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

+ **W.P.(C) 8507/2015 & CM APPL. 40484/2016**

ASHA CHAND

..... Petitioner

Through: **Mr. Aaditya Gore, Advocate.**

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: **Mr. Anil Soni, CGSC with
Mr. Devvrat Yadav, Advocate for R-
1/UOI.
Ms. Radhalakshmi R, Advocate for
R-2.**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

09.02.2024

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1. The present petition is filed under Article 226 of the Constitution for issuance of directions to the respondents to allocate a 24 hours channel on Doordarshan for Sindhi Community being a Linguistic Minority. The petitioner made the following prayer: -

i) Issue a Writ in the nature of mandamus or any other appropriate Writ directing the Respondents to allocate a 24 Hours Sindhi Channel on Doordarshan in order to fulfil its Constitutional obligation.

(ii) Pass such and further orders as may be required in the facts and circumstances of the present case.

2. The petitioner claimed to be a registered non-profit organisation which endeavours to promote and preserve 5000 years old Sindhi Culture and language. It is also stated that the Sindhi Community is a Linguistic



Minority and as such the respondent is under added obligation to take effective and meaningful steps for the preservation and the promotion of the Sindhi language and culture. But the State has miserably failed to take appropriate steps to fulfill this constitutional obligation. The Government of India is taking multiple steps to promote other Minorities but the Sindhi Community did not find any place in any other policy of the Government as per the mandate of Article 14 of the Constitution of India.

3. The persons belonging to the Sindhi Community post independence have migrated to various parts of the country and due to this reason, the Sindhi operation is scattered in various States as minority. The petitioner in the present petition is seeking allocation of 24 hour PAN India Sindhi channel on Doordarshan which would contribute to the promotion of the Sindhi language and culture.

4. The respondent no. 2 in reply affidavit dated 10.04.2019 has responded as under:-

4. Doordarshan follows the same language policy as All India (AIR). AIR language policy states that "AIR stations broadcast programmes in the principal language of the Region/State in which the station is located" and provision for "broadcast in dialects and other language is made if there is a communication imperative." Doordarshan has also followed the same policy and all its Kendras/Channels 98 telecast programmes in the principal language of the Region/State that they are situated in. Doordarshan has 17 Regional Language Satellite Services which cater to particular regions in the principle language of each region. Doordarshan has not started a channel to cater to a language but to cater to the needs, aspirations, art, music, dance, heritage, tourism, culture and local issues of a particular region.



5. In the year 2009, the Doordarshan Kendra, Ahmedabad had sent a Preliminary Project Report for a 24 hour Sindhi Channel. As per the said project report, setting up of a full time Sindhi Channel would have incurred a cost of Rs. 8.55 crores per annum for software and staff and Rs. 10.96 crore for Engineering Wing, thus resulting in a total cost of Rs.19.51 crores per annum. A copy of the Preliminary Project Report sent by the Doordarshan Kendra, Ahmedabad is annexed as ANNEXURE-A. A lot of Inter-Departmental consultations took place in regard to the proposal, as also consultation with the Ministry of Information & Broadcasting. Documents concerning the consultations on the issue annexed as ANNEXURE-B. The issue was also the subject matter of a question in Parliament, which was answered on 14.3.2011. The question in Parliament and the answer thereto are annexed as ANNEXURE-C.

6. The issue of the start of a Sindhi Channel was considered by the Production and Content Committee of the Prasar Bharati Board in its meeting held on 20.7.2011. Copy of the minutes of the said meeting is annexed as ANNEXURE-D. Thereafter letters dated 4.1.2012 and 8.2.2012 were sent to the concerned persons to the effect that the Committee had not found it feasible to start a channel. The said letters are annexed as ANNEXURE-E.

7. I state that as per 2011 census the number of Sindhi speaking persons in the country is approximately 26 lakhs. Sindhi is not the principal language of any state, just as Bodo, Dogri, Maithali, Santali. Sanskrit and Nepali languages. Sindhi is the second language in Gujarat with a Sindhi speaking population of about 10 lakhs and fourth in Rajasthan. One of the circumstances taken into consideration while considering whether or not to start a new channel is the number of potential viewers of the same. A full-time channel for the viewership of only 26 lakh persons in the country is not sustainable.



8. However Respondent No. 2 has always been alive to its responsibility of giving adequate coverage to various regions and languages. In discharge of that duty, Respondent No. 2 has been duly telecasting programmes in Sindhi language on its DD Girnar, DD Rajasthan & DD Sahyadri channels, which cover areas where the Sindhi population is mainly concentrated i.e. Gujarat, Rajasthan and Maharashtra. The said channels are available throughout the country and are also carried on the DTH platform of the answering respondent.

9. The answering Respondent is also exploring the possibility of having a dedicated slot/window for Sindhi Programmes on one of the regional channels mentioned above.

10. It is submitted that in recent times only two new channels have been started i.e. DD Urdu Channel which was started in the year 2006 and DD Arunprabha Channel in 2019, which is meant to cater exclusively for the state of Arunachal Pradesh. The same factors as found to be relevant while examining the issue of Sindhi Channel were considered, while evaluating the feasibility of the said Channels.

5. There cannot be any two opinions that the Sindhi Community being a Minority is having a right for the preservation of its own heritage and culture. The respondent no. 2 is telecasting various programmes for the Sindhi Community as detailed hereinabove. It is not workable for this Court to give directions to the respondents for opening of a new Doordarshan Channel for the Sindhi Community which is purely a governmental function. It is expected that the respondent shall make every possible effort and endeavour to open a new Doordarshan Channel for the Sindhi Community in



the future as per policy and other guidelines.

6. The petition along with pending application, stands disposed of.

DR. SUDHIR KUMAR JAIN, J

FEBRUARY 9, 2024

Sk/ak