

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

SUO MOTO WRIT PETITION (CRIMINAL) NO. 3 OF 2015

(Under Article 32 of the Constitution of India)

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 294 OF 2016

(Application for Impleadment)

AND

CRIMINAL MISCELLANEOUS PETITION NO. 178904/2018

(Application for Direction)

IN RE: PRAJWALA LETTER DATED 18.2.2015 VIDEOS OF SEXUAL
VIOLENCE AND RECOMMENDATIONS

OFFICE REPORT

The Suo Motu Writ Petition alongwith applications above-mentioned except Crl. M. P No. 178904/2018 was listed before the Hon'ble Court on 06.12.2018 with Office Report dated 5.12.2018, when the Court was pleased to inter-alia pass the following order:-

“XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Each of these entities will give a proposed/draft SOP for the purpose of implementation of the suggestions given in the order dated 28th November, 2018.

Everybody is agreed that the child pornography, rape and gang rape videos and objectionable material need to be stamped out.

The proposed/draft SOP will be drafted on this premise.

The proposed/draft SOP will be filed in the Registry of this Court or given to the Court Master on Monday, 10th December, 2018 with an advance copy to learned amicus curiae, learned counsel for the petitioner and the Union of India.

It is submitted by Mr. Kapil Sibal, learned senior counsel appearing for Whatsapp that they have an end-to end encryption technology due to which it will not be possible to remove the contents.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

List the matter on 11th December, 2018 at 2.00 p.m..”

It is submitted that Ms. Aparna Bhat, Advocate has on 10.12.2018 filed an application for Direction. The said application is registered as CrI. M. P No. 178904/2018 and same is being circulated for kind perusal of the Hon'ble Court.

It is further submitted that Mr. Divyam Agarwal, Advocate has on 10.12.2018 filed an affidavit on behalf of Microsoft Corporation (India) Pvt Ltd pursuant to Hon'ble Court's order dated 6.12.2018 and same is being circulated for kind perusal of the Hon'ble Court.

It is next submitted that Mr. Samir Ali Khan, Advocate has on 10.12.2018 filed an affidavit on behalf of Yahoo India Pvt Ltd. Pursuant to Hon'ble Court's order dated 6.12.2018 and same is being circulated for kind perusal of the Hon'ble Court.

It is further submitted that Mr. Shardul S. Shroff, Advocate has on 10.12.2018 filed two separate Submission on behalf of WhatsApp Inc. and Facebook Ireland Ltd. and same are being circulated for kind perusal of the Hon'ble Court.

It is further submitted that M/s Karanjawala & Co., Advocates have on 10.12.2018 filed Draft SOP For Intermediaries (Submitted by Google) Pursuant to Hon'ble Court's order dated 6.12.2018 and same is being circulated for kind perusal of the Hon'ble Court.

It is further submitted that sealed cover Report submitted by Special Committee, Ministry of Electronics and Information Technology on 06.07.2017 has been circulated at the Residential Offices of the Hon'ble Judges on 10.12.2018.

It is lastly submitted that no other document has been filed so far.

The Sua Motu Writ Petition along-with applications above-mentioned is listed before the Hon'ble Court with this Office Report for Orders.

Dated this the 10th day of December, 2018.

Sd/-
Assistant Registrar