

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SMW (Cr1.)No(s).3/2015

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

Date : 28-11-2018 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE UDAY UMESH LALIT

Ms. N.S. Nappinai, Adv. (A.C.)

For Petitioner(s) Ms. Aparna Bhat, AOR
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Ms. Deepanshi, Adv.
Mr. Manoj Reddy, Adv.
Mr. Shardul S. Shroff, Adv.

Mr. Shibashish Misra, Adv.
Mr. Ashish Kumar Sinha, Adv.
Mr. Chandan Kumar Mandal, Adv.
Mr. Ompal Singh, Adv.

Ms. Suhaan Mukerji, Adv.
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Mr. Shuvodeep Roy, AOR
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Mr. Anil Shrivastav, Adv.
Mr. Rituraj Biswas, Adv.
Mr. Satyendra Kumar Srivastav, Adv.

Dr. Monika Gusain, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard the learned Solicitor General. He has indicated to us the actions taken by the Ministry of Home Affairs in

compliance with the directions of this Court. The actions taken are as follows:

a) Cyber crime portal www.cybercrime.gov.in has been launched. Over 1.06 lakhs visitors to the website till 28.11.2018 forenoon.

b) Nodal officer and one level above officers have been nominated by all States / UTs for Grievance redressal. This is uploaded on the Portal.

c) SOP has been finalized in consultation with Intermediaries and guidance of Amicus and petitioner's advocate.

d) Meeting held with intermediaries on 12-11-18 & 26-11-18 and SOP on complaint handling finalized taking their inputs into consideration.

e) Concerned stakeholders including Amicus and Petitioner's advocate will be invited to the meetings of existing interministerial committee constituted under the chairmanship of JS (CIS) MHA for regular review of CP/RGR complaint handling mechanism.

f) Draft agreement has been sent to the National Centre for Missing and Exploited Children (NCMEC) on 19-11-18 to access cyber tipline reports regarding missing and exploited children. Their reply is awaited.

g) Commercial proposal from Photo DNA tool proposal has been received from Microsoft quoting Rs.4.5 crore to Rs.6 crore for various alternatives. Technical committee has been constituted to evaluate alternatives and two rounds of discussions have been held. Clarifications are awaited from Microsoft.

h) All India awareness campaign on Radio for promoting use of

cybercrime reporting portal and other cybercrime against women and children will start from first week of December. Order placed on BOC.

i) M/s Google has been approached for sharing their API developed for identifying CSAM.

j) Keyword compilation of English, Hindi, Bengali and Kannada shared with Intermediaries. Keywords in other languages also being compiled.

If there are any further developments before the next date of hearing that should also be brought to the notice of this Court.

During the course of submissions, the learned Solicitor General has indicated that there are certain actions required to be taken by the intermediaries. These actions have been identified by him as follows:

i. setup proactive monitoring tools for auto deletion of unlawful content by deploying Artificial intelligence based tools.

ii. Deployment of trusted flaggers for identifying and deletion of unlawful content.

iii. Setting up of 24X7 mechanism for dealing with requisitions of law enforcement agencies.

iv. Appointment of India based contact officer and escalation officers (with name, designation, email, mobile number)

v. Prompt disposal of requisitions of Law Enforcement Agencies to remove unlawful contents.

The learned *Amicus* has suggested that the monitoring and deployment of key words will also need to be considered by the

intermediaries. She says that she has put certain key words but warning messages did not appear.

List the matter on 06.12.2018 at 2.00 pm.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR