

ITEM NO.1

COURT NO.2

SECTION X

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

Writ Petition(s)(Civil) No(s).1302/2021

BIG BULL TECHNOLOGIES LLP

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION)

Date : 09-09-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Dr. Prabhat Kumar, Adv.
 Mr. Arguru Narayan Rao, Adv.
 Mr. Anguru Manohar, Adv.
 Mr. Aldanish Rein, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 Invoking the jurisdiction of this Court under Article 32 of the Constitution, the petitioner seeks to challenge a communication dated 2 September 2021 of the Government of India in the Ministry of Finance, Department of Economic Affairs. The communication is in response to a query under the Right to Information Act 2005¹ submitted by an advocate in Hyderabad. The letter refers to a statement in the Budget Speech of 2018-19 and to the constitution of a high level inter-Ministerial Committee². The letter finally states that the Government would take a decision on the recommendation of the IMC and a legislative proposal, if any, would be introduced in Parliament following the process.

¹ "2005 Act"

² "IMC"

- 2 Besides being a response to a query under the 2005 Act, the letter merely indicates what has happened in the past and adverts to the fact that the Government may introduce a legislative proposal.
- 2 There is no actionable cause for a petition under Article 32 of the Constitution. The Court cannot interdict the Government from bringing a legislative proposal before Parliament.
- 3 Counsel appearing on behalf of the petitioner also relied on a communication dated 31 May 2021 of the Reserve Bank of India. The communication, in fact, informs all entities, including commercial and cooperative banks, to whom it is addressed, that the earlier circular of the RBI dated 6 April 2018 was set aside in the judgment of this Court dated 4 March 2020 in **Internet and Mobile Association of India v Reserve Bank of India**³ and that the circular is no longer valid. Banks have, however, been requested to continue carrying out due diligence procedures.
- 4 Besides seeking to challenge the letter dated 2 September 2021, which was in response to a query under the 2015 Act, the petitioner seeks a *mandamus* to implement the judgment of this Court dated 4 March 2020 and for the issuance of a fresh circular in accordance with the judgment of this Court. No such relief is required to be granted. Hence, the petition is misconceived and is accordingly dismissed.
- 5 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
COURT MASTER