

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

WRIT PETITION NO.11776 OF 2019 (GM-RES) PIL

**BETWEEN**

Smt. Geetha Misra,  
Bengaluru

**:: PETITIONER**

**AND:**

The Chief Secretary to Govt.,  
Bengaluru & others

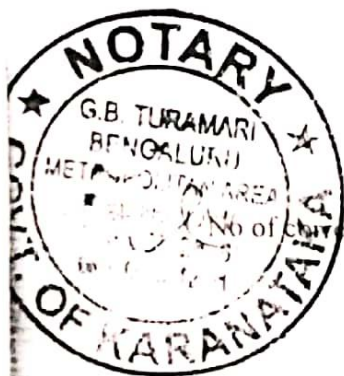
**:: RESPONDENTS**

\* \* \* \* \*

**AFFIDAVIT**

I,

1. I am working as Secretary, Information and Public Relations Department, Vikasa Soudha, Bengaluru and I am aware of the facts and circumstances of the case. Hence, I am swearing to this Affidavit.



No of objections:

*[Handwritten signature and text in Kannada script]*

2. I submit that the Hon'ble Division Bench, in Writ Petition No.11776 of 2019 (GM-RES) PIL, passed an Order dated 18.09.2019, the relevant portion of which is extracted as under:-

*"6. (i) We direct the first respondent - State Government to implement the order dated 19<sup>th</sup> February 2008 in its true letter and spirit by appointing necessary committees, by setting up complaint cell and by taking all steps for effective implementation of the said order. Compliance shall be made within a period of two months from today;*

*(ii) The petition is disposed of with the above directions;*

*(iii) Though the petition is disposed of, the same shall be listed on 22<sup>nd</sup> November 2019 under the caption of Orders. The State Government shall file a compliance report on that day."*

3. I respectfully submit that the Order dated 19.02.2008 passed by the Government of India, Ministry of Information & Broadcasting (Broadcasting Wing), is implemented by the Government of Karnataka in its true letter and spirit.

**NOTARY**  
S.B. TURAMARI  
BENGALURU  
MADHAWANAPURA  
No. 1, 1st  
FLOOR  
D. 9-12-21  
KARNATAKA

No of corrections: *1*

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**GOVT.**

4. I respectfully submit that the State of Karnataka has 30 Districts in its territorial jurisdiction. The State of Karnataka has appointed the District Magistrate / Deputy Commissioner of each District as an Authorised Officer, in terms of Section 2(a) of the Cable Television Networks (Regulation) Act, 1995.

5. I respectfully submit that the State Government has also appointed the District Level Monitoring Committee headed by the jurisdictional District Magistrate/Deputy Commissioner as Complaints Cell to receive the Complaints from the general public with regard to contravention of the provisions of the said Act.

6. I respectfully submit that apart from appointing the District Magistrate as an Authorized Officer, the State Government has also constituted District Monitoring Committee which is headed by District Magistrate as Chairman. The District Monitoring Committee is constituted as below:-

- |       |  |            |
|-------|--|------------|
| (i)   | District Magistrate (or Police Commissioner  | : Chairman |
| (ii)  | District Superintendent of Police  | : Member   |
| (iii) | District Public Relations Officer  | : Member   |
| (iv)  | Principal of one of the Women's College in the District (to be selected by the DM)       | : Member   |
|       | Representative of a leading NGO working for Children Welfare (to be nominated by the DM) | : Member   |



No of corrections: *[Handwritten signature]*

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Date: *[Handwritten date]*

- (vi) Representative of a leading NGO working for Women Welfare (to be nominated by the DM) : Member
- (vii) Academicians/Psychologists/Sociologists (one each to be nominated by the DM) : Member

7. I respectfully submit that on 10<sup>th</sup> December 2019, the State Government has established for 24 x 7 Control Room at its Head Quarters to monitor and receive the Complaints from the general public. I submit that the State Government has also provided three e-mail IDs., namely, complaintsontelevision@gmail.com. The above Control Room is situated in the Head Quarters in Bengaluru. The Control Room is established in Bengaluru which would enable the State Government to strictly adhere/supervise all the Complaints received and to forward the same to the jurisdictional District Magistrate for initiating appropriate action and also to seek Report from the jurisdictional District regarding action taken.

8. I respectfully submit that apart from the e-mail ID provided above, exclusive Land Line No.080-22028013 and Mobile No.94808 41212 are also provided to the general public to register their Complaints on Whats-App as well. I submit that the publicity with regard to establishment of the above Control Room, creation of e-mail IDs., Land Line & Mobile Numbers are advertized in the State Level Newspapers i.e., Kannada and English Dailies. A copy

No of Directions:

of law of Advertisement published in the State Level Newspapers are herewith produced and marked as ANNEXURES R1 & R2 respectively

9. I respectfully submit that the Government of Karnataka has also issued directions to all the Heads of Satellite Channels in the State, directing them not to violate the provisions of the Act. A copy of the said Letter dated 10.12.2019 herewith produced and marked as ANNEXURE-R3.

10. I submit that the Constitution of District Monitoring Committee and steps taken to receive the Complaints, are also published in the Official Website of the Department of Information and Public Relations i.e., karnatakainformation.gov.in. I submit that the State Government has also issued directions to the District Monitoring Committee to meet once in two months to look into the Complaints brought to its notice by individuals/organizations or take suo-moto notice in violation of provisions of the Cable Television Networks Rules, 1994. A copy of email.11.12.2019 sent to all 30 Districts of the State, directing them to mandatorily meet once in two months, is herewith produced and marked as ANNEXURE-R4. I submit that as on the 30 Districts have conducted Meetings.



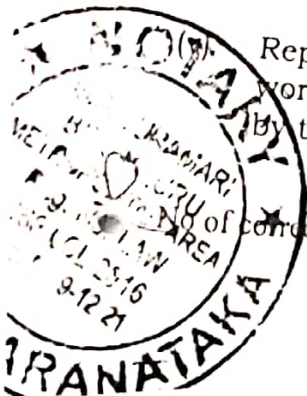
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11. I respectfully submit that the State Government has also directed the Authorized Officer / District Monitoring Committees to take action as per Section 11 of the Act, after issuing show-cause notice to the Networks and giving them an opportunity to be heard.

12. I respectfully submit that the Order dated 19.02.2008 is circulated to all the Authorized Officer / District Monitoring Committee to strictly adhere to the directions issued in the said Order. Copy of the Speed Post on 11.12.2019 is herewith produced and marked as ANNEXURE-R5.

13. I respectfully submit that the State Government has also constituted State Level Monitoring Committee which is specified as follows:-

- |       |   |            |
|-------|---|------------|
| (i)   | Secretary, Information & Public Relations of the State  | : Chairman |
| (ii)  | Representative of the DG of State Police  | : Member   |
| (iii) | Secretary, Social Welfare Department of the State   | : Member   |
| (iv)  | Secretary, Women & Child Development of the State   | : Member   |
|       | Representative of a leading NGO of the State working for Women Welfare (to be nominated by the Chief Secretary) | : Member   |



of connections:

ದಿ. ಮಂತ್ರಿಗಳ ಕಛೇರಿ  
ಬೆಂಗಳೂರು

- (vi) Academicians/Psychologists/Sociologists (one : Member  
each to be nominated by Chief Secretary)
- (vii) Director (information) of the State : Member  
Secretary

A copy of the Order constituting the State Level Committee and the Constitution of the Committee herewith produced and marked as **ANNEXURE-R6** . I submit that this Committee has met on 6<sup>th</sup> December 2019 and conducted the Meetings. Copy of the Meeting Proceedings is herewith produced and marked as **ANNEXURE-R7**.

14. I respectfully submit that the Government of Karnataka has also issued advisory to the State Level Committee thereby, appraising the Committee for the functions of the said Committee as per the Order dated 19.02.2008. The Government of Karnataka has issued directions to the State Level Monitoring Committee to strictly follow the functions and also the provisions of the Act.

15. I respectfully submit that the above steps which are initiated in implementing the Order dated 19.02.2008 is strictly supervised by the Chief Secretary of the Government of Karnataka.



*(Signature)*  
 Director (Information) of the State  
 Member Secretary

16. I respectfully submit that I have highest regards for the Orders of this Hon'ble Court and I shall carry out directions issued by this Hon'ble Court. I shall adhere and abide of all directions issued by this Hon'ble Court.

17. I respectfully submit that there has been a delay in complying with the directions issued by this Hon'ble Court. I submit my unconditional and unqualified apology for the delay in complying with the directions issued by this Hon'ble Court. The delay is caused due to bona-fide administrative reasons and also day to day administration work carried out by the office of the Chief Secretary. The said delay is not unintentional, but for the bona-fide reasons stated hereinabove.

**WHEREFORE**, I pray that this Hon'ble Court may kindly be pleased to condone the delay in complying with the directions issued by this Hon'ble Court and further be pleased to accept the instant Affidavit along with the documents depicting the Compliance of the Order dated 18.09.2019 in the instant Writ Petition, in the interest of justice and equity.



DEPONENT  
ಬಿ. ಮನವಣ್ಣನ್, ಐಎಎಸ್  
ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿ  
ವಾತಾಫ & ಸಾ.ಸಂ. ಇಲಾಖೆ

VERIFICATION

I, the above named Deponent, do hereby verify that all the facts stated in the affidavit are true to my knowledge and that no part thereof is false and nothing material is concealed there-from.

Verified at Bengaluru, on this the <sup>13<sup>th</sup></sup> day of December, 2019.

Identified by me.

*G. H. Anasuyamma*  
Assistant,  
O/o Advocate General,  
High Court Building,  
Bangalore-1.

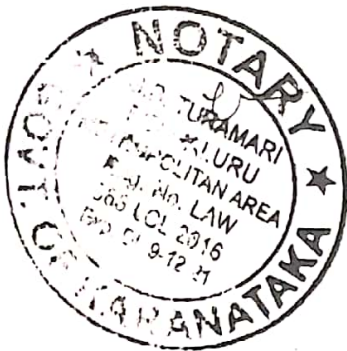
*[Signature]*  
DEPONENT

ವಿ. ಮನವಣ್ಣನ್, ಐಎಎಸ್  
ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿ  
ವಾರಣ & ಸಾ.ಸಂ ಇಲಾಖೆ

~~Government  
Information Dept.~~

SWORN TO BEFORE ME

*Year 13-12-19*



G. S. TURAMARI  
ADVOCATE & NOTARY  
# 16/1, Behind Binny Mill,  
1st Main Road, Ganganagar Extn  
BANGALURU 560 032

*Serial No  
23369*

No of corrections: *[Handwritten]*

*[Signature]*