

September 20, 2021

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| BSE Ltd.<br>P J Towers, Dalal Street, Fort<br>Mumbai – 400001<br>Scrip Code: 543272 | National Stock Exchange of India Limited (NSE).<br>Exchange Plaza, Bandra Kurla Complex, Bandra<br>East, Mumbai – 400051<br>Symbol: EASEMYTRIP |
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**Subject: Circulation of unsolicited messages with regard to the securities**

Dear Sir/ Mam,

This is in reference to our trading script status with the tag of “Unsolicited Messages: Stock under For Information/Current Watchlist” (**ASM LT : Stage 1**) on the website of Stock Exchanges.

We categorically clarified that the company is completely unaware about the circulation of the unsolicited messages and reason/source of the said circulation, nor does the company has any role in unethical behaviour of circulation of such messages by unknown persons or entities.

We also advise all the investors not to rely on such unsolicited messages circulated by unregistered/ unauthorized persons or entities. We also advised investors to exercise appropriate due diligence before trading in shares of the Company.

The company has also been making all requisite disclosures from time to time and the same are uploaded on the website of the Stock Exchange and are also made available on the website of the Company.

Basis the discussions with our legal team, we are taking all possible legal actions against such entities. The company has already raised official complaints as below against unknown persons/entities for sending the unauthorized and illegal messages.

1. Writ Petition, in Hon’ble Delhi High court, dated 20<sup>th</sup> September, 2021
2. Clarification to the Stok Exchanges dated 18<sup>th</sup> September, 2021
3. Cyber Cell Police Complaint dated 18<sup>th</sup> September, 2021

We are deeply aggrieved by the spread of such misinformation and unnecessary panic and have in the larger interest resorted to a writ petition bearing no 10604/2021 before the hon’ble High Court of Delhi and we are glad to apprise you that the said hon’ble court has not only urged UOI to revisit the policies surrounding prevention of spread of misinformation but also has directed social media platforms like Whatsapp, Twitter and telegram to take down and block all offending material from their respective portals.

Further, we are pursuing a cyber complaint against the perpetrators involved and intend on keeping the Stock Exchange informed upon the same from time to time.

Please find enclosed along with the present letter order dated 20.09.2021 in the above mentioned Writ Petition as passed by the Hon'ble High Court of Delhi.

We request you to kindly take the above on record and oblige.

**For Easy Trip Planners Limited**



**Priyanka Tiwari**  
**Company Secretary and Compliance Officer**  
**Membership No.: A50412**

## Easy Trip Planners Limited

Registered Office : Building No 223, Patparganj Industrial Area, Patparganj, New Delhi, Delhi 110092

Phone : +91 - 11 - 43030303, 43131313 E-mail : support@easemytrip.com Web : www.EaseMyTrip.com | CIN No. L63090DL2008PLC17904



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 10604/2021**  
**EASY TRIP PLANNER LIMITED** ..... Petitioner  
Through **Mr. Tanmaya Mehta, Mr. Hemant, Mr.**  
**Akshay Rana, Ms. Nandani Nayar,**  
**Adv.**

versus

**UNION OF INDIA AND ORS** ..... Respondent  
Through **Mr. Chetan Sharma, ASG with**  
**Mr. Ajay Digpaul, CGSC, Mr. Amit**  
**Gupta, Mr. Vinay Yadav, Mr. Akshay**  
**Gadeock, Mr. Sahaj Garg, Adv. for**  
**R1-3**  
**Mr. Saransh Jain, Adv. for R-4**  
**Mr. Naushad Ahmad Khan,**  
**Additional Standing Counsel, Civil,**  
**GNCTD with Mr. Zahid and Ms.**  
**Manisha Chauhan, Adv. for R-11**  
**Ms. Surekha Raman, Adv. for R-12**

**CORAM:**  
**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

% **20.09.2021**

**CM APPLs.32710-11/2021**

1. Exemptions allowed, subject to all just exceptions.
2. The attested affidavit be filed within one week.
3. The applications stand disposed of.

**W.P.(C) 10604/2021 & CM APPLs.32709/2021(direction)**

4. By way of the present petition, the petitioner company, which is listed on the BSE (Bombay Stock Exchange) and the NSE (National Stock

Exchange), operating the websites *i.e.* [www.easemytrip.com](http://www.easemytrip.com) and [www.easemytrip.in](http://www.easemytrip.in) *inter alia* seeks a direction to the Union of India/respondent nos. 1 to 3, to frame a comprehensive policy to stem the flow of false information spread on social media platforms with the intent of stock manipulation. The petitioner also seeks a direction against respondent nos. 4 to 6 *i.e.* Twitter Inc., Whatsapp LLC and Telegram Messenger LLP to forthwith block and remove the offending material specified in Paras 4 and 11 of the petition, and pages 39 to 57 *i.e.* Annexures P-3 and P-4 to the present petition.

5. Learned counsel for the petitioner submits that the petitioner company has been providing its services since 2008 by granting access to travel agents to its websites to book domestic travel airline tickets in order to cater to the growing offline travel market in India. On 18.09.2021 and 19.09.2021, it came to the notice of the petitioner that a malicious social media disinformation campaign had been launched against it which indicated an attempt to cause deliberate damage to its reputation and credibility. The messages in question, circulated on the platforms of respondent nos. 4 to 6 by respondent nos. 7 to 10 and certain unknown persons, contain diametrically opposite contents - with one set of messages making allegations that the petitioner company is purportedly now in the list of “Unsolicited SMSs” on the NSE website thereby exhorting people to *exit* its stock, while the other set of messages is projecting the petitioner company as a “Sure Shot Short Term Positional Call”, thereby exhorting people to *buy* its stock.
6. Relying on these wholly motivated and false messages found on the platforms of respondent nos. 4 to 6, the BSE/ respondent no. 12

has,while uploading information on its website under the heading *“Information list - Scripts where SMSs were observed and liable for action as per various notices issued by the Exchange from time to time”*included the name of the petitioner company as well. He submits that the said information not only conveys to the investors that SMSs in respect of petitioner’s company are being circulated, but also portrays that notices were issued by the said respondent to the petitioner from time to time, in terms of which, the petitioner is liable for action. He contends that the same is misleading as though the BSE claims that it uploaded this list of information only after verification of its genuineness, the fact is that before uploading the list, the BSE did not give any opportunity of hearing to the petitioner, nor did not seek any clarification from it. He, therefore, prays that the BSE be directed to issue a clarificatory message specifying that neither any notices have been issued to the petitioner, nor is the petitioner, as on date, liable for any action.

7. He further submits that if these offending and unsubstantiated messages/tweets etc. are not removed, they may cause further harm to the petitioner company and therefore, prays that respondent nos. 4 to 6 be directed to forthwith block and remove the said material spreading misinformation amongst investors, as specified in the petition at Paras 4 and 11 as also the messages detailed in its complaints to the Cyber Cell, Delhi Police on 18.09.2021 and 19.09.2021, which have been placed on record as Annexures P-3 and P-4.
8. Issue notice. Mr.Ajay Digpaul, CGS, Mr. Saransh Jain,Mr. Naushad Ahmed Khan andMs. Surekha Raman, Advs. accept notice on behalf of

respondent nos. 1-3, 4, 11 and 12 respectively.

9. Upon the petitioner taking steps, issue notice to respondent nos.5-10 through all permissible modes, returnable on 17.11.2021. Counter affidavit, if any, be filed within two weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.
10. Ms. Raman, appearing on behalf of BSE/respondent no.12, submits that the information referred to in Paras 7 and 8 of the petition, by which the petitioner is aggrieved, has only been uploaded on the website of the said respondent on the basis of the information uploaded on the website of the National Stock Exchange (NSE), in accordance with the guidelines issued by the Securities and Exchange Board of India (SEBI). She submits that even otherwise, the said information uploaded on its website does not, in any manner, intend to convey that the adverse information against the petitioner has been uploaded after verification of the genuineness thereof.
11. She further seeks to contend that the terminology used on the website of the said respondent, namely, *“liable for action as per various notices issued by the Exchange from time to time”* does not refer to the petitioner, but is in reference to the “investors” and is, therefore, meant to be read as *“liable for action taken by the investors”*. For this purpose, she seeks to rely on a circular dated 30.08.2020 issued by National Stock Exchange (NSE).
12. Lastly, she contends that petition has been filed without impleading the necessary parties, namely the NSE or the SEBI as party respondents to the present petition and is therefore liable to be rejected on this ground alone.

13. In order to appreciate the plea of Ms. Raman that the information uploaded on the website of respondent no.12 (as reproduced in Paras 7 and 8 of the petition) is not meant to convey anything adverse against the petitioner, it is necessary to refer to the relevant extracts thereof, which read as under:

*Information list – Scrips where SMSs were observed and **liable for action as per various notices issued by the Exchange from time to time***

| <b>Sr. No.</b> | <b>Date of Dissemination</b> | <b>Symbol</b> | <b>Scrip Code</b> |
|----------------|------------------------------|---------------|-------------------|
| 1              | 02/09/2021                   | BALFC         | 511724            |
| 2              | 17/09/2021                   | EASEMYTRIP    | 543272            |
| 3              | 17/09/2021                   | TEJASNET      | 540595            |
| 4              | 17/09/2021                   | BLS           | 540073            |

14. In my view, since it is the stand of respondent no.12 that the information uploaded on its website is on the basis of information available on the website of NSE and is in accordance with the guidelines issued by SEBI, Ms. Raman is justified in contending that NSE and SEBI ought to be impleaded as party respondents. However, the explanation sought to be provided by her by relying on the circular issued by the NSE on 30.08.2020, regarding the interpretation of the term “*liable for action*” which, she states that the respondent no.12 intended to be read as “*liable for action taken by the investors*” cannot be accepted.

15. In fact, from a perusal of the extract noted herein above, which is required to be read essentially from the perspective of a common prospective

investor, it is evident that the said information *prima facie* conveys that the petitioner company is liable for action as per notices issued to it by the respondent no.12 from time to time. Thus, notwithstanding the interpretation as sought to be put forth by the said respondent, the grievance of the petitioner that the uploading of the said information on BSE's website gives an impression that the BSE regards the petitioner's stock as fraudulent and has the capacity to mislead the common investors, cannot be said to be unfounded.

16. In the light of the aforesaid, even though the respondent no.12 may be justified in uploading information on its website regarding the circulation of the SMSs, once it is the admitted case of respondent no.12 that no prior notice was given to the petitioner, the use of the terminology "*liable for action as per various notices issued by the Exchange from time to time*" is wholly unwarranted. In these circumstances, the respondent no.12 is directed to ensure that a suitable clarification is issued on its website in order to remove any ambiguity by making it clear to the investors that neither any notices have been issued by it to the petitioner; nor has the petitioner, as on date, been held liable for any action by the said respondent.

17. Since despite complaints made by the petitioner by way of Annexures P-3 and P-4, no corrective action has been taken till date. The respondent nos. 4 to 6 are also directed to block and remove all offending materials specified in Paras 4 and 11 of the petition and pages 39 to 57 i.e. Annexure P-3 and P-4 to the petition. The said action be taken by the aforesaid respondents within 48 hours, subject to the petitioner supplying, during the course of the day, the URL addresses



of tweets, wherever applicable to the respondent no.4. The petitioner will also file an additional affidavit giving the details of these URL addresses.

18. At this stage, Mr. Mehta makes an oral prayer for impleadment of NSE and SEBI as party respondent nos. 13 and 14. Keeping in view the fact that it is the stand of the respondent no. 12 itself that it is acting in pursuance to the instructions of NSE and SEBI, the oral request of the counsel for the petitioner is accepted and accordingly, the NSE and SEBI are impleaded as party respondent nos. 13 and 14. Learned counsel for the petitioner further makes a prayer that respondent no. 11 be substituted by the Commissioner of Police, which prayer is also accepted. Let Amended memo of parties be filed during the course of the day.

19. Learned counsel for the respondent no. 4 submits that the email address of the said respondent mentioned in the writ petition is incorrect and submits that the correct email ID is [grievance-officer-in@twitter.com](mailto:grievance-officer-in@twitter.com). The petitioner will send a copy of the petition to the correct email ID during the course of the day.

20. List on 17.11.2021.

21. In the meanwhile, the learned ASG, appearing on behalf of respondent nos. 1 to 3, is requested to obtain instructions as to how guidelines can be issued in order to curtail the publishing of unwarranted and speculative information on the website of BSE and NSE.

**REKHA PALLI, J**

**SEPTEMBER 20, 2021/ms**