



\$~86

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

+ W.P.(C) 21/2025 and CM APPL.53/2025 (Stay)

RAVINDER ALIAS BILLU

.....Petitioner

Through: Mr. Gaurav Jain, Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy, Sr.
Panel Counsel along with Ms. Usha
Jamnal, Ms. Harshita Chaturvedi, Ms.
Hepsiba Bobin, Advs. for R-1.

Ms. Nupur, Adv. for Ms. Surushi
Suri, Adv. for R-2.

Mr. Tejas Karia, Mr. Varun Pathak,
Mr. Thejesh Rajendran, Ms. Prasidhi
Agaral and Mr. Tanug Sharma, Advs.
for R-3.

Ms. Mamta Jha, Ms. Shruttima
Ehersa, Mr. Rohan Ahuja and Ms.
Aishwarya, Advs. for R-4.

Mr. Mathuvanthi Mathavan, Adv. for
R-5.

Mr. Madhav Khosla and Mr. Samgak
Bhalla, Advs. for R-6.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

%

08.01.2025

1. The petitioner is aggrieved by the alleged circulation and periodic re-emergence of an unauthorized, misleading and defamatory video that gets circulated across various social media platforms, causing irreparable harm to his privacy, dignity, reputation and public standing. It is stated that the video was recorded in August, 2018, without the petitioner's authorization,



show him getting assaulted by a group of women. It is stated that the said video is being disseminated to social media platform without any contextual clarification, thereby creating a false narrative about the petitioner's character and tarnishing his credibility and also undermine the public trust he has earned through decades of dedicated social work and political engagement.

2. In the circumstances, the present petition seeks that the respondents be directed to get the impugned video removed from the social media platform being run by respondent nos.3 to 6.

3. Learned counsel for the petitioner submits that despite having approached the grievance officers of the respondent no(s).3 to 6, the necessary remedial steps have not been taken.

4. During the course of hearing, attention is drawn to the Rule 3A of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (hereinafter 'IT Rules'). The same reads as under:

“3A. Appeal to Grievance Appellate Committee(s).—(1) *The Central Government shall, by notification, establish one or more Grievance Appellate Committees within three months from the date of commencement of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2022.*

(2) *Each Grievance Appellate Committee shall consist of a Chairperson and two whole time members appointed by the Central Government, of which one shall be a member ex officio and two shall be independent members.*

(3) *Any person who is aggrieved by a decision of the Grievance Officer or whose grievance is not resolved within the period specified for resolution in sub-clause (i) of clause (a) of sub-rule (2) of Rule 3 or clause (b) of sub-rule (2) of Rule 3 or sub-rule (11) of Rule 4-A, as the case may be, may prefer an appeal to the Grievance Appellate Committee within a period of thirty days from the date of receipt of communication from the Grievance Officer.*

(4) *The Grievance Appellate Committee shall deal with such appeal expeditiously and shall make an endeavour to resolve the appeal finally within thirty calendar days from the date of receipt of the appeal.*



(5) While dealing with the appeal if the Grievance Appellate Committee feels necessary, it may seek assistance from any person having requisite qualification, experience and expertise in the subject matter.

(6) The Grievance Appellate Committee shall adopt an online dispute resolution mechanism wherein the entire appeal process, from filing of appeal to the decision thereof, shall be conducted through digital mode.

(7) Every order passed by the Grievance Appellate Committee shall be complied with by the intermediary concerned or the online gaming self regulatory body concerned, as the case may be, and a report to that effect shall be uploaded on its website.”

5. Admittedly, the petitioner is yet to avail the remedy of approaching the Grievance Appellate Committee for redressal of his grievance. It has been observed by a Division Bench of this Court in **Mohammad Hamim and Anr. vs. Facebook India Online Services Pvt. Ltd. and Ors.** 2024: DHC: 773-DB, that the grievance redressal mechanism created under the IT Rules is self contained and efficacious. As such, it would be apposite for the petitioner to approach the Grievance Appellate Committee for redressal of his grievance/s. It is directed accordingly.

6. Learned counsel for the respondent no.1 assures that upon the petitioner approaching the Grievance Appellate Committee, the appeal would be disposed of expeditiously. The said statement is taken on record.

7. The Grievance Appellate Committee shall pass a reasoned order and issue such directions as may after hearing the concerned parties. The Grievance Appellate Committee is requested to dispose of the appeal keeping in mind the urgency emphasized by the petitioner and considering that the petitioner intends to contest the upcoming Legislative Assembly Elections of 2025 in Delhi.

8. In case the petitioner is aggrieved with the order / decision that may be taken by the Grievance Appellate Committee, he shall be at liberty to



take appropriate remedies, as may be permissible under law.

SACHIN DATTA, J

JANUARY 8, 2025/cl