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

+ **W.P.(C) 5109/2021**

% *Decided on: 3rd May, 2021*

LALIT VALECHA

..... Petitioner

Through: Ms.Sadaf Iliyas Khan, Adv. with
Mr.R.K.Gossain, Adv. and petitioner in person.

Versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Amit Mahajan, CGSC with
Mr.Jivesh Tiwary, Mr.Gitesh Chopra, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JASMEET SINGH

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

C.M.No.15656-57/2021 (exemptions)

For the reasons stated in the applications and in view of the present prevailing situation, the present applications are allowed subject to just exceptions. However, the applicant is directed to file duly signed and affirmed affidavits within a period of one week from the date of resumption of regular functioning of the Court.

The applications are disposed of.

W.P.(C) No.5109/2021 & C.M.No.15655/2021(for interim orders)

1. This so-called public interest has been preferred with the following prayers:-

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- “i. Issue a writ, order or direction in the nature of Mandamus, thereby, directing Union of India to frame guidelines in a time bound manner for airing of news articles of sensitive nature such as reporting of mass scale deaths, sufferings by the people, etc. by the broadcasters/TV channels and restraining the broadcasters/TV channels from spreading negativity, sense of insecurity towards life, alarm, injury, harm, suffering, damage, etc.;
- ii. To issue any other appropriate writ, order or direction which this Hon’ble Court deems just and proper, in the facts and circumstances of the present matter.”

2. The petitioner submitted that various TV channels are airing negative images/visuals/stories in the most irresponsible manner and because of these news reporting, the people are dying of heart attack and these types of news are adding fuel to the fire as far as Covid-19 patients are concerned. It is further submitted that TV screen is only showing dead persons and, therefore, affecting the emotion of the public at large.

3. Having heard the learned counsel for the petitioner and looking to the facts and circumstances of case, it appears that this is not a public interest litigation but a **publicity interest litigation**. Broadcasting of the news depends upon the news itself. It ought to be kept in mind that there are people who want to be aware of the real and correct data of the persons who are suffering from Covid-19 and those who have unfortunately succumbed to the deadly disease. There cannot be any restriction on broadcasting of the news so long as the news that is being broadcast is correct news. Not a single violation of law has been pointed out by the petitioner nor the petitioner has pointed out that the print or electronic media is publishing/broadcasting wrong news.

4. What is highlighted before us is that the media is not showing positive news. The news which are being broadcast/published are both positive and negative news. This is a wrong notion in the mind of the petitioner that whenever media is showing the news of death of persons due to covid, it is a negative news rather it is the negative idea in the mind of the petitioner. Nothing else has been argued out and nothing else is to be decided by this Court. So long as the correct news is being broadcast or published, there cannot be any restriction upon the media.

5. With these observations, this writ petition is dismissed along with the pending application.

CHIEF JUSTICE

JASMEET SINGH, J

MAY 03, 2021
'anb'