

ITEM NO.16 Court 1 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.787/2020

JAMIAT ULAMA I HIND & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(IA No. 72183/2020 - EX-PARTE STAY, IA No. 82113/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 73584/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 82112/2020 - EXEMPTION FROM FILING O.T., IA No. 72184/2020 - EXEMPTION FROM FILING O.T., IA No. 73586/2020 - EXEMPTION FROM PAYING COURT FEE, IA No. 50827/2020 - INTERVENTION/IMPLEADMENT, IA No. 48302/2020 - INTERVENTION/IMPLEADMENT, IA No. 84973/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, & IA No. 80567/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 788/2020 (PIL-W)

(IA No. 50785/2020 - INTERVENTION/IMPLEADMENT, IA No. 48329/2020 - INTERVENTION/IMPLEADMENT & IA No. 72236/2020 - STAY APPLICATION)

W.P.(C) No. 789/2020 (PIL-W)

(IA No. 50786/2020 - INTERVENTION/IMPLEADMENT, IA No. 48338/2020 - INTERVENTION/IMPLEADMENT & IA No. 72228/2020 - STAY APPLICATION)

W.P.(C) No. 477/2020 (PIL-W)

(IA No. 48986/2020 - EX-PARTE STAY, IA No. 48987/2020 - EXEMPTION FROM FILING O.T. & IA No. 51005/2020 - INTERVENTION/IMPLEADMENT)

Date : 02-09-2021 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s)

Mr. George C. Thomas, Adv.
Mr. Mrigank Prabhakar, AOR

Mr. Adeel Ahmed, AOR

Mr. Sanjay Hegde, Sr. Adv.
Mr. Ejaz Maqbool, AOR

Mr. Md. Tahir M. Hakim, Adv.
Mr. Shahid Nadeem, Adv.
Ms. Akriti Chaubey, Adv.
Mr. Muhammad Isa M. Hakim, Adv.

For Respondent(s)

Mr. Gurmeet Singh Makker, AOR

Mr. Tushar Mehta, SG
Mr. K.M. NatAraj, ASG
Mr. Amrish Kumar, AOR
Mr. Rajat Nair, Adv.
Mr. Kanu Agarwal, Adv.
Ms. Sansriti Pathak, Adv.
Mr. B.V. Balram Das, AOR

Mr. V. N. Raghupathy, AOR
Mr. Md. Apzal Ansari, Adv.

Mr. Anshuman Ashok, AOR

Ms. Nisha Bhambhani, Adv.
Mr. Rahul Bhatia, AOR

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through Video Conferencing.

Heard Mr. Sanjay R. Hegde, learned Senior counsel appearing for the petitioners in Writ Petition (Civil) No.787 of 2020, Mr. Tushar Mehta, learned Solicitor General appearing for the Union of India and other learned counsel appearing for the parties.

Learned Advocates-on-Record appearing for the petitioners seek and are permitted to amend the prayers in the Writ Petitions within a period of four weeks from today.

Learned Advocates-on-Record for the petitioners are directed to serve copies of the amended Writ Petitions upon the learned Solicitor General in advance.

Learned Solicitor General is at liberty to file counter affidavits within a period of two weeks thereafter, by a responsible Officer of the Union of India.

As prayed, learned counsel appearing for Respondent No.4 is also permitted to file counter affidavit in the matters.

During the course of hearing, learned Solicitor General submits that the new Information Technology Rules framed by the Union of India have been/are being challenged before various High Courts and one of the High Courts, viz., High Court of Kerala has directed the respondents to refrain from taking coercive action against the parties therein for non-compliance of the provisions of the new I.T. Rules.

He further states that the Union of India has filed Transfer Petitions before this Court so that all the petitions pending before various High Courts are heard and decided together by this Court to avoid conflicting decisions in the matters.

Learned Solicitor General was requested to give details of the Transfer Petitions to the Court Masters.

Accordingly, learned Advocate-on-Record appearing for Respondent No.2 – Union of India through the Ministry of Information & Broadcasting has furnished the following details of the matters which are required to be listed along with the main matters:-

1.	Writ Petition (Civil) No.956 of 2020
2.	Special Leave Petition (Civil) No.10937 of 2019
3.	Writ Petition (Civil) No.1080 of 2020
4.	Transfer Petitions(Civil) Nos.100-105 of 2021
5.	Transfer Petition (Civil) Nos.997-1000 of 2021
6.	Transfer Petition (Civil) Nos.1147-1152 of 2021
7.	Transfer Petition (Civil) Nos.1248-1252 of 2021
8.	Special Leave Petition (Civil) No.11163 of 2021
9.	Special Leave Petition (Civil) No.11566 of 2021
10.	Special Leave Petition (Civil) Diary No.20135 of 2021
11.	Special Leave Petition (Civil) Diary No.18201 of 2021

Mr. Mrigank Prabhakar, learned Advocate-on-Record appearing for the petitioner in Writ Petition (Civil) No.477 of 2020 submits that Writ Petition (Civil) No.760 of 2021 challenging the Information Technology Rules is also pending consideration of this

Court and requests that the said Writ Petition may also be listed along with the present matters.

Mr. Sanjay R. Hegde, learned Senior counsel submits that he has also filed a Special Leave Petition (Civil) No.6913 of 2021 and requests that the same may also be listed along with the main matters.

In view of the above, the Registry is directed to list all the Petitions as mentioned above along with the main matters on the next date of hearing.

List the matters after six weeks.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)