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

Date of decision: 29th April, 2025

+ **W.P.(CRL) 1563/2024 & CRL.M.A.12913/2025**

SHABANA

.....Petitioner

Through: Ms. Fozia Rahman, Adv (DHCLSC)
alongwith Mr. Sikander A. Siddiqui,
Ms. Rashmi Pandey & Ms. Aafreen
Adv.

versus

GOVT OF NCT OF DELHI AND ORS.

.....RespondentS

Through: Mr. Amit Tiwari, CGSC with Mr.
Tarveen Singh Nanda, Adv. with ACP
Jitender Singh, MHA with Inspector
Sunil Kumar, PS Special Cell/IFSO and
Inspector Ina Kumari, PS
AHTU/Crime.

Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal, Adv.
Mr. Kapil Sibal, Sr. Adv. with Mr.
Vivek Reddy, Ms Aparajita Jamwal,
Ms. Swati Agarwal, Mr. Shashank
Mishra, Ms. Shivika Mattoo & Ms.
Anandita Tayal, Advs. for WhatsApp
LLC. (M: 84488 91811)

Mr. Akhil Sibal, Sr. Adv. with Mr. Ankit
Parhar, Mr. Abishek Kumar and
Ms. Shreya Gupta, Advocates

Mr. Arvind Datar, Sr. Adv., Mr. Varun
Pathak, Ms. Ameer Rana, Mr. Dhruv
Bhatnagar and Ms. Prasadhi Agrawal,
Advs for Meta Platforms Inc.

Mr. Abhishek K. Singh, Mr. Saurabh
Kumar, Ms. Rose Maria S. and Mr.
Saksham Chaturvedi, Advs. for
LinkedIn Coporation.

Mr. Neel Mason, Ms Ekta Sharma, Ms.
Pragya Jain & Ms Surabhi Katare,
Advs. for Google LLC.

Ms. Anushka Sharda & Mr. Siddhant



Grover, Advs. for Telegram.
Ms. Shweta Sahu & Ms. Sreeja
Sengupta, Adv. for Reddit, Inc. (M:
9830776856)

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE AMIT SHARMA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
'SAHYOG' Portal
2. On the last date of hearing *i.e.*, 18th March, 2025, the Court had considered the detailed status report filed by the **Indian Cyber Crime Coordination Centre** (hereinafter "*I4C*") and the submissions made on behalf of the Ministry of Home Affairs (hereinafter "*MHA*"). The Court had also heard Mr. Jitendra Singh, ACP from I4C.
3. As per the said status report, 38 social media platforms and other IT intermediaries (hereinafter collectively "*Intermediaries*") have already onboarded the *SAHYOG* portal and additional 15 Intermediaries were stated to be in process of being onboarded. It was also stated that in respect of 33 Intermediaries, including cryptocurrency exchanges, requisite approvals are being obtained. In addition to the above, the Court was apprised about the phase II development of the *SAHYOG* portal, which was noted as under:

*"15. The report also states that all States and Union Territories as also two central agencies namely the Ministry of Finance (DGGI) and the Ministry of Defence have notified the authorised agency/nodal officers under Section 79(3)(b) of the Information Technology Act, 2000 (hereinafter "*IT Act*") and they have also onboarded on the *SAHYOG* portal. It is, further, submitted that the phase two development of the portal for data disclosure requests is also underway. Mr. Jitender Singh, ACP from the I4C*



submits that within a month this development would also be concluded for data disclosure requests.

16. Insofar as Meta is concerned, Mr. Arvind Datar Sr. Adv., and Mr. Kapil Sibal Sr. Adv., appearing for Facebook and Whatsapp respectively, submit that the process of API integration for both Facebook and WhatsApp is underway and the same would be concluded very soon.”

4. Today, Mr. Amit Tiwari, Id. CGSC, appearing along with Mr. Jitender Singh, ACP, has handed over the updated status report dated 28th April, 2025 on behalf of the Union of India. The Court has perused the said report and the same is taken on record. In terms thereof, it is submitted that significant progress has been made in onboarding of Intermediaries to the *SAHYOG* Portal. As per the said report, 65 Intermediaries are already onboard the *SAHYOG* Portal. The details of the said Intermediaries are as under:

S. No.	Intermediary's Name
1.	Quora
2.	Telegram
3.	Amazon
4.	Apple
5.	Google
6.	Sharechat
7.	Josh
8.	Pi DATACENTERS
9.	Snapchat
10.	LinkedIn
11.	Sify
12.	You Tube
13.	Oracle India Private Limited
14.	Microsoft
15.	Zoho
16.	Big Rock
17.	Public Domain Registry



18.	DeleteWeb
19.	Vedhan Technology and Solutions
20.	V2Technosys
21.	AppCroNix Infotech Private Limited, d/b/a VEBONIX
22.	PrimeCrown Technologies Pvt. Ltd.
23.	Suryanandan.
24.	Netlink Technologies
25.	Bharat Domains dba Bharat.in
26.	Business Solutions
27.	1 Indian Domains dba mitsu.in
28.	101 domain GRS Limited
29.	Datject Infotech
30.	Hostin Services Private Limited
31.	IN Registrar d.b.a.inregistrar.com
32.	INFOXLY
33.	Laxweb Technologies Pvt.Ltd.
34.	LEGAL HOUSE
35.	SIFY DIGITALSERVICES LIMITED
36.	The Institute of Chartered Accountants of India
37.	TVNSERVER
38.	CloudLinks Technologies Pvt.Ltd.
39.	Agmsys Infotech
40.	IndiaLinks Web Hosting
41.	INDYADOT
42.	Wtn Technohies
43.	Hostao L.L.C
44.	Mothersoft Technologies
45.	Bengalwebhosting Datacenters
46.	SparkHost India
47.	SparkHost India
48.	Webuggle Internet
49.	Todaysprint edu solutions
50.	Gemini Software
51.	WTN Technologies
52.	Cybersites India Technologies



53.	Data Ingenious Global
54.	Infocom Network
55.	Kalinga Hosting Services
56.	DomainPe.com(Cynoq Technologies)
57.	INFOTECH LLP
58.	lpfy Enterprise
59.	NetBharat
60.	Pioneer Elabs
61.	Good Domain Registry
62.	OVI Hosting
63.	Square Brothers Info Tech
64.	Brand Threat Analytics
65.	Zybosys Networks

5. It is submitted that the API integration with more than 1100 ISPs as also with Facebook, Whatsapp, Instagram and Microsoft, is in the testing and production phase. As per the report, API integration shall ensure almost instantaneous information/ data exchange, thereby, significantly reducing the time for addressing requests made by the authorities, including the Law Enforcement Agencies (hereinafter “LEAs”).

6. Further, it is submitted that all States and Union Territories, except Lakshadweep and Daman & Diu, as also 8 Central Government Ministries/Departments have onboarded the SAHYOG portal and have notified the respective authorised agencies/nodal officers in respect of the SAHYOG portal. The Union Territories - Lakshadweep and Daman & Diu, are stated to be in the process of notifying the respective nodal officers.

7. The Court is also informed that the Phase II of the SAHYOG portal, for handling data disclosure requests, is now live and functioning. It is also stated that 33 Virtual Digital Asset Service Providers (hereinafter “VDASPs”) have been onboarded the SAHYOG portal. The details of the same are as under:



Sl. No.	R E Name
1.	Nebilo Technologies Private Limited
2.	A N Q Digital Finserv Private Limited
3.	Unocoin Technologies Pvt Ltd
4.	Buyhatke internet private limited
5.	Giottus Technologies Pvt Ltd
6.	Bitbns Internet Private Limited
7.	Awlencan Innovations India Limited
8.	Zanmai Labs PVT LTD
9.	Bitcipher Labs LLP
10.	Nextgendev Solutions Private Limited
11.	RPFAS Technologies Private Limited
12.	IBLOCK Technologies Private Limited
13.	WOLLFISH Labs Pvt Ltd
14.	Angelic Infotech Private Limited
15.	Carretx Technologies Pvt. Ltd.
16.	ABHIBHA Technologies Private Limited
17.	UCY Technology Private Limited
18.	Transak Technology India Private Limited
19.	Ramizo Technologies India Private Limited
20.	FIN GENIE Tech Private Limited
21.	Ardour Labs Private Limited
22.	Inocyx Technologies Private Limited
23.	Metatoken Technologies Private Limited
24.	Flitpay Private Limited
25.	Fincrypt LLP
26.	Arthbit Private Limited
27.	Lightningnodes Technologies Private Limited
28.	Kooz Advisors and Technologies Private Limited
29.	Mindless Pandora Tech Solutions Private Limited
30.	ALSD Technologies Private Limited
31.	Damsol Pvt Ltd
32.	Exlipton Technologies Private Limited
33.	Blockoville OU



Issues of X Corp. (earlier Twitter) qua SAHYOG Portal

8. On the last date i.e., 18th March, 2025, the Court had noted the grievance of I4C against X. Corp. (earlier Twitter) as also the issues raised by X Corp. qua validity of the SAHYOG portal. The relevant portion of the order is extracted hereunder:

17. *Insofar as X Corp (earlier Twitter) is concerned, they have taken the position vide letter dated 11th November, 2024 submitted to I4C that in view of the law declared by the Supreme Court in **Shreya Singal v. Union of India, 2015 (5) SCC 1**, the SAHYOG portal would fall outside the statutory scheme of Section 69A of the IT Act. It is their case that the said portal would create a parallel mechanism to the existing mechanism under Section 69A of the IT Act albeit without any procedures or safeguards. Thus, it is stated that X Corp cannot be compelled to come on the SAHYOG portal. It is also stated that X Corp has its own portal to process valid legal requests.*

18. *I4C agency has followed up with X Corp and various meetings have been held with X Corp. However, the stand of X Corp. remains that they are not bound to come on the SAHYOG portal.*

19. *The I4C agency has a grievance against platform X on the ground that even in the past when requests have been made in respect of sexual offences against children, such as child sexual exploitation and abuse material (hereinafter “CSEAM”) content, no response has been received from X Corp. This is contained in paragraphs 9 & 10 of the status report which read as under:*

“9. That, in response to the aforesaid MoM dated 25.12.2024, the X Corp. has informed



14C vide email dated 07.01.2025 wherein X reiterated its previous stance that Section 69A of the Information Technology Act, 2000 ("IT Act") is the only statutory power for information blocking. Section 79(3)(b) of the IT Act does not provide authority to order information blocking and establishing the contemplated portal to order information blocking would also create an impermissible parallel mechanism to the already existing Section 69A mechanism, but without the procedures or safeguards of Section 69A. This would contravene the Hon'ble Supreme Court's decision in Shreya Singhal.

10. It is pertinent to mention that there have been instances of hosting unlawful information on the X's platform. 14C has proactively identified such unlawful information including "child sexual exploitation and abuse material" (CSEAM) content and sent notices u/s 79(3)(b) of IT Act, 2000 r/w rule 3(1)(d) of IT Intermediary Rule 2021, for removal and disabling of such information. Till date X has not communicated any compliance to a notice issued by 14C on 17.12.2024. Section 69A of IT Act 2000 provides for blocking of access under specific circumstances which is defined in the section itself. Contents like CSEAM do not fit in under those circumstances and hence requests for removing/ disabling CSEAM and other unlawful content not fitting in can be sent for blocking under section 69A of the IT Act 2000. The IT intermediaries have been casted with proactive obligation for suo motto removal of such unlawful contents including CSEAM under Rule 3 (1)(b) of IT intermediaries Rule 2021. However, CSEAM and other unlawful contents have been found



hosted on the X platform. It is a bounden duty of the authorized agencies notified by the appropriate Governments to get such unlawful contents removed in the interest of the society exercising the legal provision provided under section 79(3)(b) of IT Act 2000 and Rule 3(1)(d) of IT Intermediary Rules 2021.”

20. *The submission of I4C, therefore, is that even platform X Corp. ought to come on board the SAHYOG portal.*

21. *Mr. Akhil Sibal, ld. Sr. Counsel appearing for X Corp. submits that platform X has also filed a writ petition before the Karnataka High Court challenging the SAHYOG portal. Be that as it may, the objections for onboarding on the SAHYOG portal on behalf of X Corp. shall be heard on the next date of hearing.*

22. *Insofar as the objections relating to the CSEAM, content is concerned, Mr. Akhil Sibal, ld. Sr. Counsel submits that the objectionable content was taken down within 24 hours as per the IT Act and, thus, X Corp. had duly complied with the concerned order.”*

9. As per the status report dated 28th April, 2024, handed over today, pursuant to the directions passed by this Court, I4C has taken all reasonable efforts to engage with Intermediaries, including X Corp., to facilitate their onboarding onto the SAHYOG portal. However, X Corp. has not agreed to onboard the said portal. The relevant portion of the status report reads as under:

“8. In light of the above, it is respectfully submitted that I4C has made all reasonable efforts to engage with the concerned intermediaries, particularly X Corp., to facilitate their onboarding onto the SAHYOG portal, as per the directions of the Hon’ble High Court. However, despite multiple follow-ups, X Corp. instead of



onboarding is questioning the validity of notices issued under section 79(3)(b) of the IT Act, 2000 r/w Rule 3(1)(d) of IT intermediary Rule, 2021, and filed a Writ Petition before Hon'ble Court of the Karnataka at Bengaluru bench. In response, the Union of India has filed a comprehensive Statement of Objections on 27.03.2025, contesting the claims made by X Corp and justifying its actions based on prevailing laws and public interest considerations.”

10. Today, at the outset it is submitted that Mr. Akhil Sibal, Id. Senior Counsel appearing for X Corp. is held up in another Court, and therefore, it is prayed that matter may be adjourned.

11. Upon a query from the Court it is reiterated on behalf of X Corp. that a writ petition being **WP 7405/2025** titled **X Corp. vs. Union of India**, has been filed in the Karnataka High Court challenging the validity of the SAHYOG portal and the Government of India has filed its list of objections in the said proceedings.

12. Further, in this petition, an application being **CRL. M.A. 12913/2025** has also been moved on behalf of X Corp. seeking discharge from the present case on the ground that X Corp. has already co-operated with the LEAs, as and when requested, as also in view of the writ petition pending before the Karnataka High Court. The Id. Counsel for X Corp. has also relied upon the interim orders passed in the said petition.

13. In view of the request for adjournment sought on behalf of Mr. Akhil Sibal, Id. Senior Counsel, the application for discharge as also the objections of X Corp. *qua* validity of the SAHYOG portal, shall be considered on the next date.



Directions

14. As per the status report handed over today, insofar as the Intermediaries other than X Corp. are concerned, various requests have been sent to them which have also been responded to by the concerned Intermediaries on a regular basis. These intermediaries include Whatsapp, Instagram, Microsoft, Facebook, X Corp., Twitter and Youtube, Google, Telegram, Apple etc.

15. In view of the above and considering the directions passed by this Court from time to time for the SAHYOG portal, the I4C and MHA have prayed as under:

“9. Therefore, it is prayed that the Hon’ble Court may issue direction to the remaining intermediaries for expeditious onboarding, on the Sahyog portal, a centralized portal which brings on board all the authorized agencies/nodal officers and IT intermediaries and thereby facilitates:-

a) the process of issuance of notices to IT intermediaries to remove or disable access to any information, data, or communication link that is being used to commit unlawful acts under section 79(3)(b) of the IT Act 2000, for keeping the cyberspace safe;

b) raising data disclosure request by LEAs;

*c) proactively notifying the Child Sexual Exploitative and Abuse Material (CSEAM) content to IT Intermediaries hosted/displayed on their platform for removal or disable access to such content/material, in compliance with the judgment passed by the Hon’ble Supreme Court in the case of, “**Just Rights for Children Alliance & Anr. Vs. S. Harish & Ors.** SLP(Crl) No. 003665-003666/2024.*



d) assures transparency of the entire process and accountability on the part of all the stakeholders.”

16. In terms of the status report which has been filed and noticing the purpose of the SAHYOG portal, it is deemed appropriate, therefore, to direct that any requests for either information or data which is received from LEAs or any other authority shall be immediately replied to by all Intermediaries expeditiously.

17. Further, all such Intermediaries, who are in the process of onboarding on SAHYOG portal may do so in an expeditious manner.

18. In the meantime, let I4C also file an updated status report by the next date of hearing.

19. In the facts of this case, Mr. Sanjay Lao, Id. Standing Counsel (Criminal) is directed to file an updated status report in respect of the missing boy and also make further enquiries at de-addiction centres to trace the boy.

20. The AHTU, Crime Branch shall continue to seek assistance, as and when necessary, from the concerned Intermediary for tracing the missing child at the earliest.

21. List for further consideration and submissions on behalf of X Corp. on 28th May, 2025.

**PRATHIBA M. SINGH
JUDGE**

**AMIT SHARMA
JUDGE**

APRIL 29, 2025/SV/msh