



India: Internet Shutdown Capital of World

This article is based on [Behind the great Indian Internet shutdown](#) which was published in The Hindu on 15/09/2021. It talks about the issues of internet shutdown and suggests measures to deal with the issues.

In January 2020, the Supreme Court of India held that **access to information via the Internet is a fundamental right** under the Indian Constitution. This was in the case of **Anuradha Bhasin vs Union of India**, where the top court also ruled that any restriction on Internet access by the Government must be temporary, limited in scope, lawful, necessary and proportionate.

The expectation was that this decision would limit the instances of Internet suspension to only those exceptional situations where there is a public emergency or a threat to public safety — the legislatively mandated prerequisites for restricting Internet access.

Unfortunately, these promises have remained unfulfilled. The year following the decision, India saw more instances of Internet shutdown than the year preceding it.

India's Internet restrictions also accounted for more than 70% of the total loss to the global economy in 2020, and India remains infamous as the **Internet shutdown capital of the world**.

Some Examples of Recent Restrictions

- The Government of the Union Territory of **Jammu and Kashmir (J&K)** has restricted access to mobile data in the Valley of Kashmir. These restrictions have been issued in the wake of the death of hardline separatist leader Syed Ali Shah Geelani.
- In Delhi and Haryana, the internet was shut down following farmers' protests.
 - The Haryana orders are on social media but have not been uploaded on government websites

Rationale of Internet Shutdown

- **Check Fake News:** Internet shutdowns are typically used when there is civil unrest, in order to block the flow of information about government actions or to end communication among activists and prevent the spread of rumours and fake news.
 - It is also a tool to verify rumours, and enables individuals and the Government to disseminate the truth.
- **Preventive Response:** Cutting off the Internet is both an early and preventive response to block restive groups to organise riots against the Government.
- **National Interest:** The Internet cannot be independent of national sovereignty. Therefore, the necessary regulation of the internet is a reasonable choice of sovereign countries based on national interests.

Impacts of Internet Shutdown

- **Create a Trust Deficit:** The Internet is a necessity in this day and age, and restrictions without publicly disclosed reasons create a trust deficit.
 - There is also a deficit because the Union Government has also not done enough to give statutory recognition to the directions in Anuradha Bhasin.
 - In 2020, it amended the Telecom Suspension Rules, 2017 to limit Internet suspension orders to a maximum of 15 days.
 - However, the amendment did not include an obligation on the Government to publish orders nor did it include the Supreme Court's direction to undertake periodic review of these orders.
- **Economic Impacts:** In 2020, the Indian economy suffered losses to the tune of USD 2.8 billion due to 129 separate instances of Internet suspension, which affected 10.3 million individuals.
 - The Internet is a source of information, entertainment, health care, education, livelihood and a platform for the members of Indian society to interact with each other and the world at large.
- **Against Human Development:** The harm — **economic, psychological, social, and journalistic** — caused by such suspensions outweighs any speculative benefits.
 - Internet suspensions ought to be imposed in times of emergency and not to stifle the democratic exercise of the right to protest. In those times, the Internet is a necessity to seek help.
- **Affect Vulnerables From Lower Socio-economic:** Internet restrictions are often justified on the ground that they are limited to mobile data services. These contentions also miss the point.
 - According to a 2019 [Telecom Regulatory Authority of India \(TRAI\)](#) report on Indian Telecom Services Performance Indicators, mobile device users (dongle and phone) constituted 97.02% of total Internet users.
 - Only 3% of users have access to broadband Internet.
 - These numbers are not likely to have changed significantly since then, since broadband Internet continues to be expensive.
 - It follows from this that Internet restrictions also tend to adversely affect those from lower socio-economic backgrounds more.

Way Forward

- **Rule Out All Non-shutdown Options:** Governments should identify best practices in addressing issues at their source, prioritizing alternative measures to Internet shutdowns. Sharing experiences within and across regions could bring solutions that do not rely on restrictions to access.
- **Measure the Cost First:** Governments need to do a cost-benefit analysis of the impact of the cost of Internet shutdowns before taking such action.
 - Network disruptions hinder productivity, adversely impact business confidence, and can be detrimental to both short- and long-term financial investments.
- **Diversify Voices:** Venture capitalists and investors should incorporate Internet shutdowns as part of their risk assessment. The importance of small and medium enterprises, including those outside the Information and Communication Technology (ICT) sector, to the local economy's future must also be recognized more widely, in light of how Internet shutdowns can completely undermine their ability to operate.
- **Perform Watchdog Functions:** Civil society organizations, along with other stakeholders, should continue to track the impact of Internet shutdowns and play a key role calling for government accountability and transparency around Internet shutdowns.

Conclusion

Parliament has allowed these restrictions only in a public emergency or when there is a threat to public

safety. Yet, to much dismay, Internet restrictions are much more common than desirable and cannot be challenged because of a lack of transparency.

Thus, more faithful compliance with the Supreme Court guidelines on the part of the executive government is needed to rid ourselves of the tag of the “internet shutdown capital” of the world and fulfil Digital India’s potential.

The Countries Shutting Down The Internet The Most

Number of internet shutdowns by country (Jan 2016–May 2018)*



* An internet shutdown occurs when someone (usually the government) intentionally disrupts the internet or mobile apps to control what people say or do.

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Drishti Mains Question

India is sometimes referred to as the ‘Internet shutdown capital of the world’. Discuss the measures to reduce instances of internet shutdown.

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