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

+ W.P.(C) 11129/2017 and CM APPL. 45547/2017

BRAHMAPUTRA TELE PRODUCTIONS PVT.LTDPetitioner

Through: Mr.Vikram Singh, Advocate
versus

UNION OF INDIARespondent

Through: Mr.Ruchir Mishra, Mr.Sanjiv Kr.
Saxena, Mr.Mukesh Kr. Tiwari, Ms.Poonam and
Ms.Reba Jena, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

27.05.2025

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1. By way of the present petition, the petitioner is assailing the order dated 13.12.2017 passed by the Director (BC), Ministry of Information and Broadcasting whereby, the Central Government in exercise of the powers conferred by sub-section (2) & (3) of Section 20 of the Cable Television Networks (Regulation) Act, 1995 and under paras 8.1 & 8.2 of the policy guidelines for up linking of the Television channel in India, orders to prohibit the transmission or re-transmission of "DY 365" TV channel for three (3) days on any platform throughout India with effect from 0001 hrs on 15.12.2017 till 0001 hrs. on 18.12.2017.

2. Without going into the merits of the case, learned counsel for the petitioner submits that the petitioner had already suffered penalty for 1 ½ days and prays that the order be restricted to the said period.



3. Learned counsel for the respondent refers to the communication dated 20.05.2025 under the signatures of Mr.Navneet Kumar, Secretary of Govt. of India, a copy of which has been handed over and taken on record, vide which, it has been stated that subject to the petitioner furnishing an undertaking, punitive action imposed be reduced to the aforesaid period. The relevant extract of the same reads as under:-

“Having regard to the fact that the present matter is very old and pending before Hon’ble Court since 2017, and further taking into consideration that the petitioner’s channel has already remained off-air for approximately thirty-six (36) hours pursuant to the punitive action imposed, the competent authority has expressed the following opinion:

“If the petitioner furnished an undertaking to the Ministry affirming that its channel shall strictly comply with the Programme and Advertisement Code as prescribed under the Cable Television Networks (Regulation) Act, 1995 and the rules framed thereunder, in true letter and spirit, the Ministry, taking into account the specific facts and circumstances of the case and in the interest of justice, may consider withdrawal of the punitive action earlier imposed upon the petitioner channel.”

4. Learned counsel for the petitioner, on instructions, submits that the petitioner is ready and willing to file an undertaking in the form of an affidavit. Let the needful be done within a period of seven days from today with an advance copy of the same to the other side.

5. In view of the above, the present petition is disposed of alongwith the pending application.

MANOJ KUMAR OHRI, J

MAY 27, 2025/na