

website 248/cso/2019
16-1-19

Most Immediate
Supreme Court matter

No. 21021/46/2016-IS-II/M
Government of India
Ministry of Home Affairs

1. Chief Secretaries of States/ Administrators of UTs
2. Directors General of all States/UTs

Subject: Regarding implementation of Hon'ble Supreme Court Order dated 24.03.2015 in the matter of Shreya Singhal VS. Uol- striking down of Section 66A of IT Act, 2000.

I am directed to refer to d.o. letter no. 4(13)/2012-CLFE/VOL.II dated 11.1.2019 of MeitY (copy enclosed) regarding above mentioned subject and to say that the Section 66A of the Information Technology Act, 2000 was struck down by the Hon'ble Supreme Court of India in WP (Criminal) No. 167 of 2012 in Shreya Singhal Vs Union of India on 24th March, 2015. Consequently, Section 66 A of the AT Act, 2000 became null and void and no action can be taken under this section.

2. An application no. MA No. 118 in Writ Petition (Criminal) No. 199/2013 has been filed by People's Union for Civil Liberties in Hon'ble Supreme Court of India stating that section 66A of the IT Act 2000 is still being used by some law enforcement agencies and has sought *inter alia* to collect and furnish data for all prosecutions invoking Section 66A after 24.3.2015.

3. Hon'ble Court has passed an order dated 7-1-2019 directing UOI (Meity) to file a counter affidavit in response to petitioner's prayer seeking compliance w.r.t. the implementation of judgement dated 24th March, 2015, in the matter of Shreya Singhal Vs UOI.

ACS, Home
DGP, Odisha

Copy: E&IT Deptt

Dy
15/Jan/19
DSD to Chief Secretary
& Executive ACS, Security
C.A. I.P.S. Department

152/camp
16.01.19

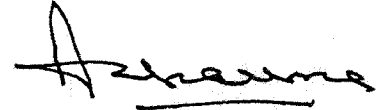
CD, CB 2244/2016
18-1-19

Establishment Officer-1
Office of the D.G. & I.G. of Police
Odisha, Cuttack

DGP, Odisha

7.

4. You are, therefore, requested to kindly confirm that the Hon'ble Supreme Court's judgment has been implemented in its totality, and may also kindly furnish data for prosecutions invoking Section 66A after 24.3.2015, if any, to the Secretary, Meity, to enable filing of Counter affidavit in the Hon'ble Supreme Court by Meity. Kindly furnish the requisite information by 20.1.2019.



(Anuj Sharma)

Joint Secretary (CIS)

North Block, New Delhi

Dated | 4 January, 2019

Copy:

The Secretary, Meity: For kind information w.r.t. your d.o. letter no. 4(13)/2012-CLFE/VOL.II dated 11.1.2019 of MeitY. You are requested to defend the matter in the Hon'ble Court.

SP. CID CH.