

GOVERNMENT OF RAJASTHAN
Department of Information Technology & Communication

U.O. Note

Subject : To ensure compliance of the order dated: 13-05-2015 and 18-03-2016 passed by Hon'ble Supreme Court in Writ Petition (C) No. 13/2003 and Nos. 197/2004 & 302/2012 filed by Common Cause and Centre for Public Interest Litigation.

Reference : DIPR Letter No. 161-267 dated: 05-02-2019.

The matter pertains to display of photos/images of elected public representatives on the Government Websites/Portals.

With reference to above, the copy of letter received from Chief Secretary, Govt. of Rajasthan, Secretariat, Jaipur to ensure compliance of the order dated: 13-05-2015 and 18-03-2016 passed by Hon'ble Supreme Court in Writ Petition (C) No. 13/2003 and Nos. 197/2004 & 302/2012 filed by Common Cause and Centre for Public Interest Litigation is attached for reference and compliance.

Encl. As Above.



(B.S. Nathwat)

Technical Director &
Head of Office, DoIT&C

1. All OICs,
DoIT&C/RISI, Jaipur.
2. All Nodal Officer (IT)/Website,
Concerned Departments/Organizations.

U.O. Note No. : F5(737)/DoIT/Tech/2013/Part-II /00661/2019
Jaipur, Dated : 19/2/19

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Government of Rajasthan
DEPARTMENT OF INFORMATION & PUBLIC RELATIONS

No.DIPR/W.P./©13/2003/161-267

Jaipur, Dated: 5-2-2019

All ACS/Pr.Secy/Secy/
Chairman, Board/Corporations

Sub:- To ensure compliance of the order dated 13.5.2015 and 18.3.2016 passed by Hon'ble Supreme Court in Writ Petition (C) Nos.13/2003 and No.197/2004 & 302/2012 filed by Common Cause and Centre for Public Interest Litigation.

Ref:- This department's letter No.DIPR/WP(C)13/2003/2851-956 Dated 02.06.2015.

Vide letter under reference(Copy enclosed) attention was sought for compliance of judgement dated 13.5.2015 in the matter of Writ Petition (C) Nos.13/2003 and No.197/2004 & 302/2012, filed by Common Cause and Centre for Public Interest Litigation. The Hon'ble Supreme Court observed in the above judgement that only the photograph of the President, Prime Minister and Chief Justice of the country should be displayed in Government advertisements. The Hon'ble Supreme Court has, inter-alia, also directed that "Advertisements issued to commemorate the anniversaries of acknowledged personalities like the father of the nation would of course carry the photograph of the departed leader".

On filing of review petitions to review the judgement dated 13.5.2015 Hon'ble Supreme Court had passed an order on 18.3.2016 to review judgement dated 13.5.2015 to the extent indicated below:-

(i) The exception carved out in paragraph 23 of the aforesaid judgement dated 13th May, 2015 permitting the publication of the photographs of the President, Prime Minister and Chief Justice of the country, subject to the said authorities themselves deciding the question, is now extended to the Governors and the Chief Ministers of the States.

(ii) In lieu of the photograph of the Prime Minister, the photograph of the Departmental (Cabinet) Minister/Minister In-charge of the concerned Ministry may be published, if so desired.

(iii) In the States, similarly, the photograph of the Departmental (Cabinet) Minister/Minister In-charge in lieu of the photograph of the Chief Minister may be published, if so desired.

(iv) All other observations/directions in the aforesaid judgement dated 13th May, 2015 shall continue to remain in force subject to the above modification.

OIC (web)
Please send C.O
to all O's.
12/2/19
TDSJS / DWP (IT) RIM

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सूचना प्रौद्योगिकी और संचार विभाग
राजस्थान, जयपुर
त्र प्राप्ति
352853
दिनांक 11/2/19

The above mentioned judgements dated 13.5.2015 and 18.3.2016 are binding on all government departments, local bodies, public sector undertakings and other autonomous bodies/organisations established under a Statute. The guidelines are applicable to all government advertisements other than classified and in all mediums of communications such as print, electronic, outdoor and digital, including internet advertising.

It has been observed that directions issued with regard to Hon'ble Supreme Court judgement dated 13.5.2015 vide letter under reference are not fully complied with and still photographs of Cabinet Ministers/Ministers in-charge along with photographs of Prime Minister and Chief Minister are being published/displayed in print, electronic, outdoor and digital mediums of communications.

In view of above directions issued by Letter dated 02.06.2015 are hereby reiterated and further directed that above mentioned directions given in order dated 18.03.2016 are complied with in Letter and Spirit by all department/ local bodies, public sector undertakings and other autonomous bodies/ organizations established under a statute. The copies of the judgements are available on web site www.dipr.rajasthan.gov.in of department of Information and Public Relations for ease of reference.

Encl. : As above



(D.B.Gupta)
Chief Secretary

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REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

REVIEW PETITION (C) NOS.1879-1881/2015

IN

WRIT PETITION (C) NOS.13/2003, 197/2004 & 302/2012

STATE OF KARNATAKA

...PETITIONER

VERSUS

COMMON CAUSE AND ORS.ETC. ETC. ...RESPONDENTS

WITH

R.P.(C) NO.1876-1877/2015 IN W.P.(C) NO.197/2004, R.P.(C) NO.1834/2015 IN W.P.(C) NO.197/2004, R.P.(C) NOS.2703-2705/2015 IN W.P.(C) NOS.13/2003, 197/2004 & 302/2012, R.P.(C) NOS.3191-3193/2015 IN W.P. (C) NOS.13/2003, 197/2004 & 302/2012, R.P.(C) NOS.3275-3277/2015 IN W.P. (C). NOS.13/2003, 197/2004 & 302/2012, R.P.(C) NO.3259/2015 IN W.P.(C) NO.197/2004, R.P.(C) NOS.3674-3676/2015 IN W.P. (C) NOS.13/2003, 197/2004 & 302/2012, R.P.(C) NOS.123-125/2016 IN W.P.(C) NOS.13/2003, 197/2004 & 302/2012.

ORDER

2015 passed in Writ Petition (Civil) No.13 of 2003, Writ Petition (Civil) No.197 of 2004 and Writ Petition (Civil) No.302 of 2012 to the extent indicated below:

- (i) The exception carved out in paragraph 23 of the aforesaid judgment dated 13th May, 2015 permitting the publication of the photographs of the President, Prime Minister and Chief Justice of the country, subject to the said authorities themselves deciding the question, is now extended to the Governors and the Chief Ministers of the States.
- ✓ (ii) In lieu of the photograph of the Prime Minister, the photograph of the Departmental (Cabinet) Minister/Minister In-charge of the concerned Ministry may be published, if so desired.
- ✓ (iii) In the States, similarly, the photograph of the Departmental (Cabinet) Minister/Minister In-charge in lieu of the photograph of the Chief Minister may be published, if so desired.
- (iv) All other observations/directions in the aforesaid judgment dated 13th May, 2015 shall continue to

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remain in force subject to the above modification.

2. The review petitions are disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(PINAKI CHANDRA GHOSE)

NEW DELHI;
MARCH 18, 2016.