#### 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-07/2023-DS-II

Dated:31-01-2025

To,

All the Internet Service Licensees

Subject: CS (Comm.) 87 of 2023; Star India Pvt. Ltd. and Anr. v. moviesverse.ac and Ors. Before Hon'ble Delhi High Court

Kindly find enclosed the Hon'ble Delhi High Court order dated **24.02.2023** and **16<sup>th</sup> & 17<sup>th</sup> additional list** on the subject matter.

2. Please refer to **para 7** and **para 8 of court order dated 24.02.2023** in respect blocking of **websites enumerated** in additional list.

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

Digitally signed by SHASHI KUMAR Date: 31-01-2025 17:59:56 Director (DS-II) Email: dirds2-dot@nic.in

Encl: A/A Copy to:

- i. Sh. V. Chinnasamy, Scientist E (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**.
- ii. Sh. Vaibhav Gaggar (vaibhav@vaibhavgaggar.com), Central Government Standing Counsel for kind information
- iii. Ms. Rimjhim Tiwari, Associate Saikrishna & Associates, counsel for the plaintiff (rimjhim@saikrishnaassociates.com) for kind information [Requested to Take action as per Annexure].
- iv. IT wing, DoT for uploading this order on DoT Website please.

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## \* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CS(COMM) 87/2023 & I.A. 3766/2023

STAR INDIA PRIVATE LIMITED ..... Plaintiff Through: Mr. Siddharth Chopra, Mr. Yatinder Garg, Mr. Raunak Das Sharma and Ms. Rimjhim Tiwari, Advs

versus

MOVIESVERSE.AC & ORS. ..... Defendants Through:

# CORAM: HON'BLE MR. JUSTICE C.HARI SHANKAR

%

#### <u>ORDER</u> 24.02.2023

## I.A. 3766/2023 (under Section 151 of the CPC)

**1.** By this application, plaintiff seeks a modification of the order dated 16<sup>th</sup> February 2023 passed by this Court in I.A. 3141/2023 by incorporating, in the said order, two additional directions, as were passed by this court in a similar order dated 11<sup>th</sup> January 2023 passed in I.A. 496/2023 in CS(COMM) 11/2023 (*Star India Pvt. Ltd. v. Live4wap.Click*).

2. In addition to the directions already contained in the order dated 16<sup>th</sup> February 2023 passed in I.A. 3141/2023, Defendants 38 to 46 are directed to block access to any alpha numeric/re-directed/mirror websites of the defendants' websites on communication, by the plaintiff, that the said alpha numeric/re-directed/mirror websites are indulging in infringing activities similar to those in which Defendants

1

1 to 26 are indulging. Signature Not Verified Digitally Signed By:SUNIL SINGH NEGS (COMM) 87/2023 Signing Date: 27.02.2023 13:33:39

Page 1 of 3

**3.** This application seeks a further direction to Defendants 47 and 48 to issue notifications calling on internet and telecom service providers registered under it to block access to any additional website which may be declared, by the plaintiff, in an affidavit, submitted to Defendants 47 and 48, to be indulging in infringing activities similar to those in which Defendants 1 to 26 are indulging.

4. The issue of whether a particular website is indulging in infringing activities or not is, necessarily, an issue which only a court can decide. Classically, parties between themselves and without Court's intervention cannot treat any activity, whether physical or virtual, as infringing and take injunctive action on that basis.

5. Mr. Siddharth Chopra, learned Counsel for the plaintiff submits that, though this may be the correct legal position, strict adherence thereto would result in serious prejudice as rogue websites which replicate and stream content such as newly released films without any authorisation spring up overnight and, if the websites are not immediately blocked, the films would be streamed and would, therefore, be disseminated extensively through various social media platforms. He, therefore, submits that a balance is required to be struck. For this purpose, he offers to condition his prayer with the caveat that, simultaneously with the filing of the affidavit with Defendants 47 and 48, an application would also be filed before this Court, informing this Court of the said affidavit so that the Court could take a decision as to whether the allegations against the said website are justified or not.

6.Prima facie, the suggestion is wholesome and would strike aSignature Not VerifiedDigitally SignedBy:SUNIL SINGH NEGY (COMM) 87/2023Page 2 of 3Signing Dates 27.02.20232

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File No. 813-7/25/2024-DS (Computer No. 197991)
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balance between complying with the requirement of justice and fair play and ensuring that rogue websites do not mushroom and indulge in blatant infringement.

7. Accordingly, Defendants 47 and 48 are directed to issue notifications calling upon the various internet and telecom service providers registered under it to block access to any additional websites, as may be communicated to them by the plaintiff on affidavit to be indulging in infringing activities similar to those in which Defendants 1 to 26 are indulging. However, it is clarified that, before doing so, Defendants 47 and 48 are required to convince themselves that the websites are actually indulging in infringing activities.

8. In such an event, the plaintiff shall simultaneously file, along with the affidavit to be filed before Defendants 47 and 48, an application before this Court, informing it of the said affidavit and seeking approval of the request for blocking or suspending the said additional websites. Failure to file such an application simultaneously with the affidavit would result *ipso facto* in revival of the websites of which blocking is sought by the plaintiff.

9. This application stands disposed of in the aforesaid terms.

**10.** The order dated 16<sup>th</sup> February 2023 shall stand modified accordingly.

3

#### C.HARI SHANKAR, J

## FEBRUARY 24, 2023/ar



Fwd: URGENT | DOT and MEITY | 16th Additional list of 8 websites | Compliance of Order dated 16.02.2023 and 24.02.2023 passed in Star India Pvt. Ltd. and Anr. v. moviesverse.ac and Ors. [CS (Comm.) 87/2023] before the Hon'ble Delhi High Court

VINAY . <vinay.2009@gov.in>

- V. Mon, 13 Jan 2025 11:08:38 AM +0530
  - To "Kishore Bhagtani" <ddgds-dot@gov.in>, "Shashi Kumar" <dirds2dot@nic.in>, "Abhinesh Meena" <jto2ds2-dot@gov.in>
  - Cc "Amar Nath" <amar.nath88@nic.in>, "dirlaw2-dot" <dirlaw2-dot@gov.in>, "Rajiv Ranjan Tiwari" <ddglaw-dot@gov.in>

Sir,

Please refer to the trail mail on the above subject.

The case pertains to the blocking of websites/URLs/domains regarding the infringement of copyright/ trademark/ patent/ exclusive rights of the plaintiff. Since such matters are being dealt with by the DS Wing of DoT, it is requested to take necessary action in the matter please.

Regards,

Vinay Assistant Section Officer(Legal) Law Division, DoT



With Regards,

Saurabh Kumar, Director (Law-II) Department of Telecommunication Mahanagar Doorsanchar Bhawan, J L N Marg, New Delhi-110002

4

File No. 813-7/25/2024-DS (Computer No. 197991)



From: "DDG LAW DoT HQ" <<u>ddglaw-dot@gov.in</u>> To: "Saurabh Kumar" <<u>dirlaw-dot@gov.in</u>>

Sent: Friday, January 10, 2025 8:29:35 PM

Subject: Fwd: URGENT | DOT and MEITY | 16th Additional list of 8 websites | Compliance of Order dated 16.02.2023 and 24.02.2023 passed in Star India Pvt. Ltd. and Anr. v. moviesverse.ac and Ors. [CS (Comm.) 87/2023] before the Hon'ble Delhi High Court

With Regards,

R R Tiwari Dy. Director General (Law) Department of Telecommunication Room No. 219, Mahanagar Doorsanchar Bhawan, J L N Marg, New Delhi-110002 Ph. +91-11-23210209



Dr. Neeraj Mittal Secretary Department of Telecommunications, Ministry of Communications Sanchar Bhavan, 20 Ashoka Road, New Delhi - 110001 Phone: +91-11-23719898, Email: secy-dot@nic.in, Web: https://dot.gov.in

File No. 813-7/25/2024-DS (Computer No. 197991)



From: rimjhim@saikrishnaassociates.com

To: "Dr. Neeraj Mittal" <<u>secy-dot@nic.in</u>>, "Shashi Kumar" <<u>dirds2-dot@nic.in</u>>, "Group Coordinator,CLDG Division, Meity" <<u>gccyberlaw@meity.gov.in</u>>, "Cyber Law Legal" <<u>cyberlaw-legal@meity.gov.in</u>>, "Sh Abhinesh Meena" <<u>adetds2-dot@gov.in</u>>, "Somnath Chandra" <<u>schandra@meity.gov.in</u>>, "V Chinnasamy" <<u>chinnasamy.v@meity.gov.in</u>>, "Deepak Goel" <<u>dpk\_goel@nic.in</u>>
Cc: sidharth@saikrishnaassociates.com, sneha@saikrishnaassociates.com, yatinder@saikrishnaassociates.com, "ashok yadav" <<u>ashok.yadav@hotstar.com</u>>, "Ashok Yadav1" <<u>Ashok.Yadav1@jiostar.com</u>>, "Ram Panchal" <<u>Ram.Panchal@jiostar.com</u>>, "Ashok Yadav1"
Sent: Friday, January 10, 2025 4:49:27 PM
Subject: Re: URGENT | DOT and MEITY | 16th Additional list of 8 websites | Compliance of Order dated 16.02.2023 and 24.02.2023 passed in Star India Pvt. Ltd. and Anr. v. moviesverse.ac and Ors. [CS (Comm.) 87/2023] before the Hon'ble Delhi High Court

Dear Sir,

We write to you on behalf of our Client, Star India Pvt. Ltd., having its office at Star House, Urmi Estate, 95 Ganpatrao Kadam Marg, Lower Parel (W), Mumbai, 400013 ("Our Client").

Our Client and its division, Star Studios, is a leading film production and distribution company in India, the exclusive licensee of media rights in various films across varied genres and languages, and has produced and/or acquired the rights to various Hindi films such as "Tadap" 'Sadak 2'; 'Khuda Haafiz'; 'Dil Bechara'; 'Baaghi 3'; 'Chhapaak'; 'Housefull 4'; 'Lootcase', etc. Our Client also has the exclusive broadcasting rights of the film 'Selfiee' ("the Film "), which was being released on 24<sup>th</sup> February 2023 in India. The Film has been produced by Dharma Productions Pvt. Ltd., Prithviraj Productions Pvt. Ltd. and Cape of Good Films LLP.

Apprehending piracy and illegal streaming / downloading of the Film, Our Client instituted a Suit against various rogue websites (impleaded as Defendant Nos. 1 - 26 in the captioned matter) which engage in illegal and infringing activities (list of the domain names / websites is attached herewith), before the Hon'ble Delhi High Court, inter alia, for permanent injunction restraining violation of its exclusive statutory rights in the Film. Our Client also impleaded various domain name registrars, internet and telecom service providers as well as the concerned government departments (Department of Telecommunication and the Ministry of Electronics and Information Technology), as Defendants, to ensure effective compliance of any orders that the Hon'ble Delhi High Court was inclined to pass.

The above-mentioned matter came up before the Hon'ble Justice Mr. C. Hari Shankar, Delhi High Court on 16<sup>th</sup> February 2023, the Hon'ble Court was pleased to issue notice to you and was also pleased to pass an ex-parte ad-interim order.

Further, vide order dated 24<sup>th</sup> February 2023, clarified and passed the below mentioned directions:

"7. Accordingly, Defendants 47 and 48 are directed to issue notifications calling upon the various internet and telecom service providers registered under it to block access to any additional websites, as may be communicated to them by the plaintiff on affidavit to be indulging in infringing activities similar to those in which Defendants 1 to 26 are indulging. However, it is clarified that, before doing so, Defendants 47 and 48 are required to convince themselves that the websites are actually indulging in infringing activities.

8. In such an event, the plaintiff shall simultaneously file, along with the affidavit to be filed before Defendants 47 and 48, an application before this Court, informing it of the said affidavit and seeking approval of the request for blocking or suspending the said additional websites. Failure to file such an application simultaneously with the affidavit would result ipso facto in revival of the

websites of which blocking is sought by the plaintiff."

In order to protect and enforce its Exclusive Rights, Our Clients engaged the services of an investigation agency, MarkScan, to monitor Rogue Websites and gather evidence of their infringing activity. Additional websites have been identified by the investigation agency engaged in illegally communicating Our Clients' Works.

Consequently, in terms of the directions passed by the Hon'ble Court, *vide* Order dated 16.02.2023, the *ex parte ad-interim* Order and 24.02.2023 (reproduced above, i.e., Paragraph 7 and 8) is also applicable with respect to these additional websites.

In relation to the same, a scan copy of the Affidavit of Mr. Hitender Adlakha along with the evidence with respect to additional list of websites that are engaged in hosting and/or streaming and/or providing access and/or making available for viewing Our Clients' Works have been filed with the Hon'ble High Court of Delhi *vide* Diary No. E-174242/2025. The same can be viewed from the Google Drive link below:

https://drive.google.com/file/d/1jDs3nHqP\_tN1fmDiYhtdJtydQjaR4BwA/view?usp=sharing

In lieu of the above facts and circumstances, we respectfully urge you to issue notification to all the ISPs for blocking of the additional URLs as set forth in the Order of the Hon'ble Delhi High Court dated 24.02.2023.

Lastly, please find attached Order dated 16.02.2022 and 24.02.2023 along with the additional list of websites.

If you have any queries, please feel free to contact us.

Sincerely,

Rimjhim Tiwari

On Mon, Dec 9, 2024 at 3:05 PM Rimjhim Tiwari <<u>rimjhim@saikrishnaassociates.com</u>> wrote: Dear Sir,

We write to you on behalf of our Client, Star India Pvt. Ltd., having its office at Star House, Urmi Estate, 95 Ganpatrao Kadam Marg, Lower Parel (W), Mumbai, 400013 ("Our Client").

Our Client and its division, Star Studios, is a leading film production and distribution company in India, the exclusive licensee of media rights in various films across varied genres and languages, and has produced and/or acquired the rights to various Hindi films such as "Tadap" 'Sadak 2'; 'Khuda Haafiz'; 'Dil Bechara'; 'Baaghi 3'; 'Chhapaak'; 'Housefull 4'; 'Lootcase', etc. Our Client also has the exclusive broadcasting rights of the film 'Selfiee' ('the Film ''), which was being released on 24<sup>th</sup> February 2023 in India. The Film has been produced by Dharma Productions Pvt. Ltd., Prithviraj Productions Pvt. Ltd. and Cape of Good Films LLP.

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Generated from eOffice by Shashank Kumar, STENO(SK) - ADMIN II, STENO GR- D, Department of Telecommunication on 12/02/2025 02:32 pm of 8

websites, as may be communicated to them by the plaintiff on affidavit to be indulging in infringing activities similar to those in which Defendants 1 to 26 are indulging. However, it is clarified that, before doing so, Defendants 47 and 48 are required to convince themselves that the websites are actually indulging in infringing activities.

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https://drive.google.com/file/d/1WrYchv5Fj\_48AnmuD2Uaxe8II\_UwNJDt/view?usp=sharing

In lieu of the above facts and circumstances, we respectfully urge you to issue notification to all the ISPs for blocking of the additional URLs as set forth in the Order of the Hon'ble Delhi High Court dated 24.02.2023.

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of 8

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In order to protect and enforce its Exclusive Rights, Our Clients engaged the services of an investigation agency, MarkScan, to monitor Rogue Websites and gather evidence of their infringing activity. Additional websites have been identified by the investigation agency engaged in illegally communicating Our Clients' Works.

Consequently, in terms of the directions passed by the Hon'ble Court, *vide* Order dated 16.02.2023, the *ex parte ad-interim* Order and 24.02.2023 (reproduced above, i.e., Paragraph 7 and 8) is also applicable with respect to these additional websites.

In relation to the same, a scan copy of the Affidavit of Mr. Hitender Adlakha along with the evidence with respect to additional list of websites that are engaged in hosting and/or streaming and/or providing access and/or making available for viewing Our Clients' Works have been filed with the Hon'ble High Court of Delhi *vide* Diary No. E-5862019/2024. The same can be viewed from the Google Drive link below:

https://drive.google.com/file/d/1TfbMxNc9hBfL2A-JR0bDMt\_aPr3JY2pb/view?usp=sharing

In lieu of the above facts and circumstances, we respectfully urge you to issue notification to all the ISPs for blocking of the additional URLs as set forth in the Order of the Hon'ble Delhi High Court dated 24.02.2023.

Lastly, please find attached Order dated 16.02.2022 and 24.02.2023 along with the additional list of websites.

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Sincerely,

Rimjhim

On Tue, Nov 19, 2024 at 4:46 PM Sanidhya Maheshwari <<u>s.maheshwari@saikrishnaassociates.com</u>> wrote:

Dear Sir,

We write to you on behalf of our Client, Star India Pvt. Ltd., having its office at Star House, Urmi Estate, 95 Ganpatrao Kadam Marg, Lower Parel (W), Mumbai, 400013 ("Our Client").

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In relation to the same, a scan copy of the Affidavit of Mr. Hitender Adlakha along with the evidence with respect to additional list of websites that are engaged in hosting and/or streaming and/or providing access and/or making available for viewing Our Clients' Works have been filed with the Hon'ble High Court of Delhi *vide* Diary No. E-5327159/2024. The same can be viewed from the Google Drive link below:

https://drive.google.com/file/d/1IXYsevkk09DJxKFnSCeBIUadl1FdUnOR/view?usp=sharing

In lieu of the above facts and circumstances, we respectfully urge you to issue notification to all the ISPs for blocking of the additional URLs as set forth in the Order of the Hon'ble Delhi High Court dated 24.02.2023.

Lastly, please find attached Order dated 16.02.2022 and 24.02.2023 along with the additional list of websites.

If you have any queries, please feel free to contact us.

Sincerely,

Sanidhya

 $\odot$  **3** Attachment(s) • Download as Zip • Add To >



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SIPL vs Moviesverse 16.02.... .pdf 67.3 KB • ⊘



SIPL vs Moviesverse 24.02.... .pdf 56.8 KB • ⑦ bollyflix.direct bolly4u.pet hdmovie6.com worldfree4u.pet hdmovie2.direct vegamovies.gl filmy4wap.boo 9xmovies.ooo dotmovies.si cinevez.my latesthdmovies.diy hdmoviehub.net hdmovie2.com.im filmyzilla.si bollyflix.diy bolly4u.cab 1xbetmovies.top 123-movies.food

Code 36017.01

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

## IN THE MATTER OF:

Star India Pvt. Ltd.

Versus

Moviesverse.ac & Ors.

...Defendants

...Plaintiff

## MEMO OF PARTIES

Star India Pvt. Ltd.

Star House, Urmi Estate,

95, Ganpatrao Kadam Marg, Lower Parel (W),

Mumbai - 400013

Mobile No. 9999494009

Also, at:

Vatika Business Centre, Thapar House,

Gate No. 1, Eastern & Central Wing,

3rd Floor, 124 Janpath,

New Delhi - 110001

Email: Abhishek.Praharaj@disney

...Plaintiff

Versus

1. moviesverse.ac

Email: 6280bfc7aa8e4fc0ba0ee6333c678661.protect@withheldforprivacy.com

Alburket proten

2. hdmoviesflix.world

Email: 8f077cf1175d42fd925f08ecbf0ff49b.protect@withheldforprivacy.com

- 5movierulz.sx
   Email: 4movierulz.se@protonmail.com
- 4. 7movierulz.win Email: 4MovieRulz@protonmail.com
- 5. 9xmovie.mom
   Email: f0479b33e2db4c6c8bbbeba40b86e9d4.protect@withheldforprivacy.com
- 6. 123mkv.work
   Email: e9d77f3c5b6d46ba8bbe72677a38fdde.protect@withheldforprivacy.com
- atishmkv.cfd
   Email: 57393efe459545a1ba83bc86a551f99b.protect@withheldforprivacy.com
- besthdmovies.homes
   Email: 9fe246b7eb2a4bf78750f4b38cd44236.protect@withheldforprivacy.com
- 9. chassidimam.com Email: 462d20b102654b8a83ceb0f4712e7fea.protect@withheldforprivacy.com
- 10. fullymaza.top Email: pw-4a649196e6e9ca3413d421dbf841e484@privacyguardian.org
- 11. gomoviz.gayEmail: a182f701bf0e45109144bc3ece443ac0.protect@withheldforprivacy.com
- 12. goodcauseonline.org Email: <u>c</u>5dba1d019d674247bee12754fba1208c.protect@withheldforprivacy.com

Alburket protey

- hdmovies23.sbs
   Email: bdmusic23life@gmail.com
- 14. excelqhalif.net Email: yusmiyusof@gig2.net
- 15. Ibomma.beauty Email: abuse@dynadot.com
- Idownloadhub.lol
   Email: 8ed47e37af6f419683cd56edac1c8a9f.protect@withheldforprivacy.com
- 17. m.vegamovieshub.sbsEmail: dmcavegamovieshub@gmail.com
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   Email: movies4ucyou@gmail.com
- 19. moviesbd24.comEmail:883731af56764f8b9a279c34efa5cb23.protect@withheldforprivacy.com
- 20. filmyweb.site Email: ramdevmahato444@gmail.com
- 21. moviesflix.ml Email: copyright@freenom.com
- 22. ww2.cinevez.mx Email: 7368b5b0fc728ff381d2d605dfdd20c4-23545656@contact.gandi.net
- 23. www12.watchmoviesonlinepk.com Email: onlinewatchmoviespk@gmail.com

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- 24. skymovieshd.autos Email: 5cce863937354b93835cb8204043ff02.protect@withheldforprivacy.com
- 25. vegamovies.ga Email: behchala4@gmail.com
- 26. bolly4u.vip Email: Bolly4u.info@gmail.com
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- 28. Prithviraj Productions
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- 31. Gandi SAS

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32. NameSilo, LLC.

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37. PDR Ltd. d/b/a PublicDomainRegistry.com
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- 49. Ashok Kumar(s)

... Defendants

Place: New Delhi

Date: 14<sup>th</sup> February 2023

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Yatinder Garg| Raunak Das Sharma | Rimjhim Tiwari D/1330/2015 | F/1429/2019 | D/4021/2022 Saikrishna & Associates Counsels for the Plaintiff 57, Jor Bagh, New Delhi- 110003

Defendant No. 1 along with Defendant No. 2-26 are the main contesting parties.

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#### **Annexure**

Subject: Action requested to be taken by MEITY and Plantiff 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 sates 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 plantiff 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 plantiff 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.