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IN THE SUPREME COURT OF INDIA

[CIVIL ORIGINAL JURISDICTION]

WRIT PETITION (C) NO. /2018

IN THE MATTER OF:-

CENTRE FOR ACCOUNTABILITY AND
SYSTEMIC CHANGE (C.A.S.C.)

...PETITIONER

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

WITH

I.A. OF 2018

AN APPLICATION SEEKING DIRECTIONS

PAPER BOOK

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COUNSEL FOR PETITIONER: ARCHANA PATHAK DAVE

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PROFORMA FOR FIRST LISTING

SECTION X

The case pertains to (Please tick/check the correct box):

Central Act: (Title)	
Section:	
Central Rule: (Title)	N/A
Rule No(s):	N/A
State Act: (Title)	N/A
Section:	N/A
State Rule: (Title)	N/A
Rule No(s):	N/A
Impugned Interim Order: (Date)	N/A
Impugned Final Order/Decree:(Date)	N/A
High Court: (Name)	N/A
Names of Judges:	N/A
Tribunal/Authority: (Name)	N/A

1. Nature of matter : Civil
Criminal

2. (a) Petitioner/appellant No.1:	CENTRE FOR ACCOUNTABILITY AND SYSTEMIC CHANGE (C.A.S.C)
(b) e-mail ID:	archana.p.dave@gmail.com
(c) Mobile phone number:	9971222581
3. (a) Respondent No. 1:	Union of India
(b) e-mail ID:	N/A
(c) Mobile phone number:	N/A
4. (a) Main category classification:	
(b) Sub classification:	

5.	Not to be listed before:	N/A
6.	Similar/Pending matter:	N/A
7.	Criminal Matters:	N/A
	(a) Whether accused/convict has surrendered:	N/A
	(b) FIR No N/ A	Date: N/A
	(c) Police Station:	N/A
	(d) Sentence Awarded:	N/A
	(e) Sentence Undergone:	N/A
8.	Land Acquisition Matters:	N/A
	(a) Date of Section 4 notification	N/A
	(b) Dale of Section 6 notification:	N/A
	(c) Date of Section 17 notification:	N/A
9.	Tax Matters: State the tax effect:	N/A

10. **Special Category** (first petitioner/appellant only): N/A

- Senior citizen > 65 years SC/ST
 Woman/child
- Disabled Legal Aid case
- In custody

11. Vehicle Number (in case of Motor Accident Claim matters):

N/A

12. Decided cases with citation: N/A

Date:

(ARCHANA PATHAK DAVE)
 Advocate-on-Record
 Registration No. 2049
 E-mail: archana.p.dave@gmail.com
 Mob.: 9971222581

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RECORD OF PROCEEDINGS

S. No.	Date	Proceedings
1.		
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SYNOPSIS & LIST OF DATES

The Petitioner in this Public Interest Litigation under Article 32 of the Constitution of India is seeking issuance of Writ of Mandamus or any other Writ thereby directing the Respondents to appoint Grievance Officer and comply with tax and other laws of India. WhatsApp is the biggest messaging platform in India wherein it has more than 20 crore active users. As per market reports, WhatsApp has per user value of around USD 42/- which makes it a Rs. 5.76 lakh crore company, i.e. greater than any Indian company. Yet, WhatsApp does not comply with provision mandating Grievance Officer and other laws of India. As per National Crime Records Bureau, in 2014-16, there have been 72829 incidents of offences against public tranquility and a total of 364526 persons were arrested for the same in 2016. Growth of such rumour based crimes are directly proportional to growth of user base of messaging services like WhatsApp, which continue to remain unregulated, not because of lack of laws, but absolute executive apathy. This Hon'ble Court has suggested that a new offence on lynching may be created and an appropriate punishment may be prescribed for the same. It is submitted that law is made to be enforced. Provision of appointment of Grievance Officer is already present in law, and must be complied with immediately.

On one hand, authorities are partnering with Respondent No. 6, while on the other, it has been reported that WhatsApp is not co-operating with Indian intelligence agencies in their probe on terrorist activities.

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Respondent No. 6 Chief Operating Officer Mr. Matthew Idema met Respondent No. 1. Reportedly, meeting also showed the defiance of Respondent No. 6 to the laws of India, as it sought to discuss the issue of data servers for its Payments Service, even as the Reserve Bank of India has mandated that the payments data must be in India.

To open a bank account, a customer needs to comply with KYC norms and various other formalities. WhatsApp is a foreign company with no office or servers in India. To run Payments Service in India, WhatsApp is obligated to have its office and payments in India. Moreover, it is also required to have a Grievance Officer for users in India. Yet, it is being allowed to continue with its Payments and other services, without any checks.

The Information Technology (Intermediaries Guidelines) Rules, 2011 have been notified for more than 7 years, yet the Respondent No. 1-5 have not been able to get intermediaries to comply with Indian laws.

LIST OF DATES

- | | |
|------------|---|
| 15.08.1995 | Internet started in India by VSNL |
| 09.06.2000 | Information Technology Act, 2000 notified |
| 18.10.2010 | WhatsApp made available on Android OS |
| 11.04.2011 | Information Technology (Intermediaries Guidelines) Rules, 2011 notified |
| 23.08.2013 | Hon'ble High Court of Delhi in W.P. (C) 3672/2012 directed for appointment of Grievance Officer by Intermediaries |

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- 05.04.2016 WhatsApp makes all communication on its platform end to end encrypted
- 24.08.2017 Judgment of Hon'ble Supreme Court in K.S. Puttaswamy v. Union of India (Privacy-9 J.), (2017) 10 SCC 1 declaring Right to Privacy to be a fundamental right.
- 01.02.2018 WhatsApp attains user base of 20 crore persons in India
- 08.02.2018 WhatsApp starts testing its Payments Service in India
- 03.07.2018 Respondent No. 1 sends first notice to WhatsApp
- 10.07.2018 WhatsApp carries out full page advertisement in national newspapers in India
- 19.07.2018 Respondent No. 1 sends second notice to WhatsApp
- 24.07.2018 Top officials from WhatsApp met Secretary, Ministry of Electronics & Information Technology
- 24.07.2018 Hon'ble Chief Justice of India observed with respect to incidents of lynching " there is a recent surge in mob lynching based on the viral text on the social media and this leads to mobocracy and loss of life, in certain cases"
- July 2018 Jammu and Kashmir Police has written to the Union Government, requesting them to seek assistance of "Central Authority of United States of America for collection of evidence required from social sites having services in USA"

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25.07.2018 Petitioner's represented to Respondents for appointment of Grievance Officer by WhatsApp, to which it received no response.

27.07.2018 Hence the present Writ Petition

IN THE SUPREME COURT OF INDIA
[CIVIL ORIGINAL JURISDICTION]
WRIT PETITION (C) NO. /2018
(UNDER ART. 32 OF THE CONSTITUTION)

PUBLIC INTEREST LITIGATION:

IN THE MATTER OF

1. CENTRE FOR
ACCOUNTABILITY AND
SYSTEMIC CHANGE
(C.A.S.C.)
THROUGH ITS GENERAL
SECRETARY
104, ORIENTAL HOUSE, 20
YUSUF SARAI COMMUNITY
CENTRE, NEW DELHI-49

...PETITIONER

VERSUS

1. UNION OF INDIA
THROUGH MINISTRY OF
ELECTRONICS AND
INFORMATION
TECHNOLOGY
THROUGH ITS SECRETARY,
ELECTRONICS NIKETAN, 6
CGO COMPLEX, LODHI
ROAD, NEW DELHI-3
2. UNION OF INDIA
THROUGH MINISTRY OF
FINANCE
THROUGH ITS SECRETARY
NORTH BLOCK, NEW DELHI-1

3. UNION OF INDIA
THROUGH MINSITRY OF HOME
AFFAIRS
THROUGH ITS SECRETARY
NORTH BLOCK, NEW DELHI-1

4. UNION OF INDIA
THROUGH MINISTRY OF LAW
AND JUSTICE
THROUGH ITS SECRETARY
4TH FLOOR, A WING, SHASHTRI
BHAWAN, NEW DELHI-1

5. TELECOM REGULATORY
AUTHORITY OF INDIA
THROUGH ITS CHAIRMAN

MAHANAGAR DOORSANCHAR
BHAWAN, JAWAHARLAL
NEHRU MARG (OLD MINTO
,ROAD) , NEW DELHI-2

6. WHATSAPP INC.
THROUGH ITS C.E.O.
650 CASTRO ST STE 120-29,
MOUNTAIN VIEW 94041,
UNITED STATES
EMAIL:
SUPPORT@WHATSAPP.COM
PHONE. +1 (510) 494-1228

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA BEFORE THIS
HON'BLE COURT

To,

THE HON'BLE CHIEF JUSTICE OF INDIA AND HIS
COMPANION JUDGES OF THIS HON'BLE COURT

THE HUMBLE WRIT PETITION OF THE PETITIONER
ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. Writ Petition in Public Interest under Article 32 of the Constitution of India seeking issuance of Writ of Mandamus or any other Writ thereby directing the Respondents to comply with tax and other laws of India.

True Copy of Board Resolution authorizing the General Secretary of the Petitioner organization to file the present Writ Petition is attached herewith as **ANNEXURE P-1**.

2. That, Petitioner is a think tank registered under the Indian Trusts Act, 1882 with Reg. No. 118, Reg. Year 2018-19, Book No. 4 Vol No. 325 on Page 132 to 144 at Sub Registrar, Hauz Khas, New Delhi. The Registered Office of the Petitioner organization is at 104, Oriental House, 20, Yusuf Sarai Community Centre, New Delhi - 110049. The PAN Card No. of Petitioner organization is AACTC2555N. The Email I.D. of the

Petitioner organization is cascindia@gmail.com and the Telephone Number is 011-41680131. The Petitioner organization is working towards governance and judicial reforms. In pursuit of its goals, the organizations routinely assists various constitutional authorities. On the basis of representations made by members of Centre for Accountability and Systemic Change (C.A.S.C.), the Election Commission of India notified Instructions on Social Media in October 2013, and the Government of India notified IT & Email Policy for government officials. The Petitioner seeks to have equality in the legal system, as on one hand, a poor street hawker is required many permissions, while on the other, big conglomerates like Respondent No. 6 are functioning without complying with Indian laws.

3. Respondent No. 1 is the Union of India through its Secretary, Ministry of Electronics and Information Technology, Government of India, which is a necessary party. Respondent No. 2 is the Union of India through its Secretary Ministry of Finance, which is responsible for collection of taxes. Respondent No. 3 is Union of India through its Secretary, Ministry of Home Affairs, which is responsible for internal security of India. Respondent No. 4 is the Union of India through its Secretary, Ministry of Law and Justice, with whose assistance laws are made by the Parliament. Respondent No. 5 is the Telecom Regulatory Authority of India, which is the statutory

organisation to regulate telecom services. The Respondent No. 6 is a social networking/messaging application, which has more than 20 crore active users in India, who in turn exchange up to 2000 crore messages in a day. Respondent No. 6 is an "intermediary" as per the Information Technology Act, 2000. All the Respondents are necessary parties to the Petition.

4. That, the Petitioner has no personal interest in the litigation and is not guided by self-gain or for gain of any other person/institution/body and that there is no motive other than public interest and is bringing the instant issue to the attention of this Hon'ble Court in the wider interest of people at large, that is, in bonafide public interest which is clear from the facts of the Petition.
5. That there is no civil, criminal or revenue litigation, involving the Petitioner, which could have a legal nexus with the issues invoked in the present Public Interest Litigation.
6. That the cause of action for the present petition arose when the officials of Respondent No. 6 met officials of Respondent No. 1 on 24.07.2018 to discuss the spate of lynching caused due to rumors spread on WhatsApp.
7. That the Annexures P-1 to Annexure P-6 submitted along with the Writ Petition is true copies of their respective originals.
8. That, no other writ petition arising out of the same cause of action has been filed by the Petitioner before this honorable court, any High Court or any other court.

9. That, the Petitioner and its members had approached the Respondents with respect to the subject matter on 25.07.2018 and on earlier occasions. However, the Petitioner has not been given any reply.
10. That, the brief facts giving rise to the instant petition are as follows:-
11. That WhatsApp is the biggest messaging platform in India wherein it has more than 20 crore active users. As per market reports, WhatsApp has per user value of around USD 42/- which makes it a Rs. 5.76 lakh crore company, i.e. greater than any Indian company. Yet, Respondent No. 6 does not comply with tax and other laws of India. Such is WhatsApp's simplicity and reach that it is used by everyone, be it a common person, or the judges of this Hon'ble Court. Every user has a number on WhatsApp but WhatsApp has no number through which its user can contact it for grievance redressal.
12. That rumour based crimes, especially lynching have increased over the last few years. Growth of such crimes are directly proportional to growth of user base of messaging services like WhatsApp, which continue to remain unregulated. In 2012, rumours caused a mass exodus of persons from North East from Bengaluru. In June 2014, mob caused rampage on the streets of Pune because of circulation of morphed images of Hindu gods on WhatsApp. Off late, lynching is happening across India on the issues of cow smuggling and child lifting. As per National Crime

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Records Bureau, in 2014-16, there have been 72829 incidents of offences against public tranquillity and a total of 364526 persons were arrested for the same in 2016.

True Copy of Chart showing incidents of crimes spread due to rumours on WhatsApp & Social Media are attached herewith as **ANNEXURE P-2.**

13. That in typical knee jerk reactions, Governments, be it at State or Centre have taken the step of shutting down the internet for combating the dangerous aspects of Social Media. It is equivalent to killing the patient to contain the disease. Such steps have brought not only ridicule upon our law enforcers, but also exposed our inability to deal technologically and legally with social media companies. Since, 2012, India has had 175 Internet shutdowns, which have cost more than USD 3 billion damage to the economy.

True Copy of Chart showing internet shutdowns in India from 2012 is attached as **ANNEXURE P-3.**

14. That on 10.07.2018, every major newspaper in India had an advertisement titled "Together We Can Fight False Information". The said advertisement was admittedly caused to be published by Respondent No. 6, after its platform was found to be used for spreading rumours causing mob lynching in India. Thereafter,

Respondent No. 6 limited the number of persons to whom a message can be forwarded to five.

True Typed Copy of advertisement titled "Together We Can Fight False Information" published in the Indian Express on 10.07.2018 is attached herewith as **ANNEXURE P-4**.

15. That the above step puts Indians at an unequal level from rest of the world as rest of the users worldwide can forward a message to twenty people at a time. Moreover, the step is also an eyewash, as the limit on forwards is only the "media based content", i.e. videos, audio and GIF, and not on usual text messages.
16. That the murder of eminent journalist Shujaat Bukhari triggered the collapse of elected Government in Jammu and Kashmir. Reportedly, during the investigation, it has been discovered that US based social media sites, running operations in India were used to conspire the murder. In their inability to access such data, the Jammu and Kashmir Police has written to the Union Government, requesting them to seek assistance of "*Central Authority of United States of America for collection of evidence required from social sites having services in USA.*"

True Copy of News Report titled J&K Govt wants Centre to approach US in Shujaat murder probe, published in Greater Kashmir is attached herewith as **ANNEXURE P-5**.

17. That on one hand, Police is partnering with Respondent No. 6, while on the other, it has been reported that WhatsApp is not cooperating with Indian intelligence agencies in their probe on terrorist activities. Delhi Police is operating its WhatsApp number 9910641064, Delhi Traffic Police is present on WhatsApp number 8750871493. Maharashtra Police has been instructed to join as many WhatsApp groups to keep an eye. Indian Railways has also partnered with WhatsApp to provide live status updates of trains. It has also been reported that Respondent No. 6 will partner with Election Commission of India to tackle fake news during 2019 Elections. Yet none of the above authorities have Respondent No. 6's WhatsApp number to contact, in case they themselves face any problem.
18. That similar placed technology companies, such as Google, is making USD 100 billion a year, and is admittedly had a revenue of Rs. 4, 29,000 crore in India. However, Google India paid taxes only on an income of around Rs. 6,000 crore in 2014-15.
19. That WhatsApp itself is not able to implement its Terms of Usage, which otherwise read *"You will not use (or assist others in using) our Services in ways that: (a) violate, misappropriate, or infringe the rights of WhatsApp, our users, or others, including privacy, publicity, intellectual property, or other proprietary rights; (b) are illegal, obscene, defamatory, threatening, intimidating, harassing, hateful, racially, or ethnically offensive, or instigate or encourage conduct that*

would be illegal, or otherwise inappropriate, including promoting violent crimes; (c) involve publishing falsehoods, misrepresentations, or misleading statements; (d) impersonate someone; (e) involve sending illegal or impermissible communications such as bulk messaging, auto-messaging, auto-dialing, and the like; or (f) involve any non-personal use of our Services unless otherwise authorized by us."

20. That recently, Respondent No. 6 Chief Operating Officer Mr. Matthew Idema met Respondent No. 1. Reportedly, the said meeting was to apprise the Government about the steps taken to combat the problem of fake news/rumours spread through Respondent No. 6 in India. Reportedly, meeting also showed the defiance of Respondent No. 6 to the laws of India, as it sought to discuss the issue of data servers for its Payments Service, even as the Reserve Bank of India has mandated that the servers must be in India.
21. That to open a bank account, a customer needs to comply with KYC norms and various other formalities. WhatsApp is a foreign company with no office or servers in India. To run Payments Service in India, WhatsApp is obligated to have its office and servers in India. Moreover, it is also required to have a Grievance Officer for users in India. Yet, it is being allowed to continue with its Payments and other services, without any checks.
22. That the present petition is being filed on the following grounds, which are without prejudice to each other:

GROUNDS

- A. Because the functioning of Respondent No. 6 is violative of Article 14 of the Constitution as it is not complying with the Information Technology Act, 2000 mandating the appointment of Grievance Officer by all intermediaries. The said violation becomes highly discriminatory when Government, including Respondent No. 1 and 2 are putting onerous conditions on others to do a business, while giving Respondent No. 6 a free hand, even as it has to appoint a Grievance Officer as per Rule 3(11) of Information Technology (Intermediaries Guidelines) Rules, 2011.
- B. Because this Hon'ble Court in *Subramanian Swamy v. CBI*, (2014) 8 SCC 682 has said that "*breach of the rule of law, amounts to negation of equality under Article 14 of the Constitution.*"
- C. Because the Respondent No. 6 does not pay any taxes in India, despite India constituting its largest user base, both in terms of users and time spent by them on the application. Government, by partnering with WhatsApp has given it added publicity, due to which it has added on more users, thereby increasing its valuation to Rs. 60,000 crore in India. Strangely, WhatsApp does not pay any tax in India, which is a violation of freedom to do business as given under Article 19(1)(g) of the Constitution.
- D. Because illegal services by WhatsApp are endangering the lives of Indians which violates Article 21 of the Constitution. Moreover, since Respondent No. 6 does not pay taxes in India, it

adversely impacts the fundamental right of life of crores of Indians.

E. Because in *K.S. Puttaswamy v. Union of India (Privacy-9 J.)*, (2017) 10 SCC 1, this Hon'ble Court had said, "*Uber*", the world's largest taxi company, owns no vehicles. "*Facebook*", the world's most popular media owner, creates no content. "*Alibaba*", the most valuable retailer, has no inventory. And "*Airbnb*", the world's largest accommodation provider, owns no real estate." Similarly, the biggest messaging platform has no WhatsApp number of its own, which in turn is dangerous for the Rule of Law in India.

F. Because WhatsApp is being allowed for payment services in India through the UPI platform. Through the same, WhatsApp will have the power to monetize from its services. Its parent Company's CEO has admitted, "*We've been running an experiment with mobile financial services in Messenger. And one of the things that we found in the Philippines, for example, is that people can buy access to data plans through Messenger. And because it allows the mobile carriers to not have to have the whole supply chain in sales and retail that they have otherwise, they're able to sell the data plans for on average about 10 percent less than they would be able to otherwise, which actually is allowing more people to get on the Internet in the first place because they can now afford data plans.*" It is submitted that almost 1 million persons are testing Payments feature on WhatsApp, even as it has no server in India. In order to provide

B

payment services, WhatsApp must be directed to store the data in Indian servers as mandated by Reserve Bank of India, and pay taxes on income caused due to its operations in India.

True Typed Copy of RBI Circular dated 06.04.2018 is attached herewith as **ANNEXURE P-6**

- G. Because Respondent No. 2 treats Respondent No. 6 as an OTT, but for all practical purposes, Respondent No. 6 is a telecom service provider, as it has the ability to make calls, send messages and media. However, it does not follow any of the conditions, including grievance redressal and data localisation as is required by Telecom Service Providers.
- H. Because Respondent No. 1 has on 12.04.2017 in response to Unstarred Question No. 6339 answered in Parliament that *"Instances of circulation of fake news/rumour mongering have come to the notice of the Government from time to time. Such behaviour in cyberspace is facilitated by virtual and borderless nature of the technology."* Moreover, it has also been acknowledged that *"IT Act requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload, modify, Publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way."* Yet, WhatsApp is functioning with impunity, without complying with the Information Technology Act, 2000 and is also getting Government support for the same.

True Copy of Chart showing grievance redressal mechanism mandated as per Information Technology (Intermediaries Guidelines_ Rules, 2011 but not being enforced is attached herewith as ANNEXURE P-7.

- I. Because companies like Facebook Inc. and Google Inc. have appointed Grievance Officer for users in India, but WhatsApp has not. However, the Grievance Officer of Facebook sits in Ireland, and the Grievance Officer of Google sits in USA and are thus rendered ineffective. Both these companies do not insist for digital signature at the time of signing up, but to contact their Grievance Officer, one can either send grievance by post to US/Europe, or send an email, with a digital signature, which has an annual cost.
- J. Because all political parties are hiring lakhs of cyber warriors, whose actual role is to spread misinformation and vitiate the atmosphere in constituencies for gaining votes. Such cyber warriors have patronage of all the parties in Government as well as Opposition.
- K. Because as per Election Commission's Instructions on Social Media, candidates are required to submit details of their social media accounts to the Election Commission. As per Model Code of Conduct, 48 hours before voting day is the silence period, during which no candidate/party can do campaigning. Yet, all the parties are strategizing to influence the elections by using thousands of WhatsApp groups during the silence period.

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- L. Because CEO of Holding Company of Respondent No. 6 in a statement has admitted that General Elections in 2019 are going to be a challenge "And we also use artificial intelligence to prevent fake accounts that generate a lot of the problematic content from ever being created in the first place,". This shows that technology companies like Respondent No. 6 do have the means to stop inappropriate content, and in view of their failure to do so, must be held liable for the same. This process starts with the appointment of Grievance Officer, qua which none of the Respondents have complied with the law.
- M. Because as per Hon'ble Supreme Court in Tehseen S. Poonawalla v. Union of India 2018 SCC OnLine SC 696, "*No one, and we repeat no one, is entitled to take the law into his own hands and annihilate anything that the majesty of law protects.*" It is submitted that the Respondent No. 6 herein is not complying with the law, and the Respondent No. 1 and 2 have been unable to ensure compliance.
- N. Because the maximum punishment under law can be death, which is already prescribed for murder. It is submitted that a special anti-lynching law by itself would be unable to tackle the problem of misinformation on Respondent No. 6. In order to make Respondent No. 6 accountable, it must be directed to comply with Indian Law and appoint Grievance Officer, who shall be the person to address grievance of consumers, as well as co-ordinate with investigating agencies.

- O. Because this Hon'ble Court in T.N. Godavarman Thirumulpad (102) v. Ashok Khot, (2006) 5 SCC 1 has said, *"Everyone, whether individually or collectively, is unquestionably under the supremacy of law. Whoever he may be, however high he is, he is under the law. No matter how powerful he is and how rich he may be. Any country or society professing the rule of law as its basic feature or characteristic does not distinguish between high or low, weak or mighty."*
- P. Because this Hon'ble Court in Lokayukta, Justice Ripusudan Dayal v. State of M.P., (2014) 4 SCC 473 said, *"No individual can claim privilege against the application of laws and for liabilities fastened on the commission of a prohibited act."*
- Q. Because this Hon'ble Court in M.C. Mehta v. Union of India, (2006) 3 SCC 399 said, *"Rule of law is the essence of democracy. It has to be preserved. Laws have to be enforced."*
- R. Because this Hon'ble in State of Punjab v. Devans Modern Breweries Ltd., (2004) 11 SCC 26 has said, *"The rule of law must prevail. The country is governed by the rule of law and not by whims and caprice of the executive authorities. This Court cannot be a party to such whims and caprices."*
- S. Because the Respondents have neither acted upon, nor responded to the Petitioner's tweet seeking enforcement of the law.

PRAYER

It is therefore respectfully prayed that this Hon'ble Court may be pleased to:

- a) Issue writ of mandamus or any other appropriate writ or direction to the Respondents to not allow Respondent No. 6 to proceed with its Payments Systems until fully complying with provisions of RBI Circular dated 06.04.2018 and Rule 3(11) of Information Technology (Intermediary Guidelines) Rules, 2011;
- b) Any other relief, as may be deemed fit in light of above facts and circumstances;

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL
EVER PRAY

Drawn by

Dr. P.K. Seth, Advocate
Drawn on 27.07.2018
Filed on 27.07.2018

Filed by

Archana Pathak Dave
Counsel for the Petitioner