

IMMEDIATE
COURT ORDER
BY EMAIL & DoT website

Government of India
Ministry of Communications
Department of Telecommunications
Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001
(Data Services Cell)

No. 813-07/LM-09/2021-DS-II

Dated: 02.03.2023

To,
All Internet Service Licensee's

Subject: Order of Ld. Chief Judicial Magistrate, Alipore, 24 Parganas (South) dated 16.02.2023 in Petition No. 2452/23

Kindly find the enclosed letter dated 21.02.23 from Jt. Commissioner of Police (Crime), Kolkata along with Order of Ld. Chief Judicial Magistrate, Alipore, 24 Parganas (South) dated **16.02.2023** on the subject matter in respect of blocking of **five (05) websites** enumerated in the said documents.

2. Accordingly, in view of the above, all the Internet Service licensees are hereby instructed to take immediate necessary action for blocking of the said websites, as above, for compliance of the said court order.


Director (DS-II)

Tel: 011-2303 6860

Email: dirds2-dot@nic.in

Encl:A/A

Copy to:

- (i) V.Chinnasamy, Scientist E (chinnasamy.v@meity.gov.in), Electronics Niketan, Ministry of Electronics and Information Technology (MeitY) New Delhi (Respondent no. 30) for kind information and necessary action.
- (ii) Joint Commissioner of Police (Crime), Kolkata(jtcpcrime@kolkatapolice.gov.in), for kind information.
- (iii) IT wing of DoT for uploading on Dot Website.

Government of West Bengal
Office of the Joint Commissioner of Police (Crime), Kolkata
18, Lalbazar Street, Kolkata – 700001

Memo No.: Jt. CP (Crime)/CI/ 56 /23

Date: 21 /02/2023.

To
The Chairman DCC & Secretary (T),
Department of Telecommunications (DoT),
Minsitry of Communications,
Government of India,
Sanchar Bhawan,
20 Ashoka Road, New Delhi-110001
(e-mail: secy-dot@nic.in)

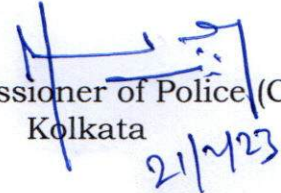
Sub: Order of Ld. Chief Judicial Magistrate, Alipore, 24 Parganas (South)
dated 16th February, 2023.

Sir,

Enclosed kindly find an order of the Ld. Chief Judicial Magistrate, Alipore,
South 24 Parganas dated 16th February, 2023 based on the prayer submitted by
the Investigating Officer of Lake Police Station/Detective Department, Kolkata
Police Case No. 167 dt. 11/06/2022 u/s 420/406/120B IPC read with
66C/66D IT Act adding 467/468/471 IPC.

The same is forwarded for your kind perusal and proper compliance.

Jt. Commissioner of Police (Crime),
Kolkata


21/2/23

Enclosed: As above.

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PETITION No. X - 2452/23

1. Date of Application for Copy	17/02/23
2. Date fixed for Notifying the requisite Stamp	17/02/23
3. Date of delivery of the requisite Stamp	17/02/23
4. Date on which the copy was ready for delivery	17/02/23
5. Date of making over the copy to the applicant	17/02/23
6. Cost of Copy	Rs. 12/-
7. Number of Xerox Sheets	6-sheets
8. Cost of Application	Rs 5-05

IN THE COURT OF THE LD. Chief JUDICIAL MAGISTRATE, ALIPORE, (S) 24 - PARGANAS.

CASE NO. Lake/22 - PS - 167/22.

UNDER SECTION 420/406/120B IPC 66C/66D IT Act Adding 018-467/468/471 IPC

State of W.B. COMPLAINANT

VERSUS RESPONDENT

Bhavesoh Banisi & os ACCUSED PERSON

OPPOSITE PARTY



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16.2.23

Seen the prayer No 90 who prays for necessary order upon the chairman JCC & Secretary (T), Dept. of Telecommunications (DOT), ministry of communication of Sanchar Bhawan, 20, Ashoka Road, New Delhi 110001 and upon the designated officer, Sri Anandesh Varma, IAS, Jt. Secretary, ministry of electronics and information Technology (MeitY) Govt. of India of electronics mission, C. EGO complex Lodhi Road, New Delhi 110003 to direct the respective internet service providers (ISPs) to block for access by public of the following five websites having following URLs for promoting and advertising illegal betting sites, u/s 79(3)(b) of information Technology Act 2008 and section 69A, information Technology Act 2008 or to take all possible steps to remove block the following five websites

1. <https://www.skyfair.com>
2. <https://browser.skyfair.com>
3. <https://www.skyexchange.com>
4. <https://www.skyexch.com>
5. <https://skydosi.com/login>

Also prayed for two certified copies of order passed to be at cost for onward communication to the same to the concerned authorities.

Prayer No 90 is al

02/11/2022

Seen the Prayer of I.O. of the case who prays for necessary order on the Chairman DCC & Secretary (T), Department of Telecommunications (DoT), Ministry of Communications of Sanchar Bhawan 20, Ashoka Road, New Delhi 110001 and upon the Designated Officer : Shri Amitesh Kumar Sinha, IRAS, Joint Secretary, Ministry of Electronics and Information Technology (MeitY), Govt. of India of Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi 110003 to direct the respective Internet Service Providers (ISPs) to block for Access by Public of the following five websites having following URLs for promoting and advertising illegal betting sites, Under Sec. 79 3(b) of Information Technology Act, 2000 and Section 69A, Information Technology Act, 2000 or to take all possible steps to remove / block the following five websites for maintaining law and order and for preventing incitement to the commission of the cognizable offence:

1. <https://www.skyfair.com>
2. <https://bxawscf.skyfair.com>
3. <https://www.skyexchange.com>
4. <https://www.skyexch.com>
5. <https://skydesi.com/login>

Perused the prayer of the I.O. which has been supported by Ld. Chief Public Prosecutor

Prayer as made appears to have been made in interest of investigation and hence should be allowed.

The Chairman DCC & Secretary(T) Department of Telecommunications(DoT), Ministry of Communications of Sanchar Bhawan, 20 Ashoka Road, New Delhi 110001 and The Designated Officer Sri Amitesh Kumar Sinha, IRAS, Jt Secretary, Ministry of Electronics and Information Technology(MeitY), Government of India of Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi 110003 are directed to act as per prayer of the I.O.

Let also free certified copies of this order be handed over to the I.O. concerned for communication to concerned authorities and their necessary action.

Signature/Thumb
the Complainar.



Examined, found to be correct
the copy & correctly stamped
Kamala Sarkar
Comparing Clerk,
Chief Judicial Magistrate's Court,
South 24-Parganas, Alipore,
Date : 17/02/2023

CERTIFIED TO BE TRUE COPY
Achint Saha
Head Comparing Clerk, *AK*
Chief Judicial Magistrate's Court,
South 24-Parganas, Alipore.
Attested U/S. 76 Act. I of 1879
Date : 17/02/2023

C. J. M. Alipore

16-2-23

In the Court of the Ld. Chief Judicial Magistrate, Alipore, 24 Pgs(S)

Ref: Lake Police Station / DD, Case No. 167, dated 11/06/2022
U/s 120B/406/420/467/468/471 IPC read with Sections
66C/66D of Information Technology Act, 2000.

Sub: Prayer for according necessary order upon the Secretary,
Department of Telecommunication, Govt. of India for blocking
fraudulent betting websites.

Sir,

Most respectfully, beg to submit before your Honour that the
brief fact of the case is that the accused persons hatched up a
criminal conspiracy with others and in pursuance thereof,
dishonestly induced the complainant and many others to join and
invest their money to online betting game site styled as
"skyexchange.com", "skyfair.com" etc., with the allurements of
lucrative returns. Being so induced the complainant and others
deposited money in the bank accounts of the accused persons but
the accused persons did not refund the same to the complainant
and others and misappropriated a huge amount of money from a
large mass of people for their wrongful gain and corresponding
wrongful loss to the general public.

During investigation, several other victims of the said websites
have come into light. It is also revealed that the accused persons
have created many websites like **skyexch.com**, **skydesi.com**,
bxawscf.skyfair.com etc. other than the websites, mentioned in
the FIR, to dupe and cheat the member of the society.

It could be ascertained that the accused persons are taking money
in the personal accounts of different fictitious persons, and also in
the accounts of different firms/companies instead of taking money
in the name of the company account of the concerned websites and
therefore, siphoning the same in several other fictitious accounts
for their wrongful gain.

It is revealed during investigation that the Registrar of the said
sites is Godaddy.com LLC. Accordingly, notices U/s 91 Cr.P.C were
served to the Administrative Head of Godaddy to provide the
registrant details, access IP address, mode of payment, IP address
with date and time stamp and email address of the registrant of

Forwarded to No
Ld. C. J. M. Alipore
Sault 24 Pgs,

Qda
of Anti-Fraud
16/02/23

Officer-in-Charge
Anti-Fraud Section
Detective Department
Laibazar, Kolkata

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those errant websites for the purpose of investigation but they did not provide the same. 15-2-23

In the above-mentioned circumstances, on the basis of the prayer of the undersigned your Honour was pleased to pass order on the Director General of CERT-In, to remove the concerned websites and to provide required information in respect of the concerned fraudulent websites to the investigating agency in this regard.

Accordingly, Certified Copy of the order of the Ld. Court was forwarded to the DG of CERT-In on 22.08.2022 but after that despite of several persuasions and reminders with CERTIn and Godaddy.com no fruitful result could be obtained.

Now, it is learnt that the Central Govt. designates Shri Amitesh Kumar Sinha, IRAS (1997), Joint Secretary, Ministry of Electronics and Information Technology, Govt. of India as the Designated Officer as per the Rule 3 of the Procedure and Safeguards for Blocking for Access of Information by Public and authorised him to issue blocking directions Under Sec. 69A, Information Technology Act, 2000.

Accordingly, the order of your Honour's Court was communicated to the Designated Officer and from his reply letter dated 10.01.2023 it is ascertained that he could take steps after obtaining the order of your Honour in the name of Department of Telecommunication (DoT).

Pursuant to his letter and as per the provision laid down in section 79 3(b) of I.T. Act the intermediary was intimated about the unlawful act committed by using the concerned websites and direction was given to them to expeditiously remove the concerned websites but to no effect.

Under such circumstance, it is prayed before Your Honour that necessary order may kindly be passed upon the **Chairman DCC & Secretary (T), Department of Telecommunications (DoT), Ministry of Communications of Sanchar Bhawan 20, Ashoka Road, New Delhi 110001 and upon the Designated Officer : Shri Amitesh Kumar Sinha, IRAS, Joint Secretary, Ministry of Electronics and Information Technology (MeitY), Govt. of India of Electronics Niketan, 6, CGO Complex, Lodhi Road, New Delhi 110003 to direct the respective Internet Service Providers (ISPs) to block for Access by Public of the following five websites having following URLs for promoting and advertising illegal betting sites, Under Sec. 79 3(b) of Information Technology Act, 2000 and Section 69A, Information Technology Act, 2000 or to take all possible steps to remove /**

block the following five websites for maintaining law and order and for preventing incitement to the commission of the cognizable offence, mentioned above:

- 1) <https://www.skyfair.com>
- 2) <https://bxawscf.skyfair.com>
- 3) <https://www.skyexchange.com>
- 4) <https://www.skyexch.com>
- 5) <https://skydesi.com/login>

SEEN
G.M. Alim
16-2-23

It is also prayed that two Certified copies of the Order passed by your Honour in this regard may kindly be given to the undersigned, free of cost, for onward communication to the same to the concerned authorities.

Yours faithfully,

Saikat Chanda
16.02.2023

(Insp. Saikat Chanda)
Addl. Officer-in-Charge
Anti-Fraud Sec., D.D.

16/02/2023

16/02/2023

16/02/2023



Examined, found to be correct
the copy & correctly stamped
Kamala Sarkar

Comparing Clerk,
Chief Judicial Magistrate's Court,
South 24-Parganas, Alipore.
Date : 17/02/2023

CERTIFIED TO BE TRUE COPY

Achintya Saha
Head Comparing Clerk,
Chief Judicial Magistrate's Court,
South 24-Parganas, Alipore.
Attested U/S. 76 Act. I of 1879

Date : 17/02/2023