

(2019) 11 DEL CK 0231

In the Delhi High Court

Case No : Civil Writ Petition No. 10941 Of 2017, Civil Miscellaneous No. 44782 Of 2017

Arpit Bhargava

APPELLANT

Vs

Union Of India And Anr

RESPONDENT

Date of Decision : 14-11-2019

Acts Referred:

Constitution Of India, 1950 — Article 19(1)(a)
Copyright Act, 1957 — Section 17(d), 52, 52(k), 55

Citation : (2019) 11 DEL CK 0231

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ;C.Hari Shankar, J

Bench : Division Bench

Advocate : Rohan Jalva, Arpit Bhargava, Hina Bhargava, Rajesh Gogna, Upendra Sai

Final Decision : Disposed Of

Judgement

D.N. Patel, CJ

1. This Public Interest Litigation has been preferred with the following prayers:

"A. Issue a writ of mandamus or any other appropriate writ thereby directing the Respondent No.1 and 2 not to infringe Article 19 (1)(a) of Constitution of India which includes "right to know" to each and every citizen of India and thereby immediately take steps in a time bound manner to ensure own publications and availability of authentic, accurate and reasonably priced hard copies of all central acts, rules, notifications etc. along with publishing of all such amendments in the act, rules etc. in a holistic manner,

B. Issue a writ of mandamus or any other appropriate writ thereby directing the Respondent No.1 and 2 to immediately bar/prohibit private business houses/publishers and others from publishing and printing all central acts, rules, notifications etc. in contravention of provisions of the Copyright Act 1957,

C. Issue a writ of mandamus or any other appropriate writ thereby directing the

Respondent No.1 and 2 to immediately exhaust civil and criminal remedies against private business houses/publishers and others for infringing copyright of government as per section 55 of the Copyright Act, 1957,

D. Issue a writ of mandamus or any other appropriate writ thereby directing the Respondent No.1 and 2 to frame a policy/guidelines/ regulations regarding publications and dissemination of knowledge relating to acts of parliament, rules, notifications etc through a transparent, accurate and authentic mechanism aimed at benefiting public at large and providing for fixing of accountability of officials of respondent in case of its failure to act in a time bound manner to frame a policy/ guidelines/regulations in regard to above.

E. Appoint an expert committee/court monitored committee to ensure the aforesaid is done in a time bound manner,

F. Pass any other or further order which this Hon'ble Court deems fit in the interest of justice."

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, we hereby direct that as and when there is any violation of the Copyright Act, 1957, especially Section 52 read with Section 52 (K); 17(d) and other provisions of the Constitution of India, action will be taken by the respondents in accordance with law, rules, regulations and Government policies applicable to the facts and circumstances of the case against the erring publishers.

3. With these observations, this public interest litigation is hereby disposed of.

CM No. 44782/2017 in W.P.(C) 10941/2017

4. In view of the order passed in the writ petition, this Civil Miscellaneous application stands disposed of.