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

\+ **W.P.(C) 788/2023**

TANUL THAKUR ..... Petitioner

Through: Mr. Siddharth Aggarwal, Sr. Advocate with Ms. Vrinda Bhandari, Mr. Abhinav Sekhri, Ms. Natasha Maheshwari, Ms. Ramya Dronamraju & Mr. Madhav Aggarwal, Advocates (M- 8247746320)

versus

UNION OF INDIA ..... Respondent

Through: Mr. Asheesh Jain, CGSC with Mr. Gaurav Kumar, Advocate.

CORAM:
JUSTICE PRATHIBA M. SINGH

O R D E R

% 23.01.2023

1. This hearing has been done through hybrid mode.

CM APPL. 3103/2023 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CM APPL. 3069/2023 (exemption from filing lengthy synopsis)

3. This is an application seeking exemption from filing lengthy synopsis and list of dates. For the reasons stated in the application, exemption is allowed. Application is disposed of.

CM APPL. 3102/2023 (exemption from filing copy of impugned order)

4. This is an application seeking exemption from filing certified copy of the impugned order. For the reasons stated in the applications, exemption is allowed. Application is disposed.

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5. The present petition has been filed seeking setting aside of the Respondent's communication dated 20th June, 2022 along with the report of the Inter-Ministerial Committee constituted under the Information Technology Act, 2000 which directed that the Petitioner's website - www.dowrycalculator.com ought to remain blocked. The petition also seeks directions to restore access of the Petitioner's website on all internet service providers.

6. The case of the Petitioner is that he had registered the said domain name on 4th May, 2011 and that it is a tongue-in-cheek attempt to highlight the social evil of dowry.

7. The Respondent has, by invoking the provisions of the Information Technology Rules, 2009, come to the conclusion that the website was not a satirical take.

8. It is noticed that the Petitioner was initially reluctant to put a disclaimer on the website, however later he conceded that he would be willing to put the disclaimer. Despite the same, the Inter-Ministerial Committee has come to the conclusion that even the disclaimer may not help in addressing the situation.

9. It is submitted by Mr. Aggarwal, ld. Senior Counsel for the Petitioner that highlighting of a social evil in this manner cannot be blocked as it would be contrary Article 19(1)(a) of the Constitution of India, 1950.

10. Issue notice.

11. Both parties to file written submissions along with the relevant case laws.

12. List before the Registrar on 15th March, 2023.

13. List before the Court on 16th May, 2023 on top of the board.

PRATHIBA M. SINGH, J.

JANUARY 23, 2023
Rahul/KT