

**29– 04 – 2024**

**News: Internet Bans in India**

- For five straight years, India has topped the global list of countries imposing internet bans, with about 60% of all blackouts recorded in the world, between 2016 and 2022 having been in India.

**Key Trends of Internet Shutdown in India**

**Instances of Internet Shutdown**

- The Indian government imposed a total of 780 shutdowns between 1<sup>st</sup> January, 2014, and 31<sup>st</sup> December, 2023, according to data collected by the Software Freedom Law Centre (SFLC).
- Shutdowns flared up during the protests against the Citizenship Amendment Act in 2019, the abrogation of Article 370 in 2019, and the introduction of Farm Bills in 2020.
- Internet disruptions in India accounted for more than 70% of the total loss to the global economy in 2020.
- India shut down the internet for over 7,000 hours in 2023.
- Regionally, Jammu and Kashmir saw the highest number of shutdowns — at 433 — in the last 12 years.

- The longest blackout in 2023 took place in Manipur from May to December, amid ethnic clashes.
- Between 2015 and 2022, more than 55,000 websites were blocked, according to SFLC data.
- The biggest share of content censored was done under section 69A of the IT Act, by the Ministry of Electronics and Information Technology and the Ministry of Information and Broadcasting.
- URLs were blocked due to links to organizations banned under the Unlawful Activities (Prevention) Act.

## **Global Internet Freedom**

- Global Internet freedom has declined for the 13<sup>th</sup> consecutive year, and the environment for human rights online has deteriorated in 29 countries, according to the latest Freedom House report.
- India's ranking has hovered around the same benchmark in the last three years.
- This is a dip from 2016 and 2017, when India scored 59 points, to 50 points in 2023.

## Provisions Related to Internet Shutdown

### Section 5(2) of the Indian Telegraph Act, 1885, read with Temporary Suspension of Telecom Services (Public Emergency and Public Safety) Rules, 2017

- These rules allow the union or state home secretary to order the suspension of any telegraph service (including internet) in case of public emergency or public safety.
- Such an order must be reviewed by a committee within five days and cannot last for more than 15 days. In an urgent situation, an officer of joint secretary level or above, authorized by the union or state home secretary, can issue the order.
- However, the law does not define what qualifies as an emergency or safety issue. The Supreme Court, in the landmark *Anuradha Bhasin v. Union of India* case, 2020 reiterated that internet shutdowns violate fundamental rights to freedom of expression and shutdowns lasting indefinitely are unconstitutional.