

Most Immediate
Supreme Court matter

No. 21021/46/2016-IS-II/M
Government of India
Ministry of Home Affairs

To,

1. Chief Secretaries of States/ Administrators of UTs,
2. DGPs of all States / UTs

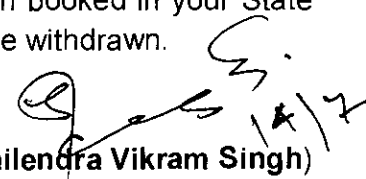
Subject: Regarding implementation of Hon'ble Supreme Court Order dated 24.03.2015 on striking down of section 66A of the Information Technology Act, 2000.

The undersigned is directed to refer to the judgment of the Hon'ble Supreme Court given in the matter of Shreya Singhal Vs. Union of India on 24.03.2015, whereby Section 66A of the Information Technology Act, 2000 was struck down, becoming null and void with effect from the date of order i.e. 24.03.2015 and hence no action could be taken under this section. In this connection, all States & UTs were advised vide MeitY DO letter no.4(13)/2012-CLFE/Vol.II dated 11.01.2019 and MHA letter No. 21021/46/2016/IS-II-M dated 14.01.2019 and 01.04.2019, to sensitise the police department / local police authorities in your State / UT for strict compliance of the Hon'ble Supreme Court order dated 24.03.2015 and withdrawal of the all such cases, if any, which were booked under the section 66A of the IT Act,2000 in your State / UT.

2. It has been brought to our notice through an application in Hon'ble Supreme Court that FIRs are still being lodged by some police authorities under the struck down provision of Section 66A of IT, Act, 2000. Hon'ble Supreme Court has taken a very serious view in the matter.

3. It is therefore, requested to direct all the police stations not to register cases under the repealed Section 66A of the information Technology Act,2000 and sensitise the law enforcement agencies for the compliance of the order issued by the Hon'ble Supreme Court on 24.03.2015. If any case has been booked in your State under section 66A of the IT Act, 2000, it should immediately be withdrawn.

S


(Shailendra Vikram Singh)
Deputy Secretary (CIS)
North Block, New Delhi
Dated: 14th July, 2021

Copy to:

Secretary, MeitY, New Delhi : For kind information.