of the Plaintiff against the Defendants.*

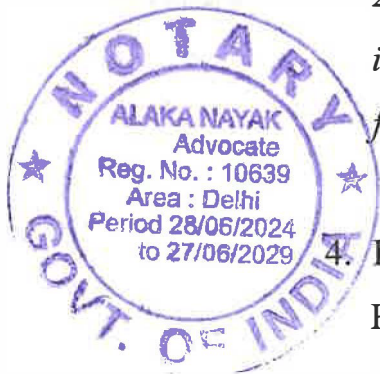
*23. Accordingly, the Defendant Nos. 1 to 5 are restrained from broadcasting, telecasting, streaming, retransmitting and hosting any episodes of the Bigg Boss programme, which have already been telecasted or which are likely to be telecasted in the near future. The domain names of the said websites shall be suspended/locked immediately, by the said DNRs, to whom the Plaintiff shall communicate the exact domain name details to the Grievance Officer of the said DNRs. The DoT- Defendant No.15 and MeitY- Defendant No.16 shall issue blocking orders against these websites,*



*which shall be blocked by all the ISPs upon receiving communication from the Plaintiff or from DOT/MeiTy.*

*24. If any further websites with the name Bigg Boss are found by the Plaintiff, or any other websites which are telecasting illegally the programmes of the Plaintiff, an application shall be filed impleading these websites as parties under Order 1 Rule 10 CPC, 1908, along with an affidavit before the Joint Registrar showing evidence that these are rogue websites infringing the Plaintiff's exclusive right in broadcasting and telecasting Bigg Boss show. The present injunction shall accordingly extend to those websites as well. Upon filing of such an affidavit, the said domain names shall also be locked/suspended and the blocking orders shall be issued to the ISPs by the DoT and MeitY. All ISPs to comply with the blocking orders, on receipt of affidavit or blocking orders.*

*25. The DNRs shall give details of the registrants of the impugned domain names upon receiving communication from ld. Counsel for the Plaintiff"*



4. I state that in order to protect and enforce its Exclusive Rights in the Bigg Boss show, the Plaintiff engaged the services of an investigation agency to monitor Rogue Websites. I state that the Plaintiff with the help of the investigator have identified 31 additional websites at Annexure A, which are illegally streaming the contents of the Bigg Boss show, which are infringing the Plaintiff's Exclusive Rights.

5. I state that from the evidence filed along with the present Affidavit, it is evident that the identified websites at Annexure A are communicating and/or streaming and/or providing access and/or making available for viewing the broadcast of the Bigg Boss show. I state that the Plaintiff is the exclusive right holders for the Bigg Boss show for the worldwide territory and the Plaintiff has not authorized any of the above-mentioned websites to communicate and or make available for viewing the Bigg Boss show.
6. I state the Plaintiff is not aware of the owners of these additional websites as either they are anonymous or have incorrect or incomplete addresses.
7. I state that in terms of the following directions passed by this Hon'ble Court, *vide* order dated 12.10.2023 (reproduced herein above) is also applicable on the newly identified websites at Annexure A.

*"24. If any further websites with the name Bigg Boss are found by the Plaintiff, or any other websites which are telecasting illegally the programmes of the Plaintiff, an application shall be filed impleading these websites as parties under Order 1 Rule 10 CPC, 1908, along with an affidavit before the Joint Registrar showing evidence that these are rogue websites infringing the Plaintiff's exclusive right in broadcasting and telecasting Bigg Boss show. The present injunction shall accordingly extend to those websites as well. Upon filing of such an affidavit, the said domain names shall also be locked/suspended and the blocking orders shall be issued to the ISPs by the DoT and*

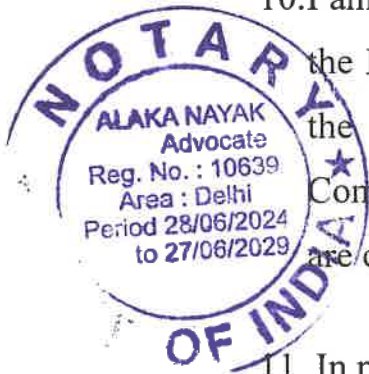


*MeitY. All ISPs to comply with the blocking orders, on receipt of affidavit or blocking orders.”*

8. Considering the abovementioned, the Department of Telecommunications (Defendant No. 15) and the Ministry of Electronics and Information Technology (Defendant No. 16) are urged to issue a notification to the Internet Service Providers (Defendant Nos. 8 – 14) to block the additional rogue websites domains identified in Annexure A hereto.

9. I state that the evidence filed along with the present affidavit was shared by the investigating agency in google drive link. I downloaded the same onto the computer bearing model no. N15W4 (acer Aspire ES 15 Series) and Serial No. NXMZ8SI0376310AA6B6600, which is regularly used by me in the ordinary course of business and thereafter, shared the same with the Plaintiff's Counsel.

10. I am advised to state that the conditions of Sections 65B of the Indian Evidence Act, 1872 and Order XI Rule 6(3) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 are complied with in respect of these documents.



11. In particular, I confirm:-

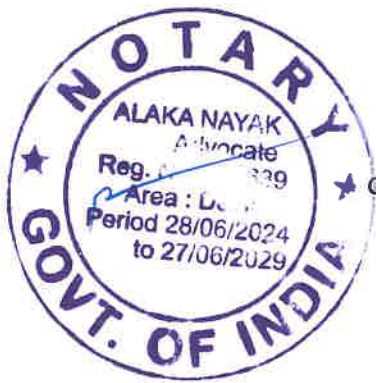
- a) That the said computer system is regularly used to produce computer outputs like emails and information from the World Wide Web (Internet) and store other electronic records. The relevant information from the websites and electronic records

as mentioned above was downloaded by me in the course of activity of the Plaintiff. I have a lawful control over the use of the said computer system by virtue of my capacity in the organization.

b) That the electronic records mentioned above are downloaded from the computer system as part of the ordinary course of activities of the Plaintiff.

c) That the computer system used by me has been operating properly and the electronic records and their accuracy and contents have not been altered and tampered with in any manner whatsoever.

d) That the information contained on the computer outputs is an exact replica and has been produced from the original electronic record and therefore, reproduces the information contained on the electronic records therein.



*[Handwritten Signature]*  
DEPONENT

*Reside*  
*WEDNESDAY 28/06/2024 11:00 AM*  
*WEDNESDAY 28/06/2024 11:00 AM*

VERIFICATION **30 JUL 2024**

Verified at New Delhi on this <sup>th</sup> day of July 2024 that the contents of the above said Affidavit are true to the best of knowledge, information and belief and nothing material has been concealed therefrom.

**30 JUL 2024**  
I CERTIFIED THAT THE DEPONENT  
Shri / Smt. / Km : *[Signature]*  
S/o, W/o, P/o : *[Signature]*  
I identified by *[Signature]*  
Has solemnly affirmed that the contents of the affidavit which have been read & explained to him are true & correct to his knowledge

*[Handwritten Signature]*  
DEPONENT

## Annexure - A

Sl. No	Website Name
1	<a href="https://7starhd1.homes">https://7starhd1.homes</a>
2	<a href="https://10starhub.com">https://10starhub.com</a>
3	<a href="https://bekaboo.su">https://bekaboo.su</a>
4	<a href="https://biggboss.cfd">https://biggboss.cfd</a>
5	<a href="https://biggboss.ch">https://biggboss.ch</a>
6	<a href="https://biggboss.pk">https://biggboss.pk</a>
7	<a href="https://biggboss17episode.com">https://biggboss17episode.com</a>
8	<a href="https://biggboss17i.com">https://biggboss17i.com</a>
9	<a href="https://biggboss17online.net">https://biggboss17online.net</a>
10	<a href="https://biggboss17serial.com">https://biggboss17serial.com</a>
11	<a href="https://biggboss17th.com">https://biggboss17th.com</a>
12	<a href="https://biggboss17video.net">https://biggboss17video.net</a>
13	<a href="https://biggboss17watchonline.com">https://biggboss17watchonline.com</a>
14	<a href="https://yrkkhdesiseriails.net">https://yrkkhdesiseriails.net</a>
15	<a href="https://www.yodesii.net">https://www.yodesii.net</a>
16	<a href="https://www.barsatain.net">https://www.barsatain.net</a>
17	<a href="https://wwv.yodesiserialtv.su">https://wwv.yodesiserialtv.su</a>
18	<a href="https://ww6.uwatchfree.be">https://ww6.uwatchfree.be</a>
19	<a href="https://ww1.gogoserials.com">https://ww1.gogoserials.com</a>
20	<a href="https://www.vanshaj.pk">https://www.vanshaj.pk</a>
21	<a href="https://voot.bb17live.com">https://voot.bb17live.com</a>
22	<a href="https://tenstarhd.com">https://tenstarhd.com</a>
23	<a href="https://savdhaanindia.net">https://savdhaanindia.net</a>
24	<a href="https://mastibaaz.com">https://mastibaaz.com</a>
25	<a href="https://livebiggboss17.com">https://livebiggboss17.com</a>
26	<a href="https://hdmovie440.com">https://hdmovie440.com</a>
27	<a href="https://goseriails.net">https://goseriails.net</a>
28	<a href="https://gogoserials.net">https://gogoserials.net</a>
29	<a href="https://fullymaza.mom">https://fullymaza.mom</a>
30	<a href="https://embeds.cc">https://embeds.cc</a>
31	<a href="https://desiembed.co">https://desiembed.co</a>



## **Annexure**

Subject: Action requested to be taken by MEITY and Plaintiff for effective removal of content for viewing by public at large within India as per the said orders of Hon'ble Court.

It is observed that a number of orders of Hon'ble Court are issued for blocking of websites every month. There are around more than 2700 ISPs in India and these ISPs are connected among themselves in a mesh network. DOT is instructing each of the ISPs through emails/through its website for blocking of the websites as ordered by the Hon'ble Courts. Ensuring compliance of the orders by each of the ISPs is a time-consuming and complex task especially in view of multiplicity of orders of Hon'ble Courts, multiplicity of websites to be blocked and multiplicity of ISPs.

2. Allocation of Business Rules inter-alia states thus:-

*'Policy matters relating to information technology; Electronics; and Internet (all matters other than licensing of Internet Service Provider).'*

3. In view of above and in order to ensure effective removal by content for viewing by public at large, the plaintiff is requested to do a trace route of the web server hosting the said website. In case the web server happens to be in India, the plaintiff may inform the same to Meity who may direct the owner of such web server to stop transmission of content as per IT Act and as directed by the Hon'ble Court so that the content would be blocked from the source itself and the exercise of blocking by 2700 ISPs would not be required.

4. In case such server is located abroad i.e. outside India then access to such URL/website can be blocked through the international internet gateways which are much less in number. This would result in timely and effectively removal of undesirable content for viewing by public at large as is the requirement as per the orders of Hon'ble Court.