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

CNR No. DLHC010274332026

+ **W.P.(C) 8617/2026**

AMITA SACHDEVA

.....Petitioner

Through: Petitioner in person alongwith Mr. Yadavendra Saxena, Mr. Kartikeya Durrani, Mr. Amandeep Singh Gahlot, Advocates

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Chetan Sharma, Senior Advocate (ASG) with Ms. Avshreya, Pratap Singh Rudy, CGSC, Mr. Amit Gupta, Ms. Usha Jamnal, Ms. Nyasa Sharma, Mr. Abhinav Mall, Mr. Siddhant Nagar, Mr. Ankit Khatri, Mr. R.V. Prabhat, Mr. Yash Wardhan Sharma, Mr. Shubham Sharma and Mr. Naman, Advocates for R- 1/IOI
Ms. Mamta Rani Jha, Mr. Rohan Ahuja, Ms. Shruttima Ehersa, Mr. Ankit Tripathi, Advocates for R- 3/Google LLC
SI Udai Singh, P.S. Cyber South

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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11.08.2026

CM APPL. 48935/2026 (exemption)

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



CM APPL. 48934/2026 (for direction)

3. The petitioner has filed the present application alleging non-compliance with the order dated 15.07.2026 passed by the Grievance Appellate Committee whereby respondent no. 3 (Google LLC/YouTube) was directed to take down the impugned video, uploaded by respondent no. 4, within 24 hours. The said order came to be passed pursuant to order dated 03.07.2026 passed by this Court in the captioned writ petition.

4. It is contended that despite the said direction, the video continued to remain accessible on YouTube. The petitioner, therefore, seeks directions for enforcement of the order dated 15.07.2026 and submits that such non-compliance renders the statutory mechanism under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (hereafter '**Rules of 2021**') ineffective.

5. At the outset, the relevant portion of order dated 15.07.2026 reads as under:

“That the grievances of the appellant primarily pertains to misinformation being spread by the reported video. The reported content is view about a particular religion the appellant. An examination of the video reveals that it has tendency to hurt religious sentiments of a community, which does not augur well for a society at large.

That Intermediary's averments that they encourage free speech and defends everyone's right to express unpopular points of view is not agreed to in matters pertaining to hurting religious sentiments. Also the freedom of expression as enshrined under Article 19(2) of Constitution comes with reasonable restrictions.

That as regards need for order of competent jurisdiction, it is submitted that Rule 3(1)(d) of the IT Rules, 2021 mandates only due diligence with conditions to be observed by the Intermediaries. It is surprising that Intermediary does not want to undertake due diligence.

Further, Delhi High Court vide its order dated 03rd July 2026 in WP(C) 8617/2026 has directed that "the appellate authority shall



decide the petitioner's appeal No.8321/2026, expeditiously, and preferably within a period of 15 days from the date of receipt of copy of this order, under intimation to this Court."

That from the aforesaid, the Grievance Appellate Committee (GAC) has concluded that that reported video available at https://youtu.be/rygbP06hM9Y?si=_hO/7lj-BF08PHOf may be taken down as hurting religious sentiments within 24 hours of receiving this order.

That the appeal 8321/2026 is therefore disposed of."

6. The petitioner, who appears in person, submits that despite the order dated 15.07.2026 passed by the Grievance Appellate Committee directing removal of the impugned video, respondent no. 3 had initially failed to comply with the said direction. She submits that after the filing of the present application before this Court, respondent no. 3 has restricted access to the impugned video only within India, while the same continues to remain accessible in other countries.

7. At this stage, the learned counsel appearing for respondent no. 3 submits that the issue relating to grant of a global injunction, as raised by the petitioner on the ground that the impugned video continues to remain accessible outside India, is pending consideration before the Division Bench of this Court in *FAO (OS) No. 222/2019*, titled *Google LLC v. Swami Ramdev & Ors.*

8. The petitioner further submits that she is also aggrieved by the fact that though the original video stands restricted by respondent no. 3, other users are repeatedly uploading the same video on YouTube through different accounts. It is, therefore, contended that respondent no. 3 ought to take effective steps to remove such re-uploaded videos as well, so as to ensure meaningful compliance with the order passed by the Grievance Appellate



Committee.

9. In this regard, the learned counsel appearing for respondent no. 3 states that every new video being uploaded by any other user would amount to a separate cause of action, for which separate remedies as per law will have to be availed.

10. The learned ASG appearing for respondent no. 1 submits that intermediaries are expected to take prompt, effective and meaningful steps to ensure compliance with lawful directions issued by the competent authorities under the Rules of 2021.

11. At this stage, the learned counsel appearing for respondent no. 3 seeks time to take instructions.

12. In the meantime, this Court is of the opinion that the Division Bench of this Court, in **Vaibhav Singh v. Delhi High Court & Ors.**, W.P.(C) 5417/2026, while noticing Rule 3(1)(b)(xi) of the Rules of 2021, has observed that an intermediary is required to make reasonable efforts by itself, and to cause the users of its computer resource, not to host or share information that violates the law. The Division Bench has further observed that where the URLs/links of the offending content are brought to the notice of the intermediary, appropriate action ought to be taken in accordance with law. The relevant portion of order dated 23.04.2026 passed in the said case reads as under:

“17. Liberty is granted to the counsel for the petitioner, in the eventuality, petitioner finds the said Court proceedings are still available, or uploaded again, on the above platforms/intermediaries to inform the same via email to the counsel for the respondent nos. 2, 3 and 4 along with the details of the links/URLs. On receipt of such information, the counsels for the respondent nos. 2, 3 & 4 shall ensure the taking down of the posts forthwith. The email will also be copied to learned Registrar General of this Court.



18. We also note that Rule 3(1)(b)(xi) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ('IT Rules'), stipulates as under:-

"3. (1) Due diligence by an intermediary: An intermediary, including [a social media intermediary, a significant social media intermediary and an online gaming intermediary], shall observe the following due diligence while discharging its duties, namely:—

xxx

xxx

xxx

(b) the intermediary shall inform its rules and regulations, privacy policy and user agreement to the user in English or any language specified in the Eighth Schedule to the Constitution in the language of his choice and shall make reasonable efforts [by itself, and to cause the users of its computer resource to not host], display, upload, modify, publish, transmit, store, update or share any information that,—

xxx

xxx

xxx

(xi) violates any law for the time being in force;"

19. A perusal thereof would reveal that the intermediary has an obligation through its Rules and Regulations/Privacy Policy to make reasonable efforts by itself or to cause the users of its computer resource to not host, display, upload, modify, publish, transmit, store, update or share any information that violates the law for time being in enforce."

13. In the present case, the video in question has already been found by the Grievance Appellate Committee to be liable to be removed, and respondent no. 3 has accordingly restricted access to the same within India.

14. In these circumstances, *suffice it to observe at this stage*, that if the petitioner comes across any re-upload of the same video, by any other user, on the platform of respondent no. 3, she shall be at liberty to forward the URLs/links of such content to respondent no. 3. Upon receipt thereof, respondent no. 3 shall examine the same in the light of the order dated 15.07.2026 passed by the Grievance Appellate Committee and endeavour to take appropriate action in accordance with law, till the next date of hearing.



15. At request of parties, list on 03.09.2026.
16. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

AUGUST 11, 2026/ns