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

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Date of Decision: 15.07.2015

+ W.P.(C) 6682/2015

VIJAY DAHIYA & ANR

..... Petitioner

Through: Petitioner-in-person

versus

MINISTRY OF INFORMATION AND
BROADCASTING, UOI & ANR

..... Respondent

Through: Mr.Manik Dogra along with Mr.Nitya
Sharma, Advs. for UOI.

Ms.Abha Malhotra along with
Mr.Kushal Sharma, Advs. for R-1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

J U D G M E N T

Ms.G.ROHINI, Chief Justice (Oral)

1. This petition by way of public interest litigation has been filed aggrieved by the inaction on the part of the respondents i.e., Ministry of Information and Broadcasting, Union of India and Central Board of Films Certification, in taking appropriate steps to ban the advertisements promoting consumption of alcohol. The prayer in the petition read as under:

“1. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to immediately ban the playing/public display of above

mentioned advertisements and other such advertisements which are completely in violation of the law of the land.

2. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to make sure that the provisions of Cable Television Network Rules, 1994 is being complied with.

3. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondent no.2 to issue the certificate only when the applicant company furnishes an undertaking cum indemnity bond that it will file its audited balance sheet (duly audited by independent auditor), annual report and sales tax returns periodically from time to time and in the event of default the certificate will be revoked unconditionally.

4. Impose heavy penalties on the advertisers, who in the greed for making profit; violate the rule so that it can become a deterrent.

5. Award the cost of the proceedings to the petitioners.

6. Such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case may also be passed."

2. The material available on record shows that the petitioners have already made a representation bringing to the notice of the Ministry of Information and Broadcasting, Union of India the issues that are sought to be espoused in this petition. Hence, without expressing any opinion on the correctness of the allegations made in the petition, we deem it appropriate to direct the respondent No.1 to consider the representation dated 25.03.2015 of

the petitioners and to take appropriate action in accordance with law.

3. Accordingly, writ petition is disposed of.

CHIEF JUSTICE

JAYANT NATH, J

JULY 15, 2015

pmc