

IN THE SUPREME COURT OF INDIA
CIVIL EXTRAORDINARY JURISDICTION
PUBLIC INTEREST LITIGATION
WRIT PETITION (CIVIL) No. OF 2022
(Under Article 32 of the Constitution of India)

IN THE MATTER OF:

SOFTWARE FREEDOM LAW CENTER, INDIA ... PETITIONER

Versus

STATE OF ARUNACHAL PRADESH

& ORS. ... RESPONDENTS

WITH

I.A. No. _____ of 2022: Application for Interim Stay / Interim Relief

PAPER BOOK

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PRASANNA S

ADVOCATE FOR THE PETITIONERS:

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PROFORMA FOR FIRST LISTING

SECTION II

The case pertains to (Please tick/check the correct box):

- ☐ Central Act : (Title) _____ INDIAN CONSTITUTION _____
- ☐ Section : _____ ARTICLE 32 _____
- ☐ Central Rule : (Title) _____ N/A _____
- ☐ Rule No (s) : _____ N/A _____
- ☐ State Act : (Title) _____ N/A _____
- ☐ Section : _____ N/A _____
- ☐ State Rule : (Title) _____ N/A _____
- ☐ Rule No(s) : _____ N/A _____
- ☐ Impugned Interim Order : (Date) _____ NA _____
- ☐ Impugned Final Order/Decree : N/A
- ☐ High Court: (Name) _____ N/A
- ☐ Names of Judges: _____ N/A
- ☐ Tribunal/Authority : (Name) _____ NA

1. ✓ Nature of Matter : ☒ Civil ☐ ✓ Criminal

(a) Petitioner/appellant No. 1 : SOFTWARE FREEDOM LAW CENTER, INDIA

(b) E-mail ID : _____ N/A _____

(c) Mobile phone number : _____ N/A _____

3 (a) Respondent : STATE OF ARUNACHAL PRADESH & ORS.

b) E-mail ID : _____ N/A _____

(c) Mobile phone number : _____ N/A _____

4. (a) Main category classification : _____ 14 _____

(b) Sub classification : _____ 1418 OTHER _____

5. Not to be listed before : _____NO_____
6. a) Similar disposed of matter with citation, if any, & case details: NO
SIMILAR DISPOSED MATTER PENDING
 b) Similar pending matter with case details: NO SIMILAR MATTER PENDING
7. **Criminal Matters :**
- (a) Whether accused/convict has surrendered: ☐ Yes ☒ No
- (b) FIR No. N/A Date : N/A
- (c) Police Station: N/A
- (d) Sentence Awarded : NO
- (e) Sentence Undergone : NO
8. **Land Acquisition Matters:**
- (a) Date of Section 4 notifications : _____N/A_____
- (b) Date of Section 6 notifications : _____N/A_____
- (c) Date of Section 17 notifications: _____N/A_____
9. **Tax Matters :** State the tax effect : _____N/A_____
10. **Special Category** (first petitioner/appellant only): N/A
- ☐ Senior citizen >65 years ☐ SC/ST ☐ Woman/child
- ☐ Disabled ☐ Legal Aid case ☐ In custody
11. Vehicle Number (in case of Motor Accident Claim matters): N/A



PRASANNA S
 ADVOCATE-ON-RECORD
 FOR THE PETITIONER
 Registration No. 2919

NEW DELHI
 FILED ON: 24.02.2022

SYNOPSIS

The present Writ Petition has been filed by the Petitioner in public interest under Article 32 of the Constitution of India seeking inter alia the issuance of the writ of Mandamus or any other appropriate order or direction, for (i) ensuring compliance with the directions issued by this Hon'ble Court in *Anuradha Bhasin vs Union of India* (2020) 3 SCC 637 while enforcing internet shutdowns; (ii) preventing the abuse of authority to impose unjust and disproportionate internet shutdowns by the Respondent Governments and their agencies, in various states across the country; and (iii) for the formulation of a set of Guidelines by this Hon'ble Court to ensure that internet shutdowns are not unjustly imposed in the country (iv) setting aside blanket order of the Respondent State Rajasthan numbered F-35(1) Home-9/006 dated 02.09.2017.

That the Respondent Governments and its instrumentalities have been imposing internet shutdowns across different districts in India, on the pretext of imaginary, fanciful or fictitious law and order problems arising out of organization of examinations. The threat perception in all such cases is majorly flawed as district administrations in various states have been suspending internet services for an entire region for administrative reasons such as to prevent cheating in examinations. On one occasion, internet services were suspended even when high school examinations were being conducted. Such administrative decisions are manifestly arbitrary and wholly disproportionate response, and are impermissible under the Constitution. The judgment of this Hon'ble Court in *Anuradha Bhasin* has categorically recognized that using the medium of internet for exercise of rights is constitutionally protected, by stating: “*We are confining ourselves to declaring that the right to freedom of speech and expression under Article 19(1)(a), and the right to carry on any trade or business under 19(1)(g), using the medium of internet is constitutionally protected.*”

That as per official data, there has been a total disruption of internet services of 12 shutdowns amounting to more than 71 hours for a large population, ostensibly to prevent cheating in exams, which is not based on any legislative mandate. The same also arises out of a flawed interpretation of

the law, abuse of jurisdiction provided for in the law and a mischaracterization of the reasons or grounds which call for such actions. Such orders which call for shutting down internet services for conduct of examinations are impermissible under the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, (hereinafter referred to as “Suspension Rules”) which is the only legislative mandate under which internet shutdown orders can be passed. For instance, in September 2021, the entire state of Rajasthan, had to bear the brunt of suspension of internet services, when the Rajasthan Eligibility Examination for Teachers (REET) examinations were being conducted. Similar actions have been taken by states like Gujarat, Arunachal Pradesh, West Bengal and others. Suspending internet services for an entire district, or for multiple districts, is a disproportionate action on part of the state, which has a damaging impact on economic activities and the livelihood of millions of citizens, and also denies access to the internet which facilitates various other rights including of communication, information, commerce and expression and speech.

In view of the disproportionate and arbitrary actions of the Respondents in shutting down internet services for mere conduct of examinations or for routine administrative work, which is impermissible under the aforesaid Suspension Rules and also falls foul of the tests laid down in *Anuradha Bhasin*, the Petitioner has approached this Hon’ble Court in public interest under Article 32 of the Constitution of India.

LIST OF DATES

Date	Particulars
2012	The research on Internet Shutdowns was started by SFLC.in, the petitioner herein. SFLC.in defines Internet Shutdowns as a “Government-imposed disablement of access to the Internet as a whole within a particular locality or localities for any duration of time.” Incidents of Internet Shutdowns across India have been tracked by SFLC.in in an attempt to draw attention towards the

	number and frequency of shutdowns, which are imposed for reasons ranging from curbing unrest to preventing cheating during examinations.
February 2016	Mobile Internet Shutdown imposed by the state government in various districts of Gujarat to prevent cheating in the Revenue Accountants Recruitment Exam. Internet was suspended for 4 hours.
7 August 2017	The Government of India notified the “Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017” which was issued under section 7 of the Indian Telegraph Act, 1885. The Rules provide that an internet shutdown can only be imposed on the grounds mentioned in Section 5(2) of the Indian Telegraph Act, 1885.
11 February 2018	Mobile Internet shutdown imposed by the state government of Rajasthan in various districts to prevent cheating REET Exams. Suspension lasted for 3 to 17 hours in various districts.
14 and 15 July 2018	Another mobile internet shutdown imposed by the Rajasthan Government in various districts to prevent cheating in Constable Recruitment Exams. Internet was suspended for 8-12 hours
29 July 2018	Arunachal Pradesh government imposed mobile internet shutdown to conduct “free and fair” exams and prevent malpractices in Arunachal Pradesh Public Service Combined Competitive Examination (prelim). Suspension lasted 4 hours.
5 August 2018	Mobile internet shutdown imposed by the Rajasthan government in parts of the state to prevent cheating in State Public Service Commission Examination. Suspension lasted 4 hours.

27 August 2018	Mobile internet services suspended in Udaipur district of Rajasthan state for 3 hours to prevent cheating in Mewar Bhil Core Banswara- Constable Recruitment examination
28 November 2018	In the matter of <i>Dhirendra Singh Rajpourohit V. Government of Rajasthan</i> , (D.B. Civil Writ No. 10304/2018) Government of Rajasthan filed an affidavit in the Rajasthan HC stating that in future no internet shutdown shall be imposed during examination, based on which the Writ Petition was disposed.
10 January 2020	Landmark judgment passed in the case of <i>Anuradha Bhasin vs Union of India</i> (2020) 3 SCC 637 where this court held that Internet is a medium for exercising the fundamental freedoms guaranteed under Article 19(1)(a) and 19(1)(g). It was also held that the orders of internet shutdown must be published and made publicly available, and all such orders must conform to the scheme of the Suspension Rules in order to be constitutionally permissible.
February 2020	Mobile internet services suspended by West Bengal government to prevent cheating in exams. Suspension was imposed on each day on which the <i>Madhyamik</i> Exam [10 th Standard Board Exam] was conducted.
March 2020	Various High Courts in India started Virtual court proceedings due to COVID-19 Pandemic In Rajasthan High Court, court hearing started taking place through Mobile Phones on 24.03.2020. In Gujarat High Court, Virtual hearings started taking place around 23.03.2020. In Arunachal Pradesh High Court, Virtual Hearings started on 07.04.2020 and the same commenced in Calcutta High Court on 28.03.2020.

1 November 2020	Arunachal Pradesh government imposed an internet shutdown to prevent cheating in Arunachal Pradesh Public Service Combine Competitive Examination (prelim).
1 August 2021	Arunachal Pradesh government imposed an internet shutdown to prevent cheating in exams. The suspension lasted for 3.5 hours.
26 September 2021	Mobile internet services were suspended in various districts of Rajasthan to prevent cheating in REET exams. Suspension lasted 7-8 hours.
23 and 24 October 2021	Mobile internet services were suspended by the Rajasthan government for two consecutive days to prevent cheating in Patwari exam. Suspension lasted for 6-8 hours on each day across the state.
27 October 2021	Mobile internet suspended by Rajasthan Government for 3 hours in order to prevent cheating in Rajasthan State and Subordinate Services Combined Competitive Examination Prelims.

IN THE SUPREME COURT OF INDIA
CIVIL EXTRAORDINARY JURISDICTION
PUBLIC INTEREST LITIGATION
WRIT PETITION (CIVIL) No. OF 2022
(Under Article 32 of the Constitution of India)

IN THE MATTER OF:
SOFTWARE FREEDOM LAW CENTER, INDIA

K-9, Second Floor, Birbal Road,
K Block, Jangpura Extension
New Delhi - 110014

... PETITIONER

Versus

1. STATE OF ARUNACHAL PRADESH
Through the Chief Secretary,
Government of Arunachal Pradesh,
Itanagar-791111

... RESPONDENT NO. 01
2. STATE OF GUJARAT
Through the Chief Secretary,
Government of Gujarat, 5th Floor,
Sardar Bhawan, Sachivalaya,
Gandhinagar - 382010

... RESPONDENT NO. 02
3. STATE OF RAJASTHAN
Through the Chief Secretary,
Government of Rajasthan,
Jaipur-302005

... RESPONDENT NO. 03
4. STATE OF WEST BENGAL
Through the Chief Secretary,
Government of West Bengal,
Kolkata-700001

... RESPONDENT NO. 04

TO,
 THE HON'BLE CHIEF JUSTICE AND HIS
 OTHER COMPANION JUSTICES OF
 THE HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF
 THE PETITIONER HEREIN

MOST RESPECTFULLY SHOWETH THAT:

1. That the Petitioner is a society registered under the Societies Registration Act, 1860 bearing registration number [redacted] dated 03-03-2010 that works for the promotion and protection of digital rights and digital freedoms. The present Petitioner herein furnishes details with respect to the present PIL which are as follows: PAN details [redacted] mobile number [redacted] Annual Income between 50 to 75 lakhs and it is also submitted that there is no criminal, civil or revenue litigation pending before this Hon'ble Court or any other Court.

The Petitioner society has researched and published multiple reports in support of the freedom of speech and expression including on Internet shutdowns, online harassment, surveillance in India and intermediary liability. The Petitioner society maintains the only real time tracker at internetshutdowns.in which tracks internet shutdowns in India in absence of any centralized database maintained by the Government of India. The petitioner society has also filed petitions challenging the arbitrary imposition of Internet Shutdowns in West Bengal before the Calcutta High Court, Delhi before the Delhi High Court and Punjab before the Punjab and Haryana High Court. The Petitioner society has published various articles in Journals as well as its website, "<https://sflc.in>". The Petitioner society has also been party to various writ petitions/ Public Interest Litigations either by way of being the petitioner or by way of filing intervention applications across various Hon'ble High Courts across the country and the Hon'ble Supreme Court of India. The Petitioner society craves leave to refer to the same at the time of hearing of this petition. The Petitioner society is duly represented through its Treasurer and Operations Lead, who has been authorized by the Governing Board of the Society.

2. That the Petitioner has made numerous representations to the Respondents between the months of September to November 2021, but has received no response. Copies of the representations are annexed to the present petition.
3. That the Petitioner has not filed any similar petition either before this Hon'ble Court or any other court.
4. That the present petition is compliant with the Rules for filing of Public Interest Litigation in the Hon'ble Supreme Court of India.
5. That the Petitioner has no personal nexus with the outcome of the present petition, and there are no vested interests involved. The Petitioner is filing the present petition only in public interest, concerned with arbitrary and disproportionate actions of the Respondents in shutting down access to internet services. The issues raised in the present petition concern the rights of people *in rem* and deal with the constitutionality of State action when tested against Articles 14, 19 and 21 of the Constitution.
6. That the Petitioner has the financial ability to pay costs, if so directed by this Hon'ble Court, in the event that the present petition is found to be frivolous.

FACTS

7. That, the petition is being filed in the interest of the public at large and with a view to discontinue the arbitrary and unjust practice of telecom service shutdowns, as the same is contrary to law and against the essence of the Constitution of India. That, there is violation of fundamental rights such as the right to equality, right to freedom of speech and expression, right to privacy, right to freedom of trade, right to life, right to food, right to access legal remedies, and right to education, guaranteed under Articles 14, 19, and 21 of the Constitution of India while imposing arbitrary and disproportionate telecom service shutdowns. That a ban on the internet at present is not limited to restricting the rights under above mentioned articles of the constitution but it is equivalent to suppression of all legal and constitutional rights owing to the fact that the courts are being accessed through video conference facilities, which can be facilitated only through uninterrupted internet services.

8. That thorough research has been conducted by the Petitioner in the matter raised through the present Writ Petition and the relevant material in this regard is annexed to the petition.
9. That for the purposes of its research, the Petitioner defines Internet shutdown as “*a Government imposed disablement of access to the Internet as a whole within a particular locality or localities for any duration of time.*” Technical faults resulting in a temporary suspension of Internet services or an inability to access Internet due to technical reasons or the blocking of access to particular websites and services within the Internet, are not counted by the Petitioner as an Internet shutdown.
10. That Petitioner’s Internet shutdown database is available on the website: “<https://internetshutdowns.in/>”. The Petitioner has been tracking Internet shutdowns in the country from 2012. It is the source relied upon by media and academics across the world on the issue of Internet shutdowns in India. As on the date of filing of the present Writ Petition, the Petitioner has recorded 552 instances of Internet shutdowns in this database. Each instance of Internet shutdown is counted by the Petitioner primarily based on at least one of these factors: (1) News reports; and/or (2) Responses received to RTI applications. The data available at “<https://internetshutdowns.in/>” shows that there were a total of 129 internet shutdowns imposed in various states across India in the year of 2020 and the number for 2021 was 45 shutdowns.
11. That according to another international non-profit organisation named AccessNow, which released a report, available at “https://www.accessnow.org/cms/assets/uploads/2021/03/KeepItOn-report-on-the-2020-data_Mar-2021_3.pdf” on internet shutdowns on a global level, India had the maximum number of shutdowns around the world. According to their data, the number of shutdowns per country in the year 2020 was:
 - a. 109 in India
 - b. 6 in Yemen
 - c. 4 in Ethiopia
 - d. 3 in Jordan
 - e. 2 each in Belarus, Chad, Guinea, Kenya, Pakistan, Sudan, Tongo, Venezuela

- f. 1 each in Algeria, Azerbaijan, Bangladesh, Burundi, Cuba, Ecuador, Egypt, Iran, Iraq, Kyrgyzstan, Mali, Myanmar, Syria, Tanzania, Turkey, Uganda, Vietnam.

12. That, the right to have access to the internet is a part of the right to information as well as right to health as during the COVID-19 Pandemic, Tele-consultation with health professionals has become the need of the hour, without which a person would be unable to lead a life of dignity, knowledge and liberty. The restriction on such a right by the Respondents in the form of imposing internet shutdowns affects the ability of citizens to access information related to COVID-19 and affects the ability of health personnel to disseminate the information. A number of Government of India schemes need the internet to function. Government of India schemes such as Ayushman Bharat Yojna, Yuwa Swabhiman Yojna, BHIM Aadhar payment, Pradhanmatri Kaushal Vikas Yojna all need biometric verification which needs the internet to function. Thus, this action is an infringement of the right to life and personal liberty of all affected persons, being violative of Article 21 of the Constitution of India.

13. That Clément Nyaletsossi Voule, United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, submitted a ***Report on Rights to freedom of peaceful assembly and of association in Digital Age***, in 2019. The report expressed alarm over the fact that internet shutdowns are imposed before key democratic moments like elections or during peaceful protests. In a follow up report titled “***Ending Internet Shutdowns: a path forward***” presented in the 47th Session of human rights council in 2021, it was observed that “*Internet shutdowns not only violate the rights to freedom of peaceful assembly and freedom of opinion and expression, but are, unequivocally, harmful to many other human rights, which in the digital age depend on many digital technologies. Shutdowns can affect the rights to life and personal safety, personal liberty and access to justice, free elections, and political participation as well as many social, economic, and cultural rights.*”

Copy of the Report 'Ending Internet Shutdowns : A path forward' is annexed herewith and marked as **ANNEXURE-P-1 at Pages 42-60.**

14. That, prior to 08.08.2017, two laws were used to suspend Telecom services namely Section 5 (2) of the Indian Telegraph Act, 1885 and Section 144 of the Code of Criminal Procedure, 1973.

15. That, on 08.08.2017, Ministry of Communications, Government of India notified the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 under Section 7 of the Indian Telegraph Act, 1885, published in The Gazette of India, Regd. No. D. L. - 33004/99, dated August 8, 2017.

A copy of the said Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 is annexed herewith and marked as **Annexure-P-2 at Pages 61-63.**

16. That, Internet shutdowns can be imposed anywhere in India only as per the law contained in the Section 5 (2) of the Telegraph Act, 1885 and the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, as it is the special law governing the field.

17. That Section 5 (2) of the Telegraph Act, 1885 states: *“On the occurrence of any public emergency, or in the interest of the public safety, the Central Government or a State Government or any officer specially authorised in this behalf by the Central Government or a State Government may, if satisfied that it is necessary or expedient so to do in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence, for reasons to be recorded in writing, by order, direct that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government making the order or an officer thereof mentioned in the order: Provided that the press messages intended to be published in India of correspondents accredited to the Central Government or a State Government shall not be*

intercepted or detained, unless their transmission has been prohibited under this sub-section”.

18. That, an order suspending telecommunication services can be issued only if there is a public emergency or in the interest of public safety, if it is considered necessary or expedient in the interest of (1) sovereignty and integrity of India; (2) security of the State; (3) friendly relations with foreign states; (4) public order; or (5) preventing incitement to the commission of an offence, as per Section 5(2) of the Indian Telegraph Act, 1855.

Rule 2 (1) of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 states that: “2. (1) *Directions to suspend the telecom services shall not be issued except by an order made by the Secretary to the Government of India in the Ministry of Home Affairs in the case of Government of India or by the Secretary to the State Government in-charge of the Home Department in the case of a State Government (hereinafter referred to as the competent authority), and in unavoidable circumstances, where obtaining of prior direction is not feasible, such order may be issued by an officer, not below the rank of a Joint Secretary to the Government of India, who has been duly authorised by the Union Home Secretary or the State Home Secretary, as the case may be:*

Provided that the order for suspension of telecom services, issued by the officer authorised by the Union Home Secretary or the State Home Secretary, shall be subject to the confirmation from the competent authority within 24 hours of issuing such order:

Provided further that the order of suspension of telecom services shall cease to exist in case of failure of receipt of confirmation from the competent authority within the said period of 24 hours.

(2) Any order issued by the competent authority under sub-rule (1) shall contain reasons for such direction and a copy of such order shall be forwarded to the concerned Review Committee latest by next working day.”

18. That various state governments across the country have been imposing Internet Shutdowns to prevent cheating in examinations. The list of the shutdowns is given below.

Copies of the said orders are annexed herewith and marked as **Annexure-P-3 at Pages 64-164.**

Date	State [Districts]	Description	Network
27 th October 2021	Rajasthan [Jaipur, Bharatpur, Bikaner, Sawai, Hanumangarh, Madhopur and Ajmer]	Internet services shut from 10 am to 1 pm to prevent cheating in Rajasthan State and Subordinate Services Combined Competitive Examination or RAS Prelims 2021.	Mobile Internet
23-24th October 2021	Rajasthan [Jaipur, Dausa, Bikaner, Shriganganagar, Hanumangarh]	Internet services shut to prevent cheating in Patwari Exams	Mobile Internet
26 th September 2021	Rajasthan [Ajmer, Alwar, Banswara, Barmer, Baran, Bharatpur, Bhilwara, Bikaner, Bundi, Chittorgarh, Churu, Dausa, Dholpur, Dungarpur, Ganganagar, Jalor, Jaisalmer, Jhunjhunun, Kota, Jaipur, Udaipur, Rajsamand, Sirohi, Tonk, Sikar, Sawai]	Internet services were suspended in the State to prevent cheating in Reet Exams.	Mobile Internet

	Madhopur, Pali, Nagaur, Karauli, Jodhpur, Jhalawar, Hanumangarh]		
1 st August 2021	Arunachal Pradesh ['Anjaw', 'Changlang', 'Dibang Valley','East Kameng', 'East Siang','Kra Daadi','Kurung Kumey', 'Lohit', 'Longding', 'Lower Dibang Valley', 'Lower Siang', 'Lower Subansiri', 'Namsai','Papum Pare','Siang', 'Tawang', 'Tirap', 'Upper Siang', 'Upper Subansiri', 'West Kameng', 'West Siang']	As a measure to prevent cheating in examinations, all mobile internet services were suspended from 9:30 am to 1 pm on 1 August in some townships.	Mobile Internet

1 st November 2020	Arunachal Pradesh	Internet services in fifteen districts of Arunachal Pradesh were temporarily suspended during the Arunachal Pradesh Public Service Combined Competitive (Prelims) Examination (APPSCCE) on 1 November 2020.	Mobile Internet
2020	West Bengal [Murshidabad, Malda, 'Dakshin Dinajpur', 'Pashchim Medinipur', 'Birbhum', 'Jalpaiguri', 'Koch Bihar']	Services suspended to conduct Madhyamik (10 th Standard) exams. Internet to be suspended on each day when the exam was to be conducted.	Mobile Internet
27 th August 2018	Rajasthan ['Udaipur']	Mobile Internet Services were suspended in Udaipur district of Rajasthan on Monday, 27 th August 2018 from 2pm-5pm to prevent cheating in Mewar Bhil Core Banswara-Constable	Mobile Internet

		Recruitment examination	
5 th August 2018	Rajasthan ['Jaipur', 'Jhunjhunun', 'Dausa', 'Sikar']	Mobile Internet services were suspended in several parts of Rajasthan from 9 am to 1 pm on Sunday,5th August 2018 to prevent the use of unfair means in the state public service commission examination.	Mobile Internet
29 th July 2018	Arunachal Pradesh	To ensure free and fair conduct of APPSCCE (prelims) examinations, the Arunachal Pradesh government has published an order to suspend internet services across the state. Internet services will be suspended from 10	Mobile Internet

		am to 12 noon and 2 pm to 4 pm on 29th July, 2018.	
14 th and 15 th July 2018	Rajasthan ['Ajmer', 'Alwar', 'Banswara', 'Baran', 'Barmer', 'Bharatpur', 'Bhilwara', 'Bikaner', 'Bundi', 'Chittaurgarh', 'Churu', 'Dausa', 'Dhaulpur', 'Dungarpur', 'Ganganagar', 'Hanumangarh', 'Jaipur', 'Jaisalmer', 'Jalor', 'Jhalawar', 'Jhunjhunun', 'Jodhpur', 'Karauli', 'Kota', 'Nagaur', 'Pali', 'Pratapgarh', 'Rajsamand', 'Sawai Madhopur', 'Sikar', 'Sirohi', 'Tonk', 'Udaipur']	Internet services were suspended in most of the districts of Rajasthan for two consecutive days on 14 and 15 July, 2018 to prevent cheating in constable recruitment examinations.	Mobile Internet

11th Febraury 2018	Rajasthan ['Ajmer', 'Alwar', 'Banswara', 'Baran', 'Barmer', 'Bharatpur', 'Bhilwara', 'Bikaner', 'Bundi', 'Chittaurgarh', 'Churu', 'Dausa', 'Dhaulpur', 'Dungarpur', 'Ganganagar', 'Hanumangarh', 'Jaipur', 'Jaisalmer', 'Jalor', 'Jhalawar', 'Jhunjhunun', 'Jodhpur', 'Karauli', 'Kota', 'Nagaur', 'Pali', 'Pratapgarh', 'Rajsamand', 'Sawai Madhopur', 'Sikar', 'Sirohi', 'Tonk', 'Udaipur']	Internet services suspended near examination centers to prevent cheating in REET exams. Suspension lasted for 3-17 hours in various districts.	Mobile Internet
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2016	Gujarat ['Ahmadabad', 'Amreli', 'Anand', 'Banas Kantha', 'Bharuch', 'Bhavnagar', 'Dohad', 'Gandhinagar', 'Jamnagar', 'Junagadh', 'Kachchh', 'Kheda', 'Mahesana', 'Narmada', 'Navsari', 'Panch Mahals', 'Patan', 'Porbandar', 'Rajkot', 'Sabar Kantha', 'Surat', 'Surendranagar', 'Tapi', 'The Dangs', 'Vadodara', 'Valsad']	Mobile Internet services were suspended for 4 hours to prevent cheating on the Revenue Accountants Recruitment Exam. Suspended for 4 hours.	Mobile Internet
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There have been 12 shutdowns imposed on exam related issues which have led to the internet being shut down for more than 71 hours.

19. That the petitioner has sent representations to the concerned governments on multiple occasions, requesting the governments to restore internet services in the said areas on an urgent basis and to not to shutdown internet services on the ground of prevention cheating in examinations. The representations were sent to the respective State Governments in a timely manner to apprise them of the situation and request them not to suspend internet services as it was arbitrary and against the law. The representations were sent to:
- a. Government of Rajasthan on 23rd October 2021 for an internet shutdown imposed on 23rd October 2021.

- b. Government of Rajasthan on 26th September 2021 for an internet shutdown imposed on 26th September 2021.
- c. Government of Arunachal Pradesh on 31st October 2021 for an internet shutdown imposed on 1st November 2021.

Copies of representations sent by the Petitioner society are annexed herewith and marked as **Annexure-P-4 at Pages 165-173.**

20. That, the prevention of malpractices during the conduct of Examination has been stated as a ground to suspend the internet for an entire region, district or state by all the Respondents on various occasions, as detailed above.

21. That pertinently, the Respondent No. 03, in *Dhirendra Singh Rajpourohit V. Government of Rajasthan* (D.B. Civil Writ No. 10304/2018) had filed an additional affidavit in High Court of Rajasthan at Jodhpur that no order suspending Internet services to prevent cheating in examinations will be issued by the Respondent.

Copy of the order is annexed herewith and marked as **Annexure-P-5 at Pages 174-175.**

22. That despite the undertaking given before the Hon’ble High Court of Rajasthan, the Respondent No. 3 has continued to issue the following internet shutdowns.

Date	State [Districts]	Description	Network
27 th October 2021	Rajasthan [Jaipur, Bharatpur, Bikaner, Sawai, Hanumangarh, Madhopur and Ajmer]	Internet services shut from 10 am to 1 pm to prevent cheating in Rajasthan State and Subordinate Services Combined Competitive	Mobile Internet

		Examination or RAS Prelims 2021.	
23-24th October 2021	Rajasthan [Jaipur, Dausa, Bikaner, Shriganganagar, Hanumangarh]	Internet services shut to prevent cheating in Patwari Exams	Mobile Internet
26 th September 2021	Rajasthan [Ajmer, Alwar, Banswara, Barmer, Baran, Bharatpur, Bhilwara, Bikaner, Bundi, Chittorgarh, Churu, Dausa, Dholpur, Dungarpur, Ganganagar, Jalor, Jaisalmer, Jhunjhunun, Kota, Jaipur, Udaipur, Rajsamand, Sirohi, Tonk, Sikar, Sawai Madhopur, Pali, Nagaur, Karauli, Jodhpur, Jhalawar, Hanumangarh]	Internet services were suspended in the State to prevent cheating in Reet Exams.	Mobile Internet

Publically available orders dt. 24.09.2021(Collector & District Magistrate, Ajmer); 25.09.2021 (Divisional Commissioner, Jaipur); 25.09.2021 (Divisional Commissioner,Kota); 25.09.2021 (Divisional Commissioner, Udaipur); 25.10.2021 (Divisional Commissioner, Jaipur) & 22.10.2021 (Divisional Commissioner, Bikaner) of the above mentioned shutdowns are annexed herewith and marked as **Annexure-P-6 at Pages 176-199.**

23. That, shutdown of Internet services also directly and indirectly affects citizens who are not in any way associated with the examination process and affects their right to life, right to education, right to practice a profession and right to freedom of expression. To illustrate, (a) citizens have found it difficult to communicate with their family in emergencies (b) the business of establishments relying on data flowing through internet has been severely affected (c) citizens have not been able to use their Credit and Debit Cards, leading to long queues outside ATM Kiosks (d) citizens, businesses and entrepreneurs are dependant on online applications and verification processes for access of Government services and schemes. Internet shutdowns during a pandemic are even more harmful as these restrict students from attending online classes and accessing their material from web portals. These restrictions also prevent teachers from teaching online and Lawyers from appearing virtually in courts.

24. The States of Arunachal Pradesh (Respondent No. 01), Gujarat (Respondent No. 2), Rajasthan (Respondent No. 03), and West Bengal (Respondent No. 4) in the instant case have not published the orders imposing shutdown of telecom and Internet services. The Petitioner society also filed applications under the Right to Information Act, 2005, inquiring about publication of shutdown orders. However, no satisfactory reply was received by the petitioners from the Respondents, except copies of some orders available in the public domain of Respondent No. 3. Copies of the applications under the RTI Act filed by the Petitioner society and the replies are attached as **Annexure-P-7 at Pages 200-206.**

25. That further, exorbitant economic losses are being caused as a result of Internet shutdowns. This is evident from reports published by monitoring agencies such as Indian Council for Research on International Economic Relations and Brookings Institute. The report titled 'The Anatomy of an Internet Blackout: Measuring the Economic Impact of Internet Shutdowns in

India’ by the Indian Council for Research on International Economic Relations, said (at Pg. 19 of the Report) states as follows:

“The first rigorous quantitative estimate of economic disruption was due to OECD in 2011. It reported an estimated loss of USD 90 million for shutdown of Internet and communication services in Egypt for a period of five days. The loss estimates however ignored the indirect impacts on sectors affected by the Internet such as e-commerce, tourism, etc. A more recent report by the Brookings Institution estimates that Internet shutdowns cost countries about USD 2.4 billion between July 2015 and June 2016. The reported estimate for India was USD 968 million for 70.54 days of Internet shutdown during this period. The study triangulates estimates available from the literature on the contribution of a country’s Internet economy to GDP and the multiplier effect it generates to arrive at cost estimates of each shutdown, justly distinguishing between mobile and fixed line disruptions. However, the study acknowledges challenges of precision due to paucity of relevant economic data.

As online ecosystems mature and infiltrate, the impact of such shutdowns is only likely to increase. According to Deloitte, for a well-connected country, the per day impact of an Internet shutdown would be \$23.6 million per 10 million population. With medium and low levels of Internet penetration GDP impact amounts to \$6.6 million and \$0.6 million per 10 million people respectively. The study is based on varying estimates of broadband usage and broadband speeds in different economies. The Internet speed elasticity helps measure the impact of throttling, a purposeful slowing down of available bandwidth. The estimation is based on data from 96 countries and the elasticities are borrowed from previous studies by Deloitte.”

A copy of the relevant chapter of the report titled ‘The Anatomy of an Internet Blackout: Measuring the Economic Impact of Internet Shutdowns in India’ is annexed herewith and marked as **Annexure-P-8 at Pages 207-228** .

26.A report published by Top10VPN.com, estimated the cost of internet shutdowns in India to be 2779 Million, for the year 2020, which was the largest in the entire world. A copy of the report is annexed herewith and marked as **Annexure-P-9** at Pages 229-249.

28.That under Rule 5 of Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017: *“The Central Government or the State Government, as the case may be, shall constitute a Review Committee.*

(i) The Review Committee to be constituted by the Central Government shall consist of the following, namely:-

(a) Cabinet Secretary -Chairman;

(b) Secretary to the Government of India In-charge, Legal Affairs - Member;

(c) Secretary to the Government, Department of Telecommunications - Member.

(ii) The Review Committee to be constituted by the State Government shall consist of the following, namely:-

(a) Chief Secretary -Chairman;

(b) Secretary Law or Legal Remembrancer In-Charge, Legal Affairs - Member;

(c) Secretary to the State Government (other than the Home Secretary) - Member.

Rule 6 of the Suspension rules state The Review Committee shall meet within five working days of issue of directions for suspension of services due to public emergency or public safety and record its findings whether the directions

issued under sub-rule (1) are in accordance with the provisions of sub-section (2) of section 5 of the said Act”

29.That there is absence of any data concerning meetings of Review Committees by the Respondent States. Applications under the Right to

Information Act, 2005, filed by the Petitioner society asking for minutes of the meetings have not been answered. Review Committees under Rule 5 of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 are a mandatory requirement in case of a shutdown imposed due to public emergency or public safety. There is no record of meetings of any Review Committees that have taken place in the public domain.

30. That the Petitioner Society filed an application under the Right to Information Act, 2005 seeking copies of orders suspending Internet services from the Government of Rajasthan for August 2018. As per response dated 29.12.2021 the Petitioner society was furnished 6 orders of Internet suspension. In addition to that a copy of order no. F-35(1) Home-9/006 dated 02.09.2017 which delegates the power to suspend internet services to the Divisional Commissioners was also provided. This order no. F-35(1) Home-9/006 dated 02.09.2017 is a blanket order authorizing the Divisional Commissioners of State of Rajasthan to impose Internet Shutdowns in case of public emergency or public safety under the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017. This order is in contravention of Rule 2(1) of the above Rules which provides that, *“in unavoidable circumstances, where obtaining of prior direction is not feasible, such order may be issued by an officer, not below the rank of Joint Secretary to the Government of India, who has been duly authorized by the Union Home Secretary or the State Home Secretary”*. The Rule does not empower the State Home Secretary to issue such a blanket order. A true copy of order dt. 02.09.2017 passed by Rajasthan Government is marked and attached as **Annexure-P-10** at page 250.

31. That the Standing Committee on Communications and Information Technology (hereinafter “the Committee”) headed by Dr. Shashi Tharoor, Member of Parliament, undertook a detailed review of the governing legal framework, procedure adopted by the states, safeguards to protect from misuse and other ancillary issues regarding Internet Shutdowns. The committee submitted a report on 01.12.2021 titled ‘Suspension of Telecom Services / Internet and Its Impact’, where it observed that because of lack of objective parameters to determine the merit of issuing an internet suspension

order, these shutdowns have been ordered based on a subjective assessment and are largely an arbitrary executive decision. The report categorically makes a finding that, "*state governments have ordered shutdowns for routine policing, and administrative purposes such as preventing cheating in exams and preventing local crime.*" Thus the committee recommended two things: a) a proper mechanism is put in place at the earliest to decide on the merit or appropriateness of telecom/internet shutdowns. b) "public safety" and "public emergency" are defined clearly so that there is no ambiguity and no scope of misuse. A copy of the report is marked and attached as **Annexure-P-11** at Pages 251-333.

32. That Hon'ble Gauhati High Court in PIL No. 78 of 2019 titled as: "*Banashree Gogoi Vs. Union of India*" had passed an order to Additional Chief Secretary to the Government of Assam, Home and Political Department, to restore the mobile internet services of all mobile service providers in the State of Assam. A copy of order is marked and attached as **Annexure-P-12** at Pages 334-341.

33. Being aggrieved by the inaction of the respondent states, and the illegal and arbitrary shutdowns of internet, issuance of illegal and arbitrary orders under Section 144 of the Code of Criminal Procedure, 1973, the Petitioner society submits this Writ Petition under Article 32 of the Constitution of India *inter-alia* on following grounds:-

34. The present petitioner has not filed any similar petition before this Hon'ble Court or before any other High Court seeking the relief stated in the present petition.

34 **GROUND**

ACTIONS ARE AGAINST THE PROCEDURE ESTABLISHED BY LAW

- I. BECAUSE the action of the Respondents in ordering internet shutdown for administrative purposes such as to prevent cheating in exams is perverse, *per se* bad in law and unconstitutional;
- II. BECAUSE the Respondents acted in a manner which is contrary to the procedure established by law and ought not to be allowed to issue such untenable and unconstitutional internet shutdown orders;

III.BECAUSE the acts, inactions and deeds of the Respondents concerned have grossly violated the rights of a large number of people in the states of Rajasthan, West Bengal, Arunachal Pradesh and Gujarat, which are rights guaranteed under Articles 14, 19 and 21 of the Constitution of India.

IV. BECAUSE the action of the Respondent States in issuing directions to suspend internet services is in violation of Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 and Section 5 (2) of the Indian Telegraph Act, 1885. The control on malpractices and cheating during examination is not a valid ground for suspension of internet services under the aforesaid Act and Rules.

V. BECAUSE the actions of the Respondents are arbitrary as they do not follow the procedures prescribed in Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017. It is submitted that once there is a statutory provision which delineates the procedure for issuing internet shutdown orders, no order can be lawfully passed without following the said procedure. Reliance is placed herein on the following judgements of this Hon'ble Court:

- a) In *Haresh Dayaram Thakur v. State of Maharashtra & Others*, (2000) 6 SCC 179, it was held that: “*The position is well settled that if the statute prescribes a procedure for doing a thing, a thing has to be done according to that procedure.*”
- b) In *M. P. Wakf Board v. Subhan Shah (D) By Lrs. & Others*, (2006) 10 SCC 696, it was held that “*it is trite that when a procedure has been laid down the authority must act strictly in terms thereof.*”
- c) In *Commissioner of Income Tax, Mumbai v. Anjum M. H. Ghaswala & Others*, (2002) 1 SCC 633, it was held by a Constitutional Bench that: “*it is a normal rule of construction that when a statute vests certain power in an authority to be exercised in a particular manner then the said authority has to exercise it only in the manner provided in the statute itself.*”

- d) In *State of Uttar Pradesh v. Singhara Singh & Others*, AIR 1964 SC 358, it was held that: “9. *The rule adopted in Taylor v. Taylor [1875] 1 Ch. D. 426 is well recognised and is founded on sound principle. Its result is that if a statute has conferred a power to do an act and has laid down the method in which power has to be exercised, it necessarily prohibits the doing of the act in any other manner than that which has been prescribed. The principle behind the rule is that if this were not so, the statutory provision might as well not have been enacted.*”

VI. BECAUSE in many instances the officers issuing the impugned orders did not have the jurisdiction to do so.

- a) Rule 2(1) of the Telecom Suspension Rules 2017, clearly provides that “*directions to suspend the telecom services **shall not be** issued except by an order made by the Secretary to the Government of India in the Ministry of Home Affairs in the case of Government of India or by the Secretary to the State Government in-charge of the Home Department in the case of a State Government (hereinafter referred to as the competent authority), and in unavoidable circumstances, where obtaining of prior direction is not feasible, such order may be issued by an officer, not below the rank of a Joint Secretary to the Government of India, who has been duly authorised by the Union Home Secretary or the State Home Secretary, as the case may be:*”
- b) Some of the impugned orders issued by the Government of Rajasthan, have been issued by a Divisional Commissioner, who has been authorised by the Home Department of Government of Rajasthan through an order **F35(1) Group-9/2006 dated 02.09.17**. Such a blanket delegation of power for all times by the Home Department is invalid according to Rule 2(1). An officer other than the Secretary to the State Government in-charge of the Home Department can be authorised to issue an order of suspension only under a situation where obtaining prior direction is not feasible, and not as a matter of rule. The orders passed by the Divisional Commissioners fail to mention the existence of any such

circumstances. This is gross contravention of the procedure laid down in Rule 2(1).

- c) In addition to the aforesaid, some of the internet shutdown orders have been issued by “Police Adhikshak” and District Magistrates, and fail to even mention the law or Rule or order under which the said officers are authorised to issue such a suspension order.

VII. BECAUSE the suspension of telecom services in a region or district or state, ordered to prevent malpractices and cheating during examination, is in violation of the fundamental rights guaranteed under Articles 19 (1) (a) of the Constitution of India. Telecom service suspensions orders can only be issued under the Section 5 (2) of the Indian Telegraph Act read with the 2017 Telecom Service Suspension Rules. The *sine qua non* condition for issuing an order under the Telegraph Act is either the occurrence of a public emergency or that such an order is in the interest of public safety. An order for suspending telecommunication services cannot be issued to regulate conduct of examination by education boards. Reliance is placed herein on *People's Union for Civil Liberties (PUCL) v. Union of India*, (1997) 1 SCC 301, wherein this Hon'ble Court at page 313 held that:

*“Section 5(2) of the Act permits the interception of messages in accordance with the provisions of the said section. “Occurrence of any public emergency” or “in the interest of public safety” are the sine qua non for the application of the provisions of Section 5(2) of the Act. Unless a public emergency has occurred or the interest of public safety demands, the authorities have no jurisdiction to exercise the powers under the said section. **Public emergency would mean the prevailing of a sudden condition or state of affairs affecting the people at large calling for immediate action. The expression “public safety” means the state or condition of freedom from danger or risk for the people at large.** When either of these two conditions are not in existence, the Central Government or a State Government or the authorised officer cannot resort to telephone-tapping even though there is satisfaction that it is necessary or expedient so to do in the interests of sovereignty and integrity of India etc. In other words, even if the Central Government is satisfied that it is necessary or expedient so to do in the interest of the sovereignty and integrity of India or the security of the State or friendly relations with sovereign States or public*

order or for preventing incitement to the commission of an offence, it cannot intercept the messages or resort to telephone-tapping unless a public emergency has occurred or the interest of public safety or the existence of the interest of public safety requires. Neither the occurrence of public emergency nor the interest of public safety are secretive conditions or situations. Either of the situations would be apparent to a reasonable person. The first step under Section 5(2) of the Act, therefore, is the occurrence of any public emergency or the existence of a public safety interest. Thereafter the competent authority under Section 5(2) of the Act is empowered to pass an order of interception after recording its satisfaction that it is necessary or expedient so to do in the interest of (i) sovereignty and integrity of India, (ii) the security of the State, (iii) friendly relations with foreign States, (iv) public order or (v) for preventing incitement to the commission of an offence. When any of the five situations mentioned above to the satisfaction of the competent authority require then the said authority may pass the order for interception of messages by recording reasons in writing for doing so”

VII. BECAUSE issues that affect a small section of people or deal with ‘law and order’ situations, do not constitute a threat to ‘public order’, and consequently cannot be cited to justify a shutdown of telecom and internet services. This distinction has been explained in various judgments of this Hon’ble Court over many decades, and most recently in *Banka Sneha Sheela vs State of Telangana* (2021) 9 SCC 415, where it was held in Para 14:

“There can be no doubt that for “public order” to be disturbed, there must in turn be public disorder. Mere contravention of law such as indulging in cheating or criminal breach of trust certainly affects “law and order” but before it can be said to affect “public order”, it must affect the community or the public at large.”

VIII. BECAUSE, under the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 Rule 5 and 6, a review committee needs to be formed to check whether directions issued are in accordance with Section 5(2) of the The Indian Telegraph Act. There are no

records of Review Committee meetings available in the public domain for the orders passed by the Respondents.

VIOLATION OF RIGHT TO FREEDOM OF EXPRESSION

IX. BECAUSE the freedom of speech and expression is a right guaranteed under Art 19 (1) (a) of the Constitution of India and freedom of speech and expression through internet is an integral part of the same, as held by this Court in the *Anuradha Bhasin* Judgment. This right cannot be curtailed by shutting down telecom services arbitrarily, disproportionately and in an unreasonable manner.

X. BECAUSE there is no tangible or reliable evidence to prove that shutting down of the internet helps in preventing malpractices during conduct of examinations. On the other hand, obstructing channels of communication will have the effect of creating panic among citizens. As laid down by this Hon'ble court in *Anuradha Bhasin*, the government must satisfy the test of proportionality before imposing an Internet Shutdown. As per this test as held in *KS Puttaswamy vs Union of India* (2019) 1 SCC 1, the measure must be to achieve a legitimate goal by deploying the least restrictive means to achieve said goal, and the action of the Respondents fail to satisfy the said test. The Petitioner society submits that the acts, inactions and deeds of the respondents concerned have thus grossly violated the rights of people guaranteed under Articles 14, 19 and 21 of the Constitution of India.

X. BECAUSE arbitrary suspension of internet services violates the right to freedom of speech and expression guaranteed under Article 19 (1)(a) of the Constitution of India. Reliance is placed herein on the following judgments of this Hon'ble Court:

- a) In *Sabu Mathew George v. Union of India*, W. P. (C) 341 of 2008, it was held that: "*At this juncture, it is necessary to state that volumes of literature under various heads come within the zone of the internet and in this virtual world the idea what is extremely significant is 'only connect'.* We may further add that freedom of expression included right to be

informed and right to know and feeling of protection of expansive connectivity.”

- b) In *Secretary, Ministry of Information and Broadcasting, Govt. of India & Others. V. Cricket Association of Bengal & Others*, 1995 SCC (2) 161, it was held that: “In *Romesh Thappar v. The State of Madras* [1950 Cri LJ 1514], the facts were that the Provincial Government in exercise of its powers under Section 9(1-A) of Madras Maintenance of Public Order Act, 1949, by an order imposed a ban upon the entry and circulation of the petitioner’s journal ‘Cross Roads’. The said order stated that it was being passed for the purpose of securing the public safety and the maintenance of public order. The petitioner approached this Court under Article 32 of the Constitution claiming that the order contravened the petitioner’s fundamental right to freedom of speech and expression. He also challenged the validity of Section 9 (1-A) of the impugned Act. The majority of the Court held that the freedom of speech and expression includes freedom of propagation of ideas and that freedom is ensured by the freedom of circulation. In support of this view, the Court referred to two decisions of the U.S. Supreme Court viz., (i) *Ex parte Jackson* 96 US 727 and (ii) *Lovell v. City of Griffin* 303 US 444 and quoted with approval the following passage therefrom: “ Liberty of circulation is as essential to that freedom as the liberty of publication. Indeed, without circulation the publication would be of little value”. Section 9 (1-A) of the impugned Act authorised the Provincial Government, “for the purpose of securing the public safety or the maintenance of public order, to prohibit or regulate entry into or the circulation, sale or distribution in the Province of Madras or any part thereof or any document or class of documents”. The question that the Court had to answer was whether the impugned Act insofar as it contained the aforesaid provision was a law relating to a matter, which undermined the security of, or tended to overthrow the State. The Court held that “public order” is an expression of wide connotation and signifies that state of tranquillity, which prevails among the members of a political society as a result of the internal regulations enforced by the Government, which they have established. The Act was passed by the Provincial Legislature under Section 100 of the Government of India Act, 1935, read with Entry I of List II of the Seventh Schedule to that Act. That Entry, among others, comprised

“public order” which was different from “public safety” on which subject the Provincial Legislature was not competent to make a law. The Court distinguished between “public order” and “public safety” and held that public safety was a part of the wider concept of public order and if it was intended to signify any matter distinguished from and outside the content of the expression “public order”, it would not have been competent for the Madras Legislature to enact the provision so far as it related to public safety “Public safety” ordinarily means security of the public or their freedom from danger. In that sense, anything, which tends to prevent danger to public health may also be regarded as securing public safety. The meaning of the expression must, however, vary according to the context. The Court then rejected the argument that the securing of the public safety or maintenance of public order would include the security of the State which was covered by Article 19(2) and held that where a law purports to authorise the imposition of restrictions on a fundamental right in language wide enough to cover restrictions both within and without the limits of constitutionally permissible legislative actions affecting such right, it is not possible to uphold it even insofar as it may be applied within the constitutional limits as it is riot severable. So long as the possibility of its being applied for purposes not sanctioned by the Constitution cannot be ruled out, it may be held to be wholly unconstitutional and void. In other words, Sub-clause (2) of Article 19 having allowed the imposition of restrictions on the freedom of speech and expression only in cases where danger to the State is involved, an enactment which is capable of being applied to cases where no such danger could arise, cannot be held to be constitutional and valid to any extent.”

- c) In *S. Rangarajan & Others v. P. Jagjivan Ram & Others*, (1989) 2 SCC 574, it was held that: *“Freedom of expression which is legitimate and constitutionally protected, cannot be held to ransom by an intolerant group of people. The fundamental freedom under Article 19(1)(a) can be reasonably restricted for the purposes mentioned in Article 19(2) and the restriction must be justified on the anvil of necessity and not the quicksand of convenience of expediency.”*
- d) In *Union of India v. K. M. Shankarappa*, (2001) 1 SCC 582, it was held that: *“We fail to understand the apprehension expressed by the learned*

counsel that there may be a law and order situation. Once an Expert Body has considered the impact of the film on the public and has cleared the film, it is no excuse to say that there may be a law and order situation, it is for the concerned State Government to see that the law and order is maintained. In any democratic society there are bound to be divergent views. Merely because a small section of the society has a different view, from that as taken by the Tribunal, and choose to express their views by unlawful means would be no ground for the Executive to review or revise a decision of the Tribunal. In such a case, the clear duty of the Government is to ensure that law and order is maintained by taking appropriate actions against persons who choose to breach the law.”

XI. BECAUSE the telecom service suspensions ordered for reasons like regulating conduct of examinations is not a reasonable restriction under Article 19 (2) of the Constitution of India. The effect of the law is the test for its reasonableness (*Kavalappara Kottarathil Kochunni v. The State of Madras & Others*, 1960 AIR 1080). In the case of telecom service suspensions, the harm caused by the shutdown to people is disproportionately higher than any potential gain that may arise from curbing cheating in examinations, if at all the same can be achieved through internet shutdowns. This detrimental effect on people’s rights is the real effect of the order, which fails the test of reasonableness. Further, blanket bans on use of the internet also fail the test of least restrictive measure, which is an inalienable element of the proportionality test upheld in various judgments of this Hon’ble Court. .

VIOLATION OF FREEDOM OF TRADE AND BUSINESS

XII. BECAUSE, the telecommunication suspensions infringe upon the right to freedom of trade and commerce under Article 19 (1) (g) of the Constitution of India. Placed under Article 19 of the Constitution, the right to practise any profession, or to carry on any occupation, trade or business, is a fundamental right guaranteed by the Constitution and can only be curtailed under reasonable restrictions prescribed in Article 19 (6) of the

Constitution of India. The Internet is undoubtedly a medium for the conduct of voluminous trade and commerce, globally and locally. Prolonged suspension of telecom services adversely affects the right to trade and business guaranteed by the Constitution, which is attested to by Report of the Indian Council for Research on International Economic Relations (P-5). Control on trade activities during a period of public emergency may be counted reasonable, but for reasons, which stray further away from issues like public order or emergency, for example, to prevent cheating during an examination, cannot be held as reasonable restrictions to adversely affect trade and commerce.

XIII. BECAUSE the access to telecom services is a necessary corollary to exercising a whole bouquet of fundamental rights, and reading together Articles 14, 19 (1) (a), (b), & (g), and 21 of the Constitution of India, there is an onus on the State to facilitate the access to such rights. Accessing telecom services opens access to knowledge for innovation and the creation of awareness of civil liberties. Information technology has become an effective leveler of society in terms of economic and educational aspects. Smartphones have become part of normal day-to-day activities and a great deal of transactions are done through smartphones, which were done earlier directly in person. For example, transactions such as banking, shopping, booking of railway tickets, appointments with doctors, are conducted through mobile phones. Also, schools are connecting to parents in relation to their wards activities through mobile phones. It is an indisputable fact that the Internet has become part of critical infrastructure in the country.

XV. BECAUSE the tourism sector in the nation flourishes largely through and due to Internet connectivity. Foreign and domestic tourists find it convenient to visit places in India, avail different services and learn all things about India during their visits and starting from booking their tickets and making hotel reservations, tourists also employ other Internet based applications to avail various other services.

XVI. BECAUSE Article 19 of the Universal Declaration of Human Rights is violated by unlawful orders to shut down telecommunications. Article 19 of the Universal Declaration of Human Rights states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

VIOLATION OF ANURADHA BHASIN JUDGEMENT

XVII. BECAUSE, this Hon’ble Court had recently considered the issue of telecom service suspension in the Jammu & Kashmir region in *Anuradha Bhasin v. Union of India & Ors (Supra)*. In the aforementioned judgment, the Supreme Court observed that orders suspending telecom services or shutting down internet services must be published and made available to people. It was held:

“

...

96. It must be noted that although the Suspension Rules does not provide for publication or notification of the orders, a settled principle of law, and of natural justice, is that an order, particularly one that affects lives, liberty and property of people, must be made available. Any law which demands compliance of the people requires to be notified directly and reliably. This is the case regardless of whether the parent statute or rule prescribes the same or not. We are therefore required to read in the requirement of ensuring that all the orders passed under the Suspension Rules are made freely available, through some suitable mechanism. [See B.K. Srinivasan v. State of Karnataka, (1987) 1 SCC 658].”

XIX. BECAUSE in *Anuradha Bhasin [supra]* the Hon’ble Supreme Court also considered the Internet as a means of exercising one’s fundamental rights. This Hon’ble Court held:

“25. We need to distinguish between the internet as a tool and the freedom of expression through the internet. There is no dispute that freedom of speech and expression includes the right to disseminate information to as wide a section of the population as is possible. The wider range of circulation of information or its greater impact cannot restrict the content of the right nor can it justify its denial. [refer to *Secretary, Ministry of Information & Broadcasting Government of India v. Cricket Association of Bengal*, (1995) 2 SCC 161; *Shreya Singhal v. Union of India*, (2015) 5 SCC 1].

26. The development of the jurisprudence in protecting the medium for expression can be traced to the case of *Indian Express v. Union of India*, (1985) 1 SCC 641, wherein this Court had declared that the freedom of print medium is covered under the freedom of speech and expression. In *Odyssey Communications Pvt. Ltd. v. Lokvidayan Sanghatana*, (1988) 3 SCC 410, it was held that the right of citizens to exhibit films on Doordarshan, subject to the terms and conditions to be imposed by the Doordarshan, is a part of the fundamental right of freedom of expression guaranteed under Article 19(1)(a), which can be curtailed only under circumstances set out under Article 19(2). Further, this Court expanded this protection to the use of airwaves in the case of *Secretary, Ministry of Information & Broadcasting, Government of India (supra)*. In this context, we may note that this Court, in a catena of judgments, has recognized free speech as a fundamental right, and, as technology has evolved, has recognized the freedom of speech and expression over different media of expression. Expression through the internet has gained contemporary relevance and is one of the major means of information diffusion. Therefore, the freedom of speech and expression through the medium of internet is an integral part of Article 19(1)(a) and accordingly, any restriction on the same must be in accordance with Article 19(2) of the Constitution.”

XX. BECAUSE this Hon’ble Court in *Anuradha Bhasin* also categorically held that imposition of restrictions on the access to internet must satisfy the

doctrine of proportionality, failing which such orders would be illegal and untenable. It was held in *Anuradha Bhasin* that:

“70. In view of the aforesaid discussion, we may summarize the requirements of the doctrine of proportionality which must be followed by the authorities before passing any order intending on restricting fundamental rights of individuals. In the first stage itself, the possible goal of such a measure intended at imposing restrictions must be determined. It ought to be noted that such a goal must be legitimate. However, before settling on the aforesaid measure, the authorities must assess the existence of any alternative mechanism in furtherance of the aforesaid goal. The appropriateness of such a measure depends on its implication upon the fundamental rights and the necessity of such measures. It is undeniable from the aforesaid holding that only the least restrictive measures can be resorted to by the State, taking into consideration the facts and circumstances. Lastly, since the order has serious implications on the fundamental rights of the affected parties, the same should be supported by sufficient material and should be amenable to judicial review.”

...

“75. The respondent State has vehemently opposed selective access to internet services based on lack of technology to do the same. If such a contention is accepted, then the Government would have a free pass to put a complete internet blockage every time. Such complete blocking/prohibition perpetually cannot be accepted by this Court”.

XXI. BECAUSE this Hon’ble Court, in *Anuradha Bhasin* [supra], also while considering the extent of a restriction on fundamental rights, held that internet shutdown should be ordered only if less intrusive means are not available to the state. This Hon’ble Court held:

“72. To consider the immediate impact of restrictions upon the realization of the fundamental rights, the decision maker must

prioritize the various factors at stake. Such attribution of relative importance is what constitutes proportionality. It ought to be noted that a decision which curtails fundamental rights without appropriate justification will be classified as disproportionate. The concept of proportionality requires a restriction to be tailored in accordance with the territorial extent of the restriction, the stage of emergency, nature of urgency, duration of such restrictive measure and nature of such restriction. The triangulation of a restriction requires the consideration of appropriateness, necessity and the least restrictive measure before being imposed.

...

99. Lastly, we think it necessary to reiterate that complete broad suspension of telecom services, be it the Internet or otherwise, being a drastic measure, must be considered by the State only if 'necessary' and 'unavoidable'. In furtherance of the same, the State must assess the existence of an alternate less intrusive remedy. Having said so, we may note that the aforesaid Suspension Rules have certain gaps, which are required to be considered by the legislature."

IMPOSITION OF SHUTDOWNS WITHOUT CONSTITUTION OF REVIEW COMMITTEES IS ILLEGAL IN NATURE

XXIII. BECAUSE as per material publicly available, there are no Review Committees constituted by the Respondents as mandated under by law to record it's findings and check the legality of the reasons behind the shutdowns imposed.

XXIV. BECAUSE Review Committees must be constituted and the statutory mandate of review of telecom suspension orders is required to be complied with for all telecom shutdown orders, irrespective of the duration of such shutdowns. The material publicly available suggests that telecom shutdown orders which lead to blanket shutdown of telecom services over vast areas are not placed before the Review Committee since the orders are for a duration (usually less than 5 days) which lapses before the issue reaches the stage of the Review Committee. The argument of fait accompli is not a constitutionally tenable response to the violation

of the statutory mandate of the Telecom Suspension Rules and The Telegraph Act, and amounts to an unconstitutional restriction on fundamental rights.

RESPONDENTS' ACTIONS ARE MANIFESTLY ARBITRARY IN NATURE

XXV. BECAUSE the Petitioner society submits that the respondents have adopted an arbitrary and unlawful approach in shutting down the internet without adherence to the procedure established by law, and as such have thrust great hardship upon the citizens and such acts and deeds of the concerned respondents are violative of the rules of justice, equity and fair play.

XXVI. BECAUSE there is no justification for having such drastic measures to prevent cheating in examinations at great cost to the life and livelihood of residents who have no nexus to any examination, and especially so when news reports suggest that even after internet services were suspended to prevent cheating in examinations, cheating has continued with the use of non internet based technology. It has been reported widely by newspapers that candidates were caught cheating in examinations even after a preventive shutdown was imposed. A copy of the news article is annexed as **ANNEXURE-P-12 at Pages 342-345.**

XXVIII. BECAUSE the Petitioner society states that in the facts and circumstances stated hereinabove, a strong *prima – facie* case is made out which warrants judicial review.

XXIX. BECAUSE the balance of convenience and/or inconvenience rests in favour of the Petitioner society for grant of reliefs as prayed for hereinafter and such reliefs, if granted, would provide adequate remedy to the petitioner and the public at large.

XXX. BECAUSE This Petition is bonafide and made in the interest of justice.

35 **PRAYER**

In the facts and circumstances stated hereinabove, the Petitioner society humbly pray before this Hon'ble Court as under pleased to pass the following orders and/or directions –

- a. Issue a writ in the nature of mandamus directing the Respondent states to not suspend Internet services on the ground of preventing cheating in examinations and for such other routine administrative reasons; and
- b. Issue a writ in the nature of mandamus directing the Respondent States to produce all orders made by the Respondents bringing in to effect the suspension of telecom and Internet services to prevent cheating in examinations;
- c. Issue an order declaring that only the competent personnel as authorised by the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 shall issue orders to suspend telecommunication services and no blanket delegation of authority is permissible in this regard;
- d. Issue a writ in the nature of mandamus directing the Respondents to publish all telecom shutdown orders in major national and regional newspapers in addition to websites of the respective Departments of Home;
- e. Issue a writ in the nature of mandamus directing the Respondent States to form a review committee in accordance to the provisions of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, and to review all future orders to suspend telecom services within the timeframe stipulated in the law, irrespective of the time-period of the suspension;

- f. Issue a writ of certiorari setting aside the blanket order of the Respondent State Rajasthan numbered F-35(1) Home-9/006 dated 02.09.2017 which delegates the power to suspend internet services to the Divisional Commissioners of the State;
- g. Any other or further order or orders, direction or directions as this Hon'ble Court may deem fit and proper.

And for this act of kindness, the petitioner as in duty bound shall ever pray.

Drawn By:

MISHI CHOUDHARY,
PRASANTH SUGATHAN,
RADHIKA JHALANI,
MYTHILI SRINIVASAMURTHY

Filed By:



PRASANNA S
ADVOCATE ON RECORD

Drawn on:22.02.2022

Filed on: 24.02.2022

IN THE SUPREME COURT OF INDIA
CIVIL WRIT JURISDICTION
WRIT PETITION (CIVIL) No. ____ OF 2022

IN THE MATTER OF:

SOFTWARE FREEDOM LAW CENTRE, INDIA (SFLC.in)

... PETITIONER

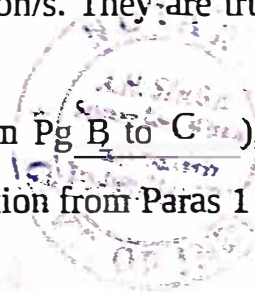
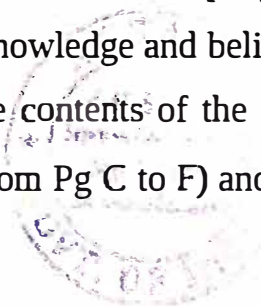
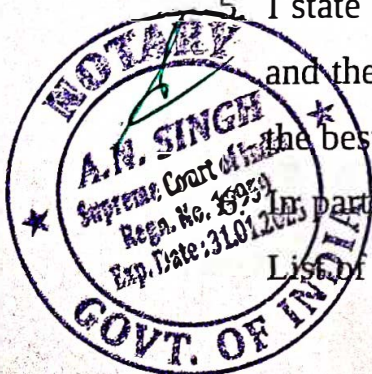
Versus

STATE OF ARUNACHAL PRADESH & ORS ...RESPONDENTS

AFFIDAVIT

I, _____ d _____ aged about _____ being the treasurer of the Applicant, Software Freedom Law Centre, India (SFLC.In), having office at K-9, Second Floor, Birbal Road, Jangpura Extn, New Delhi, do hereby solemnly declare and affirm as under that :-

3. I am conversant with the facts and circumstances of the case.
 4. I am competent to swear this Affidavit in all respects.
 5. I state that I have perused and understood the contents of the Petition and the contents of the accompanying Application/s. They are true to the best of my knowledge and belief.
- In particular, the contents of the Synopsis (From Pg B to C), the List of D ate (From Pg C to F) and the Writ Petition from Paras 1 to



33 and based on the records maintained by the Applicant organisation; and that the contents of Paras 34 through 35 are based on legal advice received, which I believe to be true.

7. The documents annexed and marked as ANNEXURE-P-1 through ANNEXURE-P-12 are true copies of their respective originals.

I identify the deponent who has
Signed Put P.L. in my presence
Present *Prasanna Sharma*

VERIFICATION

DEPONENT

IN THE SUPREME COURT OF INDIA
CIVIL WRIT JURISDICTION
WRIT PETITION (CIVIL) No. _____ OF 2022

IN THE MATTER OF:

SOFTWARE FREEDOM LAW CENTRE, INDIA (SFLC.in)

... PETITIONER

Versus

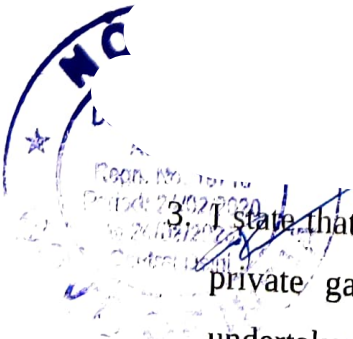
STATE OF ARUNACHAL PRADESH & ORS

...RESPONDENTS

AFFIDAVIT

I, _____ d/ _____ age _____ years, being the
 _____ Software Freedom Law Centre, India
 (SFLC.In), having office at K-9, Second Floor, Birbal Road, Jangpura
 Extn, New Delhi, do hereby solemnly declare and affirm as under that :-

3. I state that I have the present petition is filed as a PIL and there is no private gain or oblique motive. All necessary research has been undertaken and presented in the petition. There is no personal gain, private motive or oblique reason in filing the present Public Interest Litigation.



VERIFICATION



General Assembly

Distr.: General
15 June 2021

English only

Human Rights Council

Forty-seventh session

21 June–9 July 2021

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Ending Internet shutdowns: a path forward

**Report of the Special Rapporteur on the rights to freedom of peaceful
assembly and of association***

Summary

As a follow-up to his report on the rights to freedom of peaceful assembly and of association in the digital era, submitted to the Human Rights Council at its forty first session (A/HRC/41/41), the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément N. Voule, presents to the Human Rights Council a study of recent trends and the impact of Internet shutdowns in relation to peaceful protests, and makes recommendations to address this global phenomenon.

* Reproduced as received, in the language of submission only.

I. Introduction

1. In 2019, the Special Rapporteur presented to the Human Rights Council a thematic report examining the intersection between digital technologies and the enjoyment of the rights to freedom of peaceful assembly and of association.¹ While the report recognized that digital technologies have expanded opportunities for the enjoyment and exercise of peaceful assembly and association rights, it also raised concerns about the use of these technologies by state and non-state actors “to silence, surveil and harass dissidents, political opposition, human rights defenders, activists and protesters.”²

2. Crucially, the report expressed alarm at the rise of internet shutdowns during critical democratic moments such as elections and peaceful protests and their harmful impacts. The report observed that these measures are a violation of the right to peaceful assembly provided for in Article 21 of the International Covenant on Civil and Political Rights and can never be considered a lawful restriction of this fundamental freedom.³ It emphasized that “access to Internet and mobile telephony services should be maintained at all times, including during times of civil unrest. Access to and use of digital technologies during elections for assembly and association purposes should be specially respected, protected and promoted.”⁴ The report called on States to “refrain from, and cease, measures such as cutting off access to the Internet and telecommunications services.” It recommended “repealing and amending any laws and policies that allow network disruptions and shutdowns and refraining from adopting such laws and policies.”⁵

3. Since the report was submitted to the Human Rights Council, the Special Rapporteur has strived to promote the implementation of its recommendations, engaging with governments, civil society organizations and other key stakeholders. He issued several communications and press releases condemning shutdowns in countries around the world and participated in several public events raising concern about the troubling trend. He engaged on this issue with government authorities of Zimbabwe⁶ and Sri Lanka⁷ during his official visits to those countries. He also joined the international human rights community to ensure the United Nations speaks more clearly about these practices, including their impact on human rights during the Covid-19 pandemic.⁸ For example, he worked with governments and civil society to ensure the 2020 Human Rights Council resolution⁹ on human rights in the context of peaceful protests adopted stronger language against shutdowns. The Special Rapporteur engaged with the UN Human Rights Committee, as it developed general comment No. 37 on the right to peaceful assembly, to ensure the general comment included clear standards on the use of internet shutdowns relating to peaceful assemblies.

4. Notwithstanding the progress made, many States around the world have continued to hinder connectivity and impose internet shutdowns with the aim of clamping down on peaceful protests. Shutdowns have become an entrenched practice in certain regions, especially as a means for incumbent regimes to retain power and stifle dissent. Shutdowns are lasting longer, becoming harder to detect and targeting particular social media and messaging applications and specific localities and communities. Shutdowns have continued during the COVID-19 pandemic, impeding people’s ability to access essential services during the ongoing health crisis and intensifying the closing of civic space around the world. Particularly in countries that have responded to the pandemic with a national militaristic approach,¹⁰ these shutdowns have been adopted alongside other repressive tactics, including the criminalization of journalists and human rights defenders.

¹ A/HRC/41/41.

² A/HRC/41/41, para. 3.

³ A/HRC/41/41, para 52.

⁴ A/HRC/41/41, para. 74.

⁵ A/HRC/41/41, para. 73, b).

⁶ A/HRC/44/50/Add.2, paras. 57 and 58.

⁷ A/HRC/44/50/Add.1, paras. 80 and 81.

⁸ See, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25788&LangID=E.

⁹ Human Rights Council resolution 44/20 of 23 July 2020.

¹⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25788&LangID=E and

5. The objective of the present addendum is to increase understanding of the magnitude and severity of internet shutdowns as a means to suppress the right to peaceful assembly, with a view toward proposing a path forward to end this practice. Section II of the addendum provides an overview of the applicable international legal framework, while also drawing on the practice of States, regional mechanisms, and UN initiatives. Section III examines key trends and impacts of internet shutdowns recorded since the 2019 report was submitted to the Human Rights Council, and Section IV analyses promising practices and proposes a framework for what needs to be done to address the rising threat of shutdowns. The report concludes with a set of recommendations.

6. In writing the present addendum, the Special Rapporteur benefited from civil society input gathered in three online expert meetings held on 16 December 2020, and 8 and 13 April 2021. He also consulted with other stakeholders bilaterally. The Special Rapporteur would like to thank all those who participated in these meetings and who shared their experiences and expertise to inform the report.

7. For the purposes of this addendum, internet shutdowns are understood broadly as “the intentional disruption of internet or electronic communications, rendering them inaccessible or effectively unusable, for a specific population or within a location, often to exert control over the flow of information.”¹¹ Shutdowns can then range from large-scale complete disconnection of the internet and mobile networks to other network disruptions, including the blocking of particular services or applications, such as social media platforms and messaging apps and throttling or the slowing down internet traffic to impede connectivity.¹²

II. International legal framework

A. Access to the internet

8. The right to access and use internet and other digital technologies for the purposes of peaceful assembly is protected under article 20 of the Universal Declaration of Human Rights and article 21 of the International Covenant on Civil and Political Rights. As indicated in general comment No. 37 of the Human Rights Committee on Article 21: The Right to Peaceful Assembly, “[a]lthough the exercise of the right of peaceful assembly is normally understood to pertain to the physical gathering of persons, article 21 protection also extends to remote participation in, and organization of, assemblies, for example online.”¹³ This protection covers those activities associated with peaceful assemblies that “happen online or otherwise rely upon digital services,”¹⁴ including planning and organizing a gathering, mobilizing resources; disseminating information, preparing for and traveling to the event; communicating with other organizers and participants leading up to and during the assembly; monitoring or broadcasting the assembly. In turn, interference with such technologies can result in the violation of this fundamental freedom.¹⁵

9. International human rights law has developed well-established principles recognizing access to internet as a necessary precondition for the exercise and enjoyment of human rights online and offline, including the right to peaceful assembly. The Human Rights Council has consistently affirmed that “the same rights that people have offline must also be protected online” and has called upon all States to enhance the access to and use of the internet in order to promote the full enjoyment of human rights for all.¹⁶ More recently and in the context of the Covid-19 pandemic, the Council emphasized the need for greater protection to internet access and connectivity. It stressed that “in times when physical assemblies are restricted,

¹¹ See Global Network Initiative, “Disconnected: A Human Rights Approach to Network Disruptions” (2017).

¹² A/HRC/35/22, para. 8.

¹³ CCPR/C/GC/37, para. 13.

¹⁴ CCPR/C/GC/37, para. 10.

¹⁵ A/HRC/41/41.

¹⁶ Human Rights Council resolution 20/8 of 5 July 2012. See also: Council resolutions 26/13 of 26 June 2014, 32/13 of 1 July 2016 and 38/7 of 5 July 2018.

[...] it is all the more necessary [...] to ensure that access to the Internet extends to the entirety of the global population and that it is affordable, and fully respects and protects each individual's right to privacy.”¹⁷

10. At the regional level, the Committee of Ministers of the Council of Europe has affirmed that “[a]ccess to the internet is a precondition for the exercise of rights and freedoms online,” as enshrined in the European Convention for the Protection of Human Rights and Fundamental Freedoms.¹⁸ The Inter-American Commission on Human Rights (IACHR) has stressed that that access to the internet “is a condition *sine qua non* for the effective exercise of human rights today, especially including the rights to freedom of expression and opinion, association and assembly.”¹⁹ The African Commission on Human and People's Rights (ACHPR) has affirmed that “States shall recognize that universal, equitable, affordable and meaningful access to the internet is necessary for the realization of freedom of expression, access to information and the exercise of other human rights.”²⁰

11. The importance of access to internet is further reflected in international commitments towards achieving sustainable development and building knowledge societies. In several declarations and resolutions adopted within the framework of UN agencies and entities, States have pledged to take steps to ensure that high-quality, affordable, open and secure internet is available to all individuals without discrimination.²¹ Notably, in the 2030 Agenda for Sustainable Development States committed to “significantly increase access to information and communications technology and strive to provide universal and affordable access to the Internet in least developed countries by 2020.”

B. Internet shutdowns

12. Article 21 of the Covenant promotes an expansive understanding of the right to peaceful assembly, where full exercise is the norm, and restrictions the exception to that right. States bear the burden of justifying any restriction. Authorities must be able to show that restrictions meet the requirement of legality and are also both necessary in a democratic society for and proportionate to at least one of the permissible grounds for restrictions enumerated in article 21. The Human Rights Committee stressed that “the imposition of any restrictions should be guided by the objective of facilitating the right, rather than seeking unnecessary and disproportionate limitations on it. Restrictions must not be discriminatory, impair the essence of the right, or be aimed at discouraging participation in assemblies or causing a chilling effect.”²²

13. Internet shutdowns fail to meet all of these conditions, a point that the Human Rights Committee emphasized when it affirmed that “States parties must not block or hinder internet connectivity in relation to peaceful assemblies. The same applies to geo-targeted or technology-specific interference with connectivity or access to content.”²³ Similarly, the U.N. General Assembly²⁴ and the Human Rights Council²⁵ have called upon States to refrain from implementing internet shutdowns and to ensure internet is available at all times, including during peaceful protests.²⁶ The Special Rapporteur and other mandate holders have joined regional experts to condemn internet shutdowns, reaffirming that “using communications

¹⁷ Human Rights Council resolution 44/20 of 17 July 2020.

¹⁸ Recommendation CM/Rec(2018)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries (Adopted by the Committee of Ministers on 7 March 2018 at the 1309th meeting of the Ministers' Deputies), para. 1.

¹⁹ IACHR. Standards for a Free, Open and Inclusive Internet (2017), para. 32.

²⁰ ACHPR. Declaration of principles on freedom of expression and access to information in Africa, adopted in 2019. See also, 362 Resolution on the Right to Freedom of Information and Expression on the Internet in Africa - ACHPR/Res.362(LIX)2016.

²¹ See, for example, General Assembly resolution 70/1 of 21 October 2015.

²² CCPR/C/GC/37, para. 10.

²³ CCPR/C/GC/37, para. 34.

²⁴ General Assembly resolution 73/173 of 17 December 2018.

²⁵ Council resolutions 20/8 of 5 July 2012, 26/13 of 26 June 2014, 32/13 of 1 July 2016 and 38/7 of 18 July 2018.

²⁶ Council resolutions 38/11 of 6 July 2018 and 44/20 of 23 July 2020.

‘kill switches’ (i.e. shutting down entire parts of communications systems) are measures which can never be justified under human rights law,”²⁷ and urging States to refrain from adopting such measures, including for the purposes of preventing peaceful assemblies.²⁸ In the 2020 Roadmap for Digital Cooperation the UN Secretary-General stressed that “blanket internet shutdowns and generic blocking and filtering of services are considered by UN human rights mechanisms to be in violation of international human rights law.”²⁹

14. Regional bodies have also emphasized that internet shutdowns infringe upon human rights norms. The ACHPR affirmed the principle of non-interference with access to internet and stressed that States “shall not engage in or condone any disruption of access to the internet and other digital technologies for segments of the public or an entire population.”³⁰ The Economic Community of West African States (ECOWAS) Community Court ruled that shutting down internet access is a violation of the right to freedom of expression.³¹ The Council of Europe called on States to recognize “in law and in practice that disconnecting individuals from the Internet, as a general rule, represents a disproportionate restriction of the right to freedom of expression,” as provided for in the European Convention on Human Rights.³²

15. The incompatibility of internet shutdowns with article 21 of the Covenant must be emphasized. First, to satisfy the requirement of legality, restrictions on assemblies must have a formal basis in law, as must the mandate and powers of the restricting authority. Laws must be publicly accessible, be drafted clearly and narrowly, and with sufficient precision to limit authorities’ discretion while enabling an individual to act accordingly.³³ Domestic laws must also be aligned with the relevant international norms and standards. Internet shutdowns imposed during peaceful assemblies are often ordered covertly and without legal basis. When shutdowns are recognized, authorities often invoke executive or administrative orders or antiquated or ambiguous norms that provide impermissible discretion to authorities.³⁴

16. Beyond the legality requirement, restrictions on assemblies must also protect a specific legitimate interest from actual harm. As a result, general or vague assertions that internet shutdowns are necessary for maintaining public order or protecting national security (or other permissible ground for restriction) are inconsistent with article 21. The protection of national security and public order are often invoked to justify internet shutdowns. While protecting national security and public order is a legitimate purpose under article 21, the mere possibility that a peaceful assembly may provoke adverse or even violent reactions from some members of the public cannot be used to justify restrictions under those grounds, including an internet shutdown. National security, in particular, cannot be invoked as rationale for restrictions “where the very reason for the deterioration of national security is the suppression of human rights.”³⁵

17. As indicated by the Human Rights Committee, “restrictions on peaceful assemblies must not be used, explicitly or implicitly, to stifle expression of political opposition to a government, challenges to authority, including calls for democratic changes of government, the constitution or the political system, or the pursuit of self-determination. They should not be used to prohibit insults to the honour and reputation of officials or State organs.”³⁶ As such, internet shutdowns may never be invoked as a justification for suppressing advocacy

²⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15921&LangID=E

²⁸ See www.ohchr.org/Documents/Issues/FAssociation/joint-declaration-democratic-governance/declaration-en.pdf

²⁹ A/74/821, para 41.

³⁰ ACHPR, Declaration of principles on freedom of expression and access to information in Africa (2019).

³¹ Economic Community of West African States (ECOWAS) Community Court, Jud No. ECW/CCJ/JUD/09/20.

³² Recommendation CM/Rec(2016)5[1] of the Committee of Ministers to member States on Internet freedom.

³³ CCPR/C/GC/37, para. 39.

³⁴ A/HRC/41/41 para 52 and A/HRC/35/22, para 9 and 10. See also, ECOWAS Community Court, Jud No. ECW/CCJ/JUD/09/20.

³⁵ CCPR/C/GC/37, para. 42.

³⁶ CCPR/C/GC/37, para. 49.

of democracy and human rights. Nor can they be used to curtail monitoring, reporting on, and ensuring accountability for gross human rights violations in relation to peaceful protests.

18. Under necessity and proportionality conditions, restrictions to the right to peaceful assembly must be appropriate, must be the least intrusive measure to achieve a legitimate interest, and must not be overbroad. States are obliged to take all reasonable measures that do not impose disproportionate burdens upon peaceful assemblies to protect all participants and to allow them to take place in an uninterrupted manner.³⁷

19. To be considered “necessary in a democratic society”, authorities must demonstrate that shutdowns are appropriate responses to a pressing social need, relating to one of the permissible grounds listed in article 21.³⁸ By contrast, shutdowns have been found extremely counterproductive,³⁹ creating serious risks to the rule of law, political pluralism, and human rights. Given the purpose of the right to peaceful assembly as a potential tool of political and social participation,⁴⁰ shutdowns imposed to prevent unrest around contested elections are particularly troubling.⁴¹ The Special Rapporteur has stressed that during elections, when tensions are at their highest, access to internet is actually needed to provide accurate information and dispel rumours.⁴² States are under the obligation to identify and implement alternative means to maintain public order in these critical times, in accordance with international human rights norms and standards.

20. Shutdowns are thus inconsistent with proportionality requirements. They impose extreme burdens on those exercising expression and peaceful assembly rights and exert significant chilling effects on decisions regarding whether to participate in public assemblies. These chilling effects hold direct implications on participatory democracy, whose existence depends upon an active and informed citizenry capable of engaging with a range of ideas. Those on the margins of society are most impacted by these chilling effects. Large-scale shutdowns of communication networks, in particular, have been deemed a form of collective punishment.⁴³ Moreover, internet shutdowns generate a wide variety of harms to human rights, economic activity, public safety and emergency services that outweigh the purported benefits. Shutdowns also threaten to undermine the rights to liberty and personal integrity, by impeding the access of protestors to emergency help and contact with family and friends.⁴⁴

C. Responsibilities of digital technology companies

21. In his 2019 report, the Special Rapporteur affirmed that the global framework for assessing digital technology companies’ responsibilities to respect human rights is provided by the Guiding Principles on Business and Human Rights.⁴⁵ Guiding principles 11–24 recognize that business “should respect human rights” by avoiding infringing on the human rights of others and by addressing adverse human rights impacts with which they are involved. In order to fulfil this obligation, business enterprises should have in place human rights policies and processes – including a policy commitment to meet their responsibility to respect human rights; a human rights due diligence process to identify, prevent, mitigate, and account for how they address their human rights impacts; and processes to enable the remediation of any adverse human rights impacts that they cause or to which they contribute.⁴⁶ The Guiding principles provide guidance on how to address of internet shutdowns, including the adoption of mitigation strategies and transparency measures. In keeping with these principles, companies should require that shutdowns requests be made in

³⁷ CCPR/C/GC/37, para. 34.

³⁸ CCPR/C/GC/37, para. 40.

³⁹ A/HRC/35/22, para 14.

⁴⁰ Human Rights Council resolution 15/21 of October 2010.

⁴¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26988&LangID=E

⁴² A/HRC/41/41, para. 53.

⁴³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24909&LangID=E and www.achpr.org/pressrelease/detail?id=8

⁴⁴ A/HRC/41/41, para 53.

⁴⁵ A/HRC/17/31.

⁴⁶ A/HRC/41/41, para 18.

writing and present a clear explanation of their legal basis and institutional authority to issue the request. Companies should explore all legal options for challenging requests and disclose all relevant information about shutdowns and mitigate the impact of gag orders or other non-disclosure laws.⁴⁷

III. Overview of key trends and impacts

22. Since the submission of his 2019 report to the Human Rights Council, the Special Rapporteur has been monitoring reported instances of internet shutdowns during peaceful protests across the world, including in the context of elections. Along with data collected by civil society groups, monitoring activities conducted by the Special Rapporteur reveal a set of global trends and impacts related to the imposition of these shutdowns, which are examined in this section. The country situations mentioned here refer to events recorded in the period of January 2019 - May 2021. They have been the subject of communications sent to Governments, as well as press releases and reports issued by special procedures mandate holders, high-level United Nations officials and entities and regional human rights mechanisms. The report also relies on aggregated data collected and made publicly available by civil society organizations.

A. Trends and modalities of shutdowns

23. Internet shutdowns are a growing global phenomenon. The #KeepItOn Coalition⁴⁸ has recorded at least 768 government-ordered internet disruptions in about 63 countries since 2016. A total of about 187 internet shutdowns relating to peaceful assemblies, while about 55 shutdowns in the context of elections have also been documented from 2016 to May 2021. From January 2019 through May 2021, the coalition has documented at least 79 incidents of protest-related shutdowns, including in the context of elections.

24. **The number of governments imposing internet shutdowns during mass demonstrations continues to grow**, with many States adopting these extreme measures for the first time in this period. The practice is not limited to authoritarian regimes. Shutdowns have been observed in long-established democracies and more recent democracies alike, in line with broader trends of democratic recession across the world. In Latin America, for example, shutdowns were recorded only in Nicaragua and Venezuela as of 2018, but since then, Colombia⁴⁹, Cuba⁵⁰ and Ecuador⁵¹ have reportedly adopted shutdowns in connection to mass protests.

25. **Shutdowns are increasing in length, scale, and sophistication.** This period saw the longest shutdowns ever registered, with Bangladesh adopting a mobile internet blackout for 355 days in the Cox's bazar refugee camps.⁵² The shutdown was imposed in retaliation against Rohingya refugees for staging a peaceful demonstration commemorating the second anniversary of the Myanmar military's ethnic cleansing campaign in Rakhine State ("Genocide Day") on 25 August 2019.⁵³ This shutdown affected about 900,000 people living in these camps. Ethiopia's three-week shutdown in July 2020⁵⁴ affecting a population of more than 100 million people is another example of this trend.

26. More and more of these prolonged shutdowns involve a range of disruption techniques, with governments implementing nation-wide internet blackouts along with harder to detect and targeted network disruptions. For instance, in Belarus, the government

⁴⁷ A/HRC/35/22.

⁴⁸ The KeepItOn Coalition is comprised of more than 240 organizations from 105 countries around the world. More information here: <https://www.accessnow.org/keepiton/#coalition>

⁴⁹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27093&LangID=E

⁵⁰ See IACHR, Annual Report 2020, Chapter IV b), the Situation of Human Rights in Cuba, paras 76-81.

⁵¹ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25188&LangID=E

⁵² Access Now/#KeepItOn Coalition, "Shattered Dreams and Lost Opportunities," (2020).

⁵³ BGD 2/2019.

⁵⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26115&LangID=E.

adopted a nationwide shutdown amid mass protests contesting election results in August 2020. When connectivity was restored, authorities then targeted pro-democracy gatherings regularly convened every Sunday from September until December 2020, by slowing down connection to social media (throttling).⁵⁵ These measures continued during the hours of the protests and directly affected the areas where protestors gathered in the city of Minsk. These tactics reportedly lasted for 121 days, with Telegram and Virtual Private Networks (VPNs) still blocked as the time of writing.

27. Notably, in the context of the February 2021 military coup, Myanmar has ordered several national internet blackouts and other disruptions aimed at curbing the free flow of information and interfering with activism to defend democracy.⁵⁶ Just before the coup began on 1 February 2021, the military junta plunged the entire country into a blackout for a few hours.⁵⁷ As mass protests began to spread in cities across the country, the junta ordered a second large-scale shutdown that dropped down connectivity to 14% on 7 February. All telecommunications companies were ordered to block Facebook, Twitter, and Instagram, along with certain Virtual Private Networks (VPNs) being used to circumvent the restrictions. While on 8 February, connectivity seemed to have been restored, authorities began implementing routine shutdowns during night time hours between 14 and 22 February, disrupting protesters' organizing activities and communications with the international community, while limiting interference with businesses and the government activities during the day. The Special Rapporteur on the situation of human rights in Myanmar highlighted that these shutdowns also provided "impunity for security forces carrying out arrests and violent crackdowns throughout the night."⁵⁸ Pro-democracy protests nonetheless continued to grow, with hundreds of thousands of people joining demonstrations. On 2 April 2021, the military reportedly ordered telecommunication companies and Internet Service Providers (ISPs) to shut down all wireless broadband services, "until further notice." Civil society groups informed the Special Rapporteur that as of April 28, fiber optic and fixed cable connectivity is apparently available. While this is a positive development, they cautioned that this measure still leaves the vast majority of people in Myanmar – who access the internet using mobile networks – disconnected.

28. **Bandwidth throttling – or deliberately reducing Internet speeds –is becoming increasingly common.** Some governments are resorting to the extensive use of throttling, a more subtle way of shutting down the Internet than the "kill switch", but with equally effective results.⁵⁹ By slowing internet traffic or access to specific apps or services, States ensure the internet becomes effectively unusable for protest activity, preventing the circulation of photos and videos because they require greater bandwidth. When these types of shutdowns are imposed, affected individuals report the internet is drastically slowed, and does not generally permit access to video calls or livestreaming apps or social media sites. These measures are much harder to document and respond to and States may seek to justify access limitations on technical grounds. In countries that already suffer from poor connectivity, throttling can be harder to detect and easily be confused with connection problems, shielding governments from scrutiny.

29. **Most shutdowns target applications and services used by protesters.** States are designing shutdowns to directly block access to the communications platforms and services most used by protesters, like Facebook, Twitter, WhatsApp, or Telegram. States are also targeting internet shutdown circumventions tools, such as VPN services. Social media and messaging were partially blocked in Mali for 5 days in July 2020 amid mass protests seeking political reforms.⁶⁰ Venezuela restricted access to Twitter, Facebook, and Instagram in 2019 in the context of mass protests across the country.⁶¹ By intentionally hindering access to the apps and services most used by peaceful demonstrators, these shutdowns not only

⁵⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26164&LangID=E.

⁵⁶ AL MMR 1/2021. See also, A/HRC/46/56.

⁵⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26705&LangID=E.

⁵⁸ A/HRC/46/56, para 74.

⁵⁹ From January 2019 to May 2021, 14 instances of throttling relating to peaceful protests were documented by the #KeepItOn coalition.

⁶⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26124&LangID=E.

⁶¹ AL VEN 2/2019.

illegitimately target peaceful protests but may also increase the risks of protesters and human rights defenders being subjected to unlawful government surveillance and criminalization. Civil society groups consulted in preparation for this report, for example, expressed concerns that shutdowns of social media in the Islamic Republic of Iran pushes protesters towards government-controlled apps and services.

30. **Shutdowns are used as pre-emptive tools against peaceful assemblies, especially in the context of elections.** Many of the shutdowns recorded since 2019 appear to be aimed at curbing the free flow of information and tightening civic space during times considered politically sensitive or of public discontent. Elections are perhaps the best example. In this period, election-related internet shutdowns were documented in Benin, Belarus, the Democratic Republic of Congo, Malawi, Uganda, Kazakhstan, and other countries globally.⁶² For instance, Uganda implemented a country wide internet shutdown for 5 days (13-18 January 2021) before, during, and after their general elections (14 January 2021)⁶³ to curtail knowledge of opposition arrests and to stifle any opposition against proclaimed results. The blackout followed several days of blocking social media and messaging apps.

31. **Marginalized and at-risk populations are especially targeted.** Some States intentionally use shutdowns to target certain communities, localities and groups of individuals, including members of national, ethnic, and linguistic minorities, who are generally more vulnerable to State repression during peaceful assemblies. These shutdowns exert a greater chilling effect on the right to peaceful assemblies of historically vulnerable communities and further marginalize them. For instance, in August 2019, Indonesian authorities shut down internet access in Papua in response to protests against discrimination and renewed calls for an independence referendum.⁶⁴ Kashmiris and other ethnic minorities in India have faced historically long targeted internet shutdowns, with India implementing a months-long regional shutdown in 2019 in Kashmir and Jammu states.⁶⁵ Rohingya and other displaced ethnic minorities have also been regularly subjected to mobile shutdowns both in Myanmar⁶⁶ and in the world's largest refugee camp in Bangladesh.⁶⁷ The Special Rapporteur stresses that for displaced peoples and those in conflict situations, internet shutdowns have severe impacts beyond their ability to organize and collectively voice their concerns. The Internet serves as a lifeline for vulnerable populations, without which they are prevented from accessing crucial services. Shutdowns also inflict greater suffering, by impeding communications with their loved ones and the outside world.

B. Impacts

32. Internet shutdowns not only violate the rights to freedom of peaceful assembly and freedom of opinion and expression, but are, unequivocally, harmful to many other human rights, which in the digital age depend on many digital technologies. Shutdowns can affect the rights to life and personal safety, personal liberty and access to justice, free elections, and political participation as well as many social, economic, and cultural rights.

33. The Special Rapporteur is especially concerned about the fact that, under cover of an information blackout, internet shutdowns facilitate abuses and gross human rights violations committed in the context of peaceful protests. As mentioned earlier, internet shutdowns are often implemented hand in hand with other repressive tactics against protesters, effectively thwarting efforts to report on and hold government accountable for human rights violations committed in the context of peaceful protests. Civil society and human rights groups have stressed that these shutdowns make it nearly impossible to document and report on human rights violations in real-time; to expose the crimes being committed against peaceful protesters; and to galvanize the response of domestic actors and the international community. Shutdowns also allow States to control the information and narratives relating to the protests,

⁶² Access Now/#KeepItOn Coalition, "Shattered Dreams and Lost Opportunities," (2020).

⁶³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26988&LangID=E.

⁶⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24990&LangID=E.

⁶⁵ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24909&LangID=E.

⁶⁶ A/HRC/46/56, para 14.

⁶⁷ BGD 2/2019.

especially as internet shutdowns are almost always implemented alongside other measures restricting media freedom.

34. For instance, immediately after the shutdown was imposed by the Government of Bangladesh in Rohingya refugee camps near Cox's Bazar, large numbers of military, police, and Rapid Action Battalion police reportedly entered the camps. The Special Rapporteur received reports of arrests, beatings, and extrajudicial killings, with those arrested being denied access to legal representation.⁶⁸ A curfew was vigorously enforced, while authorities confiscated thousands of mobile phones and banned refugees from buying SIM cards. According to the information received protest organizers and other human rights defenders were subjected to government surveillance and smear campaigns. Non-governmental organizations working in the refugee camps had their activities suspended.⁶⁹

35. In Ethiopia, for example, the internet was cut across most of the country on 30 June 2020 amid protests following the shooting of prominent Oromo singer Haacaaluu Hundeessaa. Official reports say 166 people were killed, although unofficial reports put the number much higher. According to police, some 2,000 people were arrested, including opposition leaders.⁷⁰ Authorities in Iraq blocked social media platforms and restricted messaging apps for 50 days, during two waves of mass protests that took place on October 2019. The restrictions were shortly followed by a near-total internet shutdown that cut off the entire country as protests escalated and evidence of targeted killings of protesters emerged.⁷¹ The Islamic Republic of Iran imposed a nation-wide shutdown during mass protests against rising fuel prices between 15 and 19 November of 2019. Credible reports received by the Special Rapporteur claim at least 304 deaths occurred, including 12 children, at the hands of security forces. Unconfirmed estimates suggest the death toll included up to 1,500 deaths.⁷² In Sudan, several shutdowns were imposed during the 8-month long prodemocracy movement to deter protesters from livestreaming police repression. A near total blackout was introduced for almost 5 weeks to prevent documentation of reported systematic killing and mass rape of protesters participating in a sit-in in Khartoum on 3 June 2019.⁷³ Most recently in Myanmar, where authorities have imposed regular internet shutdown, reports of mass killing of peaceful protesters continue to emerge.

36. Shutdowns also threaten sustainable development. Shutdowns directly impede the achievement of Universal access to information and communications technologies" (Target 9.C). Access to the internet is so fundamental to the achievement of the 2030 Agenda that governments committed to ensuring universal and affordable access to the internet in least developed countries in just 5 years (by 2020), when most targets were set for the year 2030. The linkages between access to digital technologies and sustainable development is further stressed under Goal 17 "Revitalize the Global Partnership for Sustainable Development", which calls for increased cooperation on access to technology and innovation as the basis for achieving the goals (Target 17.6).

37. The negative impacts of shutdowns also extend to the economy, with countries losing millions in revenue when both large-scale and targeted shutdowns are implemented,⁷⁴ directly hindering the 2030 Agenda's Goal 8 on the promotion of sustained, inclusive, sustainable economic growth.

38. Moreover, shutdowns contravene commitments to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels. Most directly, shutdowns threaten achievement of Target 16.10, which calls for ensuring "public access to information and

⁶⁸ BGD 2/2019.

⁶⁹ See www.thenewhumanitarian.org/2020/03/10/rohingya-refugees-internet-ban-bangladesh.

⁷⁰ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26115&LangID=E.

⁷¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25222&LangID=E.

⁷² IRN 17/2019. See also, ARTICLE19, "Tightening the Net 2020: After Blood and Shutdowns", (September 2020).

⁷³ SDN 1/2019. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24689&LangID=E.

⁷⁴ Center for Technology and Innovation at Brookings Institute, Internet shutdowns cost countries \$2.4 billion last year (October 2016); CIPESA, A Framework for Calculating the Economic Impact of Internet Disruptions in Sub-Saharan Africa (2017).

protect[ing] fundamental freedoms, in accordance with national legislation and international agreements.” Shutdowns also risk a country’s stability and peace, owing to heightened tensions from unaddressed grievances and demands from individuals and groups who are unable to channel them appropriately. This mandate has consistently maintained that systematic political repression of marginalized individuals, as well as of the organizations, movements and networks that represent them generates a considerable risk of violence. Suppressing opportunities for people to peacefully assemble and express their needs and aspirations “only opens up a less desirable avenue, one of violent resistance”, an eventuality that would undermine sustainable development and directly affect achievement of Sustainable Development Goal 16.⁷⁵

39. The COVID-19 pandemic has undeniably exacerbated these impacts and concerns. Despite several calls to States to end or refrain from imposing internet shutdowns during the pandemic, many shutdowns continued to take place, effectively impeding people’s ability to access essential services necessary for education, work, health, and social connection, and thereby causing increased anxiety and fear. Shutdowns also heightened the risks of joining peaceful assemblies, as many countries respond to the pandemic with a national militaristic approach and enforce restrictions to movement and gatherings with excessive force and harsh penalties.

40. The harmful human rights and development impacts of internet shutdowns are further magnified whenever these measures are imposed on marginalized communities. The shutdown imposed on Rohingya living in refugee camps in Bangladesh, for example, added suffering to their already precarious refugee life. Without internet access and mobile phones, refugees lost the most important spaces and tools they had to access health, education and maintaining family and social connections. Children living in the camps suffered disproportionately. The shutdown deprived nearly 400,000 school-aged children in the camps of the only available tool for education.⁷⁶ The Special Rapporteur expressed alarm at the fact that the internet shutdown remained in place even as COVID-19 reached the refugee camps in Bangladesh, and strict lockdowns were imposed. This prevented Rohingya refugees from accessing and disseminating health information critical to protect themselves, their families, and their community against the coronavirus.

IV. Path Forward: Ending Shutdowns

41. The growing scale and intensity of internet shutdowns relating to peaceful assemblies emphasizes the need for strong action by all stakeholders. In this section, the Special Rapporteur proposes a set of actions to be taken by States, companies, international institutions, and other relevant actors to ensure that applicable international human rights norms and standards can be effectively implemented and provide greater protection for the right to peaceful assembly in the digital era. These actions have been developed with reference to existing challenges and promising practices.

A. States

1. Establish a legal prohibition against internet shutdowns

42. The Special Rapporteur has stressed that existing legal frameworks addressing the internet or digital communications either contradict international human rights standards or include weak protections for the right to peaceful assembly.⁷⁷ In particular, laws fail to deal adequately with the threat of internet shutdowns during peaceful assemblies or simply facilitate the use of shutdowns. The Special Rapporteur has found that in most States, internet shutdowns have no basis in law, but are nevertheless imposed. Other States argue that shutdowns are legitimately imposed under the ambit of vague and broadly drafted

⁷⁵ A/74/349, para 30 and A/HRC/32/36/Add.2, para. 10.

⁷⁶ See Athan, Kintha, Rohingya Youth Association, “Lockdown and Shutdown: Exposing the Impacts of Recent Network Disruptions in Myanmar and Bangladesh”, (2020).

⁷⁷ A/HRC/41/41.

telecommunications legislation, which have been interpreted to grant unfettered power to authorities to impose shutdowns.⁷⁸ Many of the laws grant wide powers to employ shutdowns under vague and unspecified notions of “national security” or “national emergency,”⁷⁹ often giving national intelligence agencies the authority to order internet shutdowns. At the same time, new laws are being adopted, that would effectively provide government authorities with *carte blanche* to impose shutdowns, including during peaceful protests.

43. States should amend or repeal these laws and instead enact legislation prohibiting internet shutdowns and punishing the adoption of shutdowns. Any new legislation should fully incorporate international human rights norms and standards and to ensure the effective implementation of the prohibition against shutdowns. To this end, national laws should:

(a) Recognize access to the internet as a legal or constitutional right. Several countries have moved in this direction. For instance, the 2001 amendment to Greece’s Constitution provides that “all persons have the right to participate in the Information Society. Facilitation of access to electronically transmitted information, as well as its production, exchange, and diffusion, constitute an obligation of the State” (Article 5A). The Constitutional Court of France and the Supreme Court of Costa Rica have ruled that access to internet is a fundamental right. In Finland, the 2010 Communications Market Act declares a legal right to broadband for all citizens, by including broadband as basic communications services along with telephone or postal services.

(b) Require that education and information programs regarding the prohibition against shutdowns are fully included in the training of public officials, including law enforcement and military personnel and other authorities who may be involved in the management of peaceful protests and the administration of the information and communications technology sector.

(c) Establish independent oversight mechanisms. Given the capacity of States to implement internet shutdowns without transparency or acknowledgement, national laws should establish monitoring and reporting mechanisms. As mentioned earlier, in most instances, State officials do not provide any rationale or public information about the blackouts, deny information when requested, or claim that the shutdown is the result of technical problems or caused by foreign intervention/attack without providing any evidence to support those claims. Any network disruption should be subject to detailed reports that are publicly accessible. These reports should detail the precise nature and causes of the disruptions and assess legal compliance. Civil society organizations should be granted access to data to independently verify the findings of these reports.

(d) Require that the legal prohibition against shutdowns and human rights due diligence obligations are embedded in contracts or licensing agreements with digital technology companies, including telecommunications companies and internet service providers. This includes ensuring that companies operating in the country have an obligation to inform internet users of any unlawful disruptions and to seek remedy in courts. For State-run companies, the legal prohibition against shutdown should be clearly laid down in law and policy, with the expectation not only to refrain from implementing shutdowns but also to serve as role models in the sector.⁸⁰

44. While many governments shut down the internet for manifestly illegitimate reasons, the Special Rapporteur recognizes that States may have disrupted networks under the misconception that the measure may help address a particular public order or public safety concern during assemblies. In particular, the Special Rapporteur recognizes that the existing challenges in tackling disinformation and hate speech online may lead some governments to consider drastic measures. Laws and policies addressing hate speech or online disinformation should be in place, including ensuring effective collaboration from social media and content platforms. However, these laws cannot justify internet shutdowns, which are disproportionate

⁷⁸ See, for instance, Sections 5(1) and 56 of the Uganda Communications Act of 2013 and Russia’s Communications Act of 2003.

⁷⁹ See, for instance, Ecuador’s 2015 Organic Law of Telecommunications and Bangladesh Telecommunications Act of 2001.

⁸⁰ A/HRC/32/45.

by default, and should strictly adhere to international human rights principles and standards, including those concerning the right to freedom of expression, as laid down by the mandate of the Special Rapporteur on the right to freedom of opinion and expression.

2. Provide effective remedies

45. In general, existing national legislation addressing digital technologies or telecommunications in most countries does not provide accountability for human rights violations or contain provisions on any forms of remedy for victims of internet shutdowns. To ensure effective implementation of the prohibition of shutdowns, the legal system must ensure that victims of shutdowns can obtain redress and exercise an enforceable right to a remedy.

46. In recent years, national judicial systems have been called upon to ensure accountability for network shutdowns and their human rights implications. There are many positive developments in this field. Some national courts have recognized that internet shutdowns constitute a human rights violation. The Indian Supreme Court, while addressing the months' long internet shutdown in Kashmir, for example, held that the indefinite imposition of internet shutdowns is unconstitutional and that internet shutdowns cannot be ordered to suppress dissent. In Indonesia, the Jakarta State Administrative Court declared that the internet shutdowns implemented in 2019 in Papua and West Papua was illegal. In Sudan, a court ordered telecommunication companies to end a shutdown imposed during peaceful protests in 2019 and restore internet access in the country.

47. The Special Rapporteur strongly believes that courts could play an important role in addressing the threat of shutdowns. However, many challenges remain. Civil society groups consulted in preparation for this report asserted that accountability for the implementation of internet shutdowns remains extremely difficult and that cases brought are often slow-moving and subject to delay. When courts do issue decisions, they do not fully incorporate international human rights law considerations, including those related to freedom of assembly. Most importantly, courts are failing to provide effective remedies to redress victims or prevent repetition. National laws should, for instance, ensure that courts can issue more timely injunctions against shutdowns in progress. They should also ensure that courts can access technical information about shutdowns from relevant authorities, including from national security or intelligence officers, and receive and evaluate as evidence the forensic analysis of technical experts.

48. In cases where internet shutdowns have facilitated large-scale violations in the context of peaceful assemblies, effective accountability mechanisms should be ensured. This includes the establishment of a comprehensive, independent commission of inquiry, including independent representatives of civil society, with a mandate to conduct fact-finding as well as to make recommendations for systemic reform.

3. Develop a national action plan to ensure human rights are respected in the context of peaceful protests

49. The Special Rapporteur has stressed that protecting national security, public order and public safety are not incompatible with the full exercise of the right to peaceful assembly. Where legitimate concerns are raised, States should identify best practices in addressing them, implementing measures that are compatible with their international human rights obligations. There are many alternative measures to internet shutdowns. Mediation or negotiation are key techniques to be employed to address tensions that arise in the course of assemblies, before resorting to any other option. The UN Human Rights Council has affirmed that "peaceful protests should not be viewed as a threat" and encouraged all States to engage in "an open, inclusive and meaningful dialogue when dealing with peaceful protests and their causes".⁸¹

50. In a joint report on the proper management of assemblies, this mandate and that on extrajudicial, summary, or arbitrary executions, insisted that States should develop, enact, and update a national action plan to guide the implementation of the international standards

⁸¹ Human Rights Council resolution 25/38 of 11 April 2014.

relevant to the management of assemblies.⁸² The Special Rapporteur reiterates this call and urges States to ensure these national action plans reflect the principles and standards set out by the Human Rights Committee in its newly adopted General Comment 37 on the right to peaceful assembly. This includes establishing an explicit prohibition against the use of shutdowns as a means to manage assemblies and requiring instead that authorities always attempt to engage with assembly organizers and/or participants of assemblies, address substantive demands and engage in genuine dialogue with peaceful protesters.

4. Strengthen state leadership against shutdowns

51. Many States have shown a commitment to condemn internet shutdowns and explore ways to leverage diplomatic engagements to encourage other States to refrain from imposing internet shutdowns. Notably, the Freedom Online Coalition - a multilateral coalition of 30 governments that collaborate to advance Internet freedom worldwide – has issued several joint statements on state sponsored network disruptions and defending civic space online, including recommendations to States seeking to develop effective, human rights-respecting laws, legislation, and regulations designed to protect human rights online.

52. The Special Rapporteur echoes the calls made by the Freedom Online Coalition. States should strengthen efforts to raise issues of internet shutdowns, including their economic, social, and political impacts, in diplomatic activities, such as bilateral and multilateral engagements and negotiations. States should issue public statements when shutdowns in relation to peaceful protests are recorded and coordinate through embassies in the countries where such shutdowns are taking place to jointly urge governments to refrain from and cease such measures.⁸³

53. Donor States should also strengthen their support to civil society so that they can continue and scale up efforts to track the impact of internet shutdowns. These efforts have played a key role in bringing visibility to internet shutdowns, including their scope, duration, and impact, as well as in advocating for more accountability and transparency around this issue, including by using litigation. More support to civil society to improve access and use of network measurement tools and other tracking skills is also needed.

B. Companies

1. Scale up good business practices in addressing internet shutdowns

54. On the path to ending shutdowns, actions by telecommunications companies and internet providers are essential. The Special Rapporteur recognizes that telecommunications companies and internet providers operate within a framework of laws and government practices that may limit their capacity to prevent shutdowns from taking place. These companies operate under considerable business pressure, and in some cases, laws or licensing agreements might prevent them from disclosing information about shutdowns. Moreover, workers of these companies are at risk of violence, arrest, and intimidation in the event of non-compliance with shutdown orders.⁸⁴ The military-ordered shutdown in Myanmar, for example, was reportedly executed by armed military forces who raided the data centers of internet providers.

55. Yet telecommunications providers' human rights responsibilities apply fully despite these constraints. These companies need to take internet shutdowns seriously push back against these measures, help mitigate their impacts and ensure accountability. A small number of telecommunications providers are showing evidence of moving in that direction. According to data collected by the organization Ranking Digital Rights, only a few companies disclose information about the circumstances under which they may shut down the network, the demands they receive, and actions to push back on or mitigate the effects of government orders.⁸⁵ A positive recent development is Africa's MTN, which carried out

⁸² A/HRC/31/66, para. 17.

⁸³ Freedom Online Coalition, Joint Statement on State Sponsored Network Disruptions, 2017.

⁸⁴ HRC/35/21, para 31.

⁸⁵ See www.rankingdigitalrights.org/index2020/indicators/F10.

internet shutdowns in several countries in the region. The company committed to push back against such orders and notify users when carrying out shutdowns.⁸⁶ These efforts need to be replicated and scaled up.

56. The Special Rapporteur recognizes that as States increase the scale and intensity of shutdowns, the pressure on companies seeking transparency also increases. For example, foreign-based companies that operate in Myanmar- were reportedly barred from disclosing the military junta's directives they received ordering shutdowns.

57. The mandate of the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has asserted that even if "companies are prohibited from disclosing the origin or basis of a shutdown request, they should nevertheless seek to provide regular updates about the services affected or restored, the steps they are taking to address the issue and explanations after the fact. Innovative transparency measures, such as the publication of aggregate data and the selective withholding of information."⁸⁷ Companies facing these difficult situations should also cooperate with civil society in challenging unlawful orders, using all available tools of law and policy, in procedure and practice, including litigation. These companies can also help preserve evidence of orders or threats to disrupt networks, and document the impacts of shutdowns, in order to inform efforts at accountability and redress. As a preventing measure, companies should engage regulators when initiating a business relationship and push back against licensing conditions (and laws governing the telecommunication sector) that allow for shutdowns.

58. Social media platforms also have an important role to play to ensure respect for people's rights in the event of an internet shutdown. These companies, for example, should be more proactive in disclosing information about outages and disruptions they see in traffic flows, with or without attribution. These companies can also work with civil society groups and the technical community and take measures to help users circumvent blocking of their applications and be better prepared when shutdowns happen.

59. Another important business actor in preventing and addressing shutdowns are the companies that sell or provide governments with the hardware, software and services that support internet and telecommunications networks. The products and activities of these companies can facilitate internet shutdowns. For example, civil society organizations consulted in preparation for this report indicated that the Deep Packet Inspection (DPI) equipment used by Belarus to implement shutdowns during the 2020 election protests was provided by a company based in the United States. After advocacy by human rights groups and calls by members of Congress of the United States, the company ended its contract with the Belarusian government, explaining that actions by the Government of Belarus constituted a human rights violation and it has triggered the automatic termination of our end user license agreement.

2. Leverage investors' human rights due diligence to prevent and mitigate shutdowns

60. Investors, as business actors, have a responsibility to respect human rights in line with the UN Guiding Principles on Business in Human Rights. Investors need to know the human rights risks connected with their investment activities and understand how they can take action to manage those risks. Investors in digital technology companies, including telecommunications companies, are uniquely placed to facilitate and incentivize these companies to prevent, mitigate and address internet shutdowns. However, the involvement of investors in preventing and promoting due diligence on internet shutdowns remains exceptional. To address the rising threat of shutdowns, the exercise of human right due diligence by investors needs to become a new normal.

61. As first step, investors should publicly communicate their expectation that companies they invest in have in place policy commitments, due diligence processes, and effective transparency mechanisms addressing internet shutdowns, including measures to challenge internet shutdowns, as appropriate. To ensure this expectation is met, investors should closely

⁸⁶ See www.rankingdigitalrights.org/index2020/key-findings.

⁸⁷ A/HRC/35/22, para 71.

examine whether a company's current policies, financial disclosure and legal accountability mechanisms are sufficient to protect human rights, including the right to peaceful assembly, in the face of internet shutdowns. This involves requesting the company's transparency reports on shutdown incidents and providing financial backing for large-scale lawsuits challenging shutdown requests or non-disclosure measures. Efforts to promote multistakeholder collaboration between investors, companies, academia, and civil society to identify better ways to respond to shutdowns should also be supported by investors.

C. The United Nations and international institutions

1. Address implementation gaps and ensure international human rights accountability

62. International and regional human rights mechanisms have unequivocally condemned internet shutdowns as a violation of international human rights law and called upon all States to refrain from and cease such measures. The Special Rapporteur believes international human rights institutions should continue to urge states that are deliberately denying people access to the internet and communications, particularly in the context of peaceful assemblies, to keep the internet on.

63. At the same time, there is an urgent need to move beyond condemnation and strengthen cooperation and implementation measures to end shutdowns. The Human Rights Council, for example, should ensure the Universal Periodic Review examines the use of shutdowns by all United Nations Member States and advocates more strategically against shutdowns in relation to peaceful protests. To ensure the legitimacy to this work, the Human Rights Council should promote and consider voluntary state pledges to fully respect, protect and fulfil digital rights as a positive factor when electing its member States. This is in line with state pledges to uphold the highest standards in the promotion and protection of human rights, already required by UN General Assembly (UNGA) resolution 60/251. States that impose internet shutdowns manifestly fail to fulfil the Council membership standards set forth in this resolution and should report to the Council any shutdowns occurring in their jurisdiction. Other bodies where such pledges should be affirmed include regional bodies, and multilateral entities like the Open Government Partnership and International Telecommunications Union, and thematic forums like the Internet Governance Forum and WSIS Forum. Entities such as the United Nations Office of the High Commissioner for Human Rights, and its regional and field offices, should identify best practices and build capacities among states to monitor, prevent, and mitigate internet shutdowns in their own territories and abroad.

64. International accountability should also be promoted. The ECOWAS ruling on the shutdown during peaceful protests in 2017 in Togo is an important example of how regional courts and treaty body mechanisms can ensure compliance with the human rights norms and standards outlined in this report and counter impunity. Ad hoc accountability mechanisms, such as United Nations mandated commissions of inquiry, fact-finding missions, and investigations, should be used to respond to situations where protest-related shutdowns have facilitated the commission of serious human rights violations.

2. Ensure coherence between ITU norms and practices and human rights norms and principles

65. Some States have invoked the Constitution of the International Telecommunication Union (ITU), the United Nations specialized agency for information and communication technologies, to provide legal authority for shutdowns. The Special Rapporteur observes that the ITU Constitution, adopted in 1992, has been interpreted by some actors so as to provide States with authority to cut off the internet. Article 34, for example, provides that States can cut off telecommunications services when it "may appear dangerous to the security of the State or contrary to its laws, to public order or to decency." Article 35 further indicates that "Each Member State reserves the right to suspend the international telecommunication service, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Member States through the Secretary-General."

66. Such an interpretation contravenes the human rights norms and standards outlined in section II of this report and the ITU's own values and commitments. The United Nations Secretary General recognized in his Roadmap to Digital Cooperation the need for greater coherence throughout the United Nations system, including by recognizing that "human rights exist online as they do offline and have to be respected in full."⁸⁸

67. The ITU legal regime on suspension of telecommunications, which predates the digital era, is ill-suited to prevent misuse by Governments and address the threats that internet shutdowns pose to human rights, including the rights to freedom of expression and peaceful assembly. ITU norms and processes lack guidelines or enforcement measures that would help prevent the human rights violations caused by these extreme measures. Even if notification to ITU is required per article 35 of the ITU Constitution, this cannot be equated with effective oversight. Article 34 of the ITU Constitution is particularly troubling as it could be interpreted to authorize internet shutdowns, including on a broad and indiscriminate basis. To prevent this undesirable outcome, the ITU should issue guidance clarifying that these provisions should never be understood as authorizing internet shutdowns and foster collaboration between States, Internet service providers (ISPs), mobile telephony operators and civil society groups to promote policies and practices to prevent network disruptions, in line with human rights norms and principles, including the United Nations Guiding Principles on Business and Human Rights (UNGPs).

V. Conclusions and Recommendations

68. States have obligations under international human rights law to ensure that everyone within their jurisdiction is able to access and use the internet to exercise his or her right to peaceful assembly. Those obligations include refraining from imposing internet shutdowns and ensuring that the internet remains open, accessible, and secure at all times.

69. Yet States continue to ignore these obligations and impose internet shutdowns to impede peaceful protests and punish collective action, while facilitating other human rights abuses. Ending shutdowns has become a human rights imperative both to allow people to exercise their rights online and offline and to safeguard democratic governance in the digital era. To this end, the Special Rapporteur calls upon States, international institutions, businesses, and other stakeholders to commit themselves to end internet shutdowns including in relation to peaceful protests and, in the context of elections. The Special Rapporteur proposes the following recommendations as steps towards realizing this goal.

70. The Special Rapporteur recommends States to:

- Recognize the right to access and use the internet as a constitutional and legal right and as an essential condition for the exercise of the right to freedom of peaceful assembly.
- Expand initiatives to provide universal and affordable internet access.
- Refrain from shutting down, throttling, or blocking the internet, and make a state pledge to refrain from imposing any unlawful restrictions on internet access and telecommunication in the future, particularly in upcoming elections and protests, and amid the COVID-19 pandemic.
- Repeal and amend any laws and policies that allow for internet shutdowns and enact legislation prohibiting and punishing these measures.
- Fulfil international obligation to guarantee the right to equality and non-discrimination and refrain from restricting freedom of peaceful assembly online and offline that specifically targets vulnerable groups.
- Ensure that the internet, including social media and other digital communication platforms, remains open, accessible, and secure. States should specifically: (i) order internet service providers operating in their country to provide

⁸⁸ A/74/821, para 38.

everyone with universal, affordable, high-quality, secure, and unrestricted internet access throughout election periods, protests and thereafter; (ii) refrain from pressuring technology companies, internet service providers or other telecommunications companies to moderate content online in contravention of human rights norms and standards and ensure their compliance with their responsibilities to respect and protect human rights in line with the UN Guiding Principles on Business and Human Rights; (iii) guarantee the safety of technical workers building and maintaining critical infrastructure networks, while ensuring sites are protected, and iv) promote and protect strong encryption, including by adopting laws, regulations and policies in line with international human rights norms and standards.

- Improve foreign policy alignment by issuing specific guidance against shutdowns to embassies, systematically integrating the issue into diplomatic training and senior leadership briefings, designating a senior official to spearhead interagency coordination on this issue.
- Increase financial and political support to civil society groups and human rights defenders working to monitor and advocate against internet shutdowns, as well as those civil society organizations developing legal and technological solutions to shutdowns.

71. The Special Rapporteur recommends digital technology companies, including telecommunication providers and digital communications platforms, to:

- Develop and make publicly available policies that specifically state their position against internet shutdowns and how they address any shutdown orders from governments, in compliance with the Guiding Principles.
- Prepare for a range of threats to the rights of users, particularly where bandwidth is overwhelmed and congested as a result of large demonstrations and ensure that the company deploys extra capacity throughout the events.
- Challenge censorship and service limitation requests from states, using all available tools of law and policy, in procedure and practice. Notify affected users and the public of any such requests and any orders implemented, early and often, both in real time and in regular transparency reports.
- Reach out to peer companies and other stakeholders in advance of potential censorship events and demonstrations and protests. Establish response plans and channels of communication with government actors and civil society.
- Preserve evidence of orders or threats to disrupt networks, and document the impacts of shutdowns, in order to inform later efforts at accountability and redress.
- Require regulators (or Government officials and bodies who issue shutdown orders, such as ministers or security agencies) to provide a formal, written, justification for the shutdown, including citing the specific laws and provisions under which they are issued and the situation that warranted invoking the disruption.
- Improve transparency reporting, including documenting government directives for internet disruptions. Companies should insist on written instructions and orders from authorities, and promptly make these orders public.
- Provide timely and transparent guidance to users to identify disruptions likely to impact the quality of service they receive.
- Expand their partnerships and engagement with civil society and join key platforms that aim to collaboratively advance a free and open internet.
- Engage regulators and push back against licensing conditions (and laws governing the telecommunications sectors) that allow for shutdowns.
- Challenge shutdowns before national, regional, and international mechanisms for accountability and compensation of losses incurred.

72. The Special Rapporteur recommends investors to:

- Request a company's transparency reports that include statistics and information on i) government and private party demands for access to user data; ii) takedown or restriction of content or accounts, including information on internet shutdowns; and iii) clear explanation of corporate processes and policies responding to these requests and incidents.
- Encourage companies to appoint a member or committee from the Board of Directors to be responsible for policies and related risk management on internet shutdowns (including but not limited to policies and practices developed when entering a national market, and a clear understanding of the laws in those markets that might lead to a shutdown request).
- Ensure companies have a clear policy development process for operational decision making relating to entering and operating in countries where governments may request the disruption of services. This policy should make clear the conditions in which a company will operate in a country, demonstrate an understanding of the risks in that country, and outline how it will respond to a request by the government to suspend services, including disclosure to customers.
- Encourage companies to publish transparency reports, to the extent legally possible, that list the countries in which they operate, and clarify in which countries they have received requests for service shutdown or monitoring.
- Support a company's efforts to use litigation to challenge shutdown requests or non-disclosure measures.

73. The Special Rapporteur recommends the United Nations and international institutions to:

- Urge states that are deliberately denying people access to the internet and communications, particularly in the context of assemblies, to keep the internet on.
 - Foster multi-stakeholder engagement to systematically monitor, document, and report on network disruptions, in line with human rights norms and principles, including the United Nations Guiding Principles on Business and Human Rights (UNGPs).
 - Identify best practices and build capacities among states to monitor, prevent, and mitigate internet shutdowns in their own territories and abroad.
 - Hold states accountable when they impose internet shutdowns in relation to peaceful protests, and provide for effective remedies including non-repetition measures.
 - Ensure coherence between norms and practices adopted United Nations agencies and entities, such as the International Telecommunications Union, with human rights norms and principles.
 - Enhance the role of the Office of the United Nations Secretary General's Envoy on Technology, to guide and measure progress of these recommendations.
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भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 679]

नई दिल्ली, मंगलवार, अगस्त 8, 2017/श्रावण 17, 1939

No. 679]

NEW DELHI, TUESDAY, AUGUST 8, 2017/SRAVANA 17, 1939

संचार मंत्रालय

(दूरसंचार विभाग)

अधिसूचना

नई दिल्ली, 7 अगस्त, 2017

सा.का.नि. 998(अ).—केन्द्रीय सरकार, भारतीय तार अधिनियम, 1885 (1885 का 13) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक आपात या लोक सुरक्षा के कारण दूरसंचार सेवाओं के अस्थायी निलंबन का विनियमन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

1. (1) इन नियमों का संक्षिप्त नाम दूरसंचार अस्थायी सेवा निलंबन (लोक आपात या लोक सुरक्षा) नियम, 2017 है।
(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।
2. (1) दूरसंचार सेवाओं को निलंबित करने के लिए निदेश भारत सरकार के मामले में भारत सरकार के गृह मंत्रालय के सचिव द्वारा या राज्य सरकार के मामले में गृह विभाग के राज्य सरकार के भार साधक सचिव (जिसे इसमें इसके पश्चात् सक्षम प्राधिकारी कहा गया है), द्वारा किए गए आदेश द्वारा ही जारी किए जाएंगे अन्यथा नहीं और अपरिहार्य परिस्थितियों में, जहां पूर्व निदेश अभिप्राप्त करना व्यवहार्य नहीं है, वहां ऐसा आदेश ऐसे किसी अधिकारी द्वारा, जो भारत सरकार के संयुक्त सचिव की पंक्ति से नीचे का न हो, जिसे, यथास्थिति, केन्द्रीय गृह सचिव या राज्य गृह सचिव द्वारा सम्यक्तः प्राधिकृत किया गया हो, द्वारा जारी किया जा सकेगा :

परंतु केन्द्रीय गृह सचिव या राज्य गृह सचिव द्वारा प्राधिकृत अधिकारी द्वारा जारी दूरसंचार सेवाओं के निलंबन के लिए आदेश, ऐसे आदेश के जारी किए जाने के चौबीस घंटे के भीतर सक्षम प्राधिकारी से प्राप्त पुष्टि के अध्वधीन होगा :

परंतु यह और कि दूरसंचार सेवाओं के निलंबन का आदेश उक्त चौबीस घंटे की अवधि के भीतर सक्षम प्राधिकारी की पुष्टि के प्राप्त न होने की दशा में अस्तित्वहीन हो जाएगा।

(2) उप-नियम (1) के अधीन सक्षम प्राधिकारी द्वारा जारी किए गए आदेश में, ऐसे निदेश के लिए कारण अन्तर्विष्ट होंगे और ऐसे आदेश की प्रति अगले कार्य दिवस तक सम्बद्ध पुनर्विलोकन समिति को अग्रेषित की जाएगी।

(3) उप-नियम (1) के अधीन जारी किए गए निलंबन के लिए निदेश तार प्राधिकारी के पदाभिहित अधिकारियों को या ऐसे सेवा प्रदाताओं, जिन्हें उक्त अधिनियम की धारा 4 के अधीन अनुज्ञप्तियां अनुदत्त की गई हैं, के पदाभिहित अधिकारियों को, पुलिस अधीक्षक की पंक्ति या समतुल्य पंक्ति से अन्यून अधिकारी द्वारा लिखित में या सुरक्षित इलैक्ट्रॉनिक संसूचना द्वारा सूचित किए जाएंगे और सुरक्षित इलैक्ट्रॉनिक संसूचना और उसके कार्यान्वयन का ढंग तार प्राधिकारी द्वारा अवधारित किया जाएगा।

(4) तार प्राधिकारी और सेवा प्रदाता, यथास्थिति, प्रत्येक अनुज्ञप्त सेवा क्षेत्र या राज्य या संघ राज्यक्षेत्र में अधिकारियों को दूरसंचार सेवाओं के निलंबन के लिए ऐसी अध्यक्षताओं को प्राप्त करने और उन पर कार्यवाई करने के लिए नोडल अधिकारियों के रूप में पदाभिहित करेंगे।

(5) यथास्थिति, केन्द्रीय सरकार या राज्य सरकार पुनर्विलोकन समिति का गठन करेगी।

(i) केन्द्रीय सरकार द्वारा गठित की जाने वाली पुनर्विलोकन समिति निम्नलिखित से मिलकर बनेगी, अर्थात् :-

(क) मंत्रिमंडल सचिव -अध्यक्ष

(ख) भारत सरकार के विधि कार्य विभाग के भारसाधक सचिव - सदस्य

(ग) भारत सरकार के दूरसंचार विभाग के सचिव -सदस्य

(ii) राज्य सरकार द्वारा गठित की जाने वाली पुनर्विलोकन समिति निम्नलिखित से मिलकर बनेगी, अर्थात् :-

(क) मुख्य सचिव -अध्यक्ष

(ख) भारसाधक विधि सचिव या विधि परामर्शी-विधि कार्य -सदस्य

(ग) सचिव, राज्य सरकार (गृह सचिव से भिन्न) -सदस्य

(6) पुनर्विलोकन समिति लोक आपात या लोक सुरक्षा के कारण सेवाओं के निलंबन के लिए निदेश जारी करने के पांच कार्य दिवसों के भीतर बैठक करेगी और इस बारे में अपने निष्कर्ष अभिलिखित करेगी कि क्या उप-नियम (1) के अधीन जारी किए गए निदेश उक्त अधिनियम की धारा 5 की उप-धारा (2) के उपबंधों के अनुसार हैं।

[फा. सं. 800-37/2016-एएस.II]

प्रमोद कुमार मित्तल, वरिष्ठ उप-महानिदेशक (एएस)

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

NOTIFICATION

New Delhi, the 7th August, 2017

G.S.R. 998(E).—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885) (hereinafter referred to as the said Act), the Central Government hereby makes the following rules to regulate the temporary suspension of telecom services due to public emergency or public safety, namely:-

1. (1) These rules may be called the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. (1) Directions to suspend the telecom services shall not be issued except by an order made by the Secretary to the Government of India in the Ministry of Home Affairs in the case of Government of

India or by the Secretary to the State Government in-charge of the Home Department in the case of a State Government (hereinafter referred to as the competent authority), and in unavoidable circumstances, where obtaining of prior direction is not feasible, such order may be issued by an officer, not below the rank of a Joint Secretary to the Government of India, who has been duly authorised by the Union Home Secretary or the State Home Secretary, as the case may be:

Provided that the order for suspension of telecom services, issued by the officer authorised by the Union Home Secretary or the State Home Secretary, shall be subject to the confirmation from the competent authority within 24 hours of issuing such order:

Provided further that the order of suspension of telecom services shall cease to exist in case of failure of receipt of confirmation from the competent authority within the said period of 24 hours.

- (2) Any order issued by the competent authority under sub-rule (1) shall contain reasons for such direction and a copy of such order shall be forwarded to the concerned Review Committee latest by next working day.
- (3) The directions for suspension issued under sub-rule (1) shall be conveyed to designated officers of the telegraph authority or to the designated officers of the service providers, who have been granted licenses under section 4 of the said Act, in writing or by secure electronic communication by an officer not below the rank of Superintendent of Police or of the equivalent rank and mode of secure electronic communication and its implementation shall be determined by the telegraph authority.
- (4) The telegraph authority and service providers shall designate officers in every licensed service area or State or Union territory, as the case may be, as the nodal officers to receive and handle such requisitions for suspension of telecom services.
- (5) The Central Government or the State Government, as the case may be, shall constitute a Review Committee.
 - (i) The Review Committee to be constituted by the Central Government shall consist of the following, namely:-
 - (a) Cabinet Secretary -Chairman;
 - (b) Secretary to the Government of India In-charge, Legal Affairs -Member;
 - (c) Secretary to the Government, Department of Telecommunications -Member.
 - (ii) The Review Committee to be constituted by the State Government shall consist of the following, namely:-
 - (a) Chief Secretary -Chairman;
 - (b) Secretary Law or Legal Remembrancer In-Charge, Legal Affairs -Member;
 - (c) Secretary to the State Government (other than the Home Secretary) -Member.
- (6) The Review Committee shall meet within five working days of issue of directions for suspension of services due to public emergency or public safety and record its findings whether the directions issued under sub-rule (1) are in accordance with the provisions of sub-section (2) of section 5 of the said Act.

[F. No. 800-37/2016-AS.II]

PRAMOD KUMAR MITTAL, Senior Dy. Director General (AS)

GOVERNMENT OF RAJASTHAN

**OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR**

No.: P.3(92) Nyay/DCJ/618 Date: 25.10.2021

:: ORDER ::

Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2021 is to be conducted by the Rajasthan Public Service Commission, Ajmer on 27.10.2021 from 10 a.m. to 1.00 p.m. In this connection, the Commissioner of Police, Jaipur has also informed vide letter no. PuAaA/2021/13408 dated 26.10.2021 that many rumors are being spread on social media about scam in the said examination. Many active exam solver gangs or copying gangs have also been caught who caused disruption in the examinations conducted in the past by misusing internet. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation. It has been requested that in the above situation, it is necessary to suspend/restrict the internet service in the area falling within

the Police Commissionerate on 27.10.2021 from 9.00 a.m. to 1.00 p.m.

Thus, I am satisfied that there is every possibility of law and order situation being created and public peace disrupted due to spread of fake news, rumors of accidents, rumors of paper leaks etc. by means of internet during the examination hours. Therefore, in view of the above situation, it has become necessary to suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) in the entire area falling within the Police Commissionerate on 27.10.2021 from 9.00 a.m. to 1.00 p.m. in the larger public interest.

Therefore, keeping in mind the law and order and public safety in the entire area falling within the Police Commissionerate, I Dinesh Kumar Yadav, Divisional Commissioner, Jaipur Division, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry

of Communications, Government of India, do hereby temporarily strict/suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) on 27.10.2021 for next four hours from 9.00 a.m. to 1.00 p.m. in the larger public interest so as to maintain law and order Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2021.

I direct all citizens of the Police Commissionerate areas to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law. This restrictive/temporary suspension order of the said services will be effective from 9 am to 1 pm on 27.10.2021 in the entire area falling within the Police Commissionerate.

This order is issued today the 26.10.2021 under my signature.

Sd/- illegible

Dinesh Kumar Yadav,

Divisional Commissioner, Jaipur

No.: P.3(92) Nyay/DCJ/619-635 Date: 26.10.2021.

1. Chief Secretary, Government of Rajasthan, Jaipur
2. Principal Secretary, Home Department, Government of Rajasthan, Jaipur
3. Secretary, Home Department, Government of Rajasthan, Jaipur
4. IGP, Jaipur Range, Jaipur
5. Commissioner of Police, Jaipur
6. District Collector and District Magistrate, Jaipur
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance Jio and others for compliance – through Commissioner of Police, Jaipur.
8. District Public Relation Officer, Jaipur for wide publicity.
9. Order file.

Sd/- illegible

Divisional Commissioner

Jaipur

OFFICE: DIVISIONAL COMMISSIONER, BIKANER DIVISION,
BIKANER

Kothi No. 8, Civil Lines, Bikaner

No.: P.9()D.C.Bi./Ka.Vy./Internet/20/418

Date: 26.10.2021

-::ORDER::-

District Magistrates of District Bikaner, Churu, Sri Ganganagar and Hanumangarh have informed me that in the Rajasthan State and Subordinate Services Combined Competitive Examination-2021 to be held on 27.10.2021, a large number of candidates will participate in the above districts and there will also be inter-district traffic during which the law and order situation may arise due to the spread of fake news, rumors of accident, rumors of paper leaks, etc.

Therefore, in view of the above circumstances and in order to maintain law and order, I, Bhanwar Lal Mehra, Divisional Commissioner, Bikaner Division, in exercise of powers conferred by Order No. 35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public

Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby order that all 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and broadband on landline and (except voice calls of all landlines, mobile phones, all leased lines (MPLS/Point to Point) and as far as possible for hospitals, banks and industries) shall be temporarily suspended in the entire districts under Bikaner Division, namely, Bikaner, Churu, Sri Ganganagar and Hanumangarh on 27.10.2021 from 6.00 a.m. to 2.00 p.m.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 26.10.2021 under my signature.

Sd/- illegible

(Bhanwar Lal Mehra)

Divisional Commissioner

Bikaner

No.: Even/419-434

Copy for information and necessary action to:

1. Private Secretary to Chief Secretary, Rajasthan, Jaipur
2. Principal Secretary, Home (Group-9) Department, Rajasthan, Jaipur
3. Inspector General of Police, Bikaner Range, Bikaner.
4. District Collector and Magistrate, Bikaner/ Churu/ Sri Ganganagar/ Hanumangarh.
5. District Superintendent of Police, Bikaner/ Churu/ Sri Ganganagar/ Hanumangarh with the request to coordinate with all the telecom companies operating in the aforesaid areas and ensure compliance of the order from them.
6. District Public Relation Officer, Bikaner/ Churu/ Sri Ganganagar/ Hanumangarh.
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Bikaner/ Churu/ Sri Ganganagar/ Hanumangarh.

Divisional Commissioner

Bikaner

GOVERNMENT OF RAJASTHAN

Office: Collector and District Magistrate, Ajmer

No.: Ka.A./F-31/Nyay/2021/14257

Date: 24.9.2021

To,

Hon'ble Divisional Commissioner,

Ajmer Division, Ajmer.

Subject: Regarding restricting the internet service during the
REET Exam-2021 conducted by the Board of
Secondary Education.

Sir,

On the above subject it is to inform that the Board of Secondary Education, Rajasthan is going to conduct the Rajasthan Eligibility Examination for Teacher (REET-2021) on 26.9.2021 in two shifts - 1st shift from 10 am to 12 noon and second shift from 2 pm to 5 pm at the District Headquarter as well in all the subdivision areas. In order to maintain confidentiality in the said recruitment test, it is necessary to suspend internet services in Ajmer district.

Therefore, it is requested that in order to maintain the confidentiality in the aforesaid examination, please issue an

order to temporarily suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and landline broadband and lease line data) in the entire district from 6 am to 6 pm on 26.9.2021.

Yours faithfully,

Sd/- illegible

(Prakash Rajpurohit)

District Magistrate, Ajmer

No.: No.: Ka.A./F-31/Nyay/2021/14258-14252 Date: 24.9.2021

1. District Superintendent of Police, Ajmer
2. Addl. Collector and Addl. District Magistrate
(First/City/Second) Ajmer
3. Coordinator and Secretary, Rajasthan Eligibility
Examination for Teacher (REET).
4. Guard file.

Sd/- illegible

Addl. Dist. Magistrate-City Ajmer

& Incharge Officer-Justice Branch

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92) Nyay/DCJ/379 Date: 25.9.2021

:: ORDER ::

The District Collector, Jhunjhunoo has informed vide his letter no. F.16(6)(2)Nyay/2008/1862 dated 24.9.21 that Rajasthan Eligibility Examination for Teacher (REET-2021) is scheduled to be held on 26.9.2021. Some organized cheating/copying gangs / paper solver gangs may create disturbance in the written examination through social media/internet. For the smooth conduct of the examination, request has been made to suspend internet services in the entire revenue limit of Jhunjhunu District from 6 am to 6 pm on 26 September, 2021.

Besides above, it has also been mentioned in the Advisory Letter No.35(4) Grih-9/2017/part-2 Jaipur dated 24.9.2021 issued by the Home Department, Government of Rajasthan that the aforesaid examination is being conducted in two shifts - 1st shift from 10 am to 12 noon and second shift from 2 pm to 5 pm in the entire State wherein about 16 lakh candidates are likely to appear. There will be movement of candidates from one

district to another, in such a situation, there may be a situation of deteriorating law and order due to fake news, rumor of accident, rumor of paper leak, etc.

Thus, I am satisfied that there is every possibility of law and order situation being created and public peace disrupted due to spread of fake news, rumors of accidents, rumors of paper leaks etc. by means of internet during the examination hours. Therefore, in view of the above situation, it has become necessary to suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) in Jhunjhunu district to maintain law and order during the said examination on 26.9.2021 in the larger public interest.

Therefore, keeping in mind the law and order and public safety in the entire revenue limit of Jhunjhunu district, I Dinesh Kumar Yadav, Divisional Commissioner, Jaipur Division, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated

7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby temporarily strict/suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) on 26.9.2021 for next 12 hours from 6 a.m. to 6 p.m. so as to maintain law and order during Rajasthan Eligibility Examination for Teacher (REET-2021).

I direct all citizens of District Jhunjhunoo to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law. This restrictive/temporary suspension order of the said services will be effective from 6 am to 6 pm on 26/9/2021 in the entire revenue limit of Jhunjhunu district.

This order is issued today the 25.9.2021 under my signature.

Sd/- illegible

Dinesh Kumar Yadav,

Divisional Commissioner, Jaipur

No.: P.3(92) Nyay/DCJ/380-396 Date: 25.9.2021.

1. Chief Secretary, Government of Rajasthan, Jaipur
2. Principal Secretary, Home Department, Government of Rajasthan, Jaipur
3. Secretary, Home Department, Government of Rajasthan, Jaipur
4. IGP, Jaipur Range, Jaipur
5. District Collector and Magistrate, Jhunjhunoo
6. Superintendent of Police, Jhunjhunoo with the request to coordinate with all the telecom companies operating in the aforesaid areas and ensure compliance of the order from them.
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Jhunjhunoo.
8. District Public Relation Officer, Jhunjhunoo for wide publicity.
9. Order file.

Sd/- illegible

Divisional Commissioner

Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, KOTA DIVISION,
KOTA

No.: P.4()D.C.Nyay/2018/1091 Date: 25.9.2021

:: **ORDER** ::

By means of Order No. P.4()D.C./Nyay/2018/1089 date 24.9.2021 of this office, an order has been issued to suspend/restrict internet services in Kota, Bundi, Baran and Jhalawar Districts of Kota Division from 5 am to 5 pm on 26.9.2021.

Information is being sought by various Internet Service Provider companies regarding the continuation of broadband services during the restricted period. Therefore, it is clarified in this regard that there is no mention of the closure of broadband service in the said order. Therefore, broadband services of all internet service providers will continue in Kota Division.

Sd/- illegible

(Anurag Bhargava)

Addl. Divisional Commissioner

Kota

No.: Even number/1092 Date: 25.9.2021

Copy for information and necessary action to:

1. Chief Secretary, Government of Rajasthan.
2. Principal Secretary, Home Department, Government of Rajasthan, Jaipur for approval.
3. IGP Kota Range, Kota.
4. District Collector and District Magistrate, Kota/Bundi/Baran and Jhalawar.
5. All District Magistrate..... Rajasthan.
6. District Superintendent of Police, Kota City, Kota Rural, Bundi, Baran and Jhalawar with the request to coordinate with all concerned police officers and the Nodal Officers of Telecom Companies for compliance of the aforesaid order.
7. All SDMs, Kota Division.
8. All DySP, Kota Division
9. All Police Station Officers, Kota Division
10. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, TATA Docomo, Reliance Jio for compliance – through concerned District Superintendent of Police.
11. Notice Board in the Office of District Collector / Office of SP/ All Sub-Divisional hqrs./ All Tehsil offices in all districts concerned.

12. Dy. Director, Public Relation Department, Kota with the request to ensure wide publicity of the order through newspapers and electronic media.
13. Information and Public Relation Officer, Bundi/Baran and Jhalawar with the request to ensure wide publicity of the order through local newspapers and different means of telecom media.

Sd/- illegible

Addl. Divisional Commissioner,

Kota Division, Kota.

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, UDAYPUR (Raj.)

No.: D.C.U./Nyay/2021/Udaypur/3421

Date: 25.9.2021

ORDER

Rajasthan Eligibility Examination for Teacher (REET-2021) is scheduled to be held on 26.9.2021. The exam will be conducted in two shifts - 1st shift from 10 am to 12.30 pm and second shift from 2.30 pm to 5 pm. In the aforesaid exam, about 16 lakh candidates will participate in the State and on a large scale students will come to Udaipur from other districts of the State of Rajasthan. In such a situation, a law and order situation may arise due to fake news, rumors of accident, rumors of paper leaks, etc. There is also a possibility of disrupting public peace and creating law and order situation by spreading rumors through social media by anti-social elements. In such a situation, the District Collector and District Magistrate, Udaipur vide letter no. Nyay/Vividh/2021/12054 dated 24.9.2021 has recommended to shut down the internet services (except Lease Line) within the entire the revenue limits of District Udaipur (excluding Sub-Division Lasadia and Kotada) on 26.9.2021 from 6.00 am to 6 pm in view of the sensitivity of the said examination

and maintaining confidentiality and maintenance of law and order, public safety and public emergency.

As per the Advisory Letter No.35(4) Grih-9/2017/part-2 Jaipur dated 24.9.2021 issued by the Principal Secretary, Home (Group-9) Department, Government of Rajasthan and based on the recommendation made by District Collector and District Magistrate, Udaipur, it is necessary to take preventive measures in view of in view of the sensitivity of the said examination and maintaining confidentiality and in order to curb the spread of false rumours and fake news related to the examination through internet and to maintain confidentiality, clarity and transparency in the exam/question paper and law and order in the district.

Therefore, in exercise of the powers conferred by Rule 2(1) of Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 circulated vide Order No. 35(1)(Home-9)/2006Pt. Jaipur Dated 2.9.2017, the internet services (except Lease Line) within the entire revenue limits of District Udaipur (excluding Sub-Division Lasadia and Kotada) are hereby suspended on 26.9.2021 from 6.00 am to 6 pm.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

Sd/- illegible

(Rajendra Bhatt)

Divisional Commissioner, Udaipur

No.: DCU/Nyay/2021/Udaipur/3421 Dt. 25.9.21

Copy for information and necessary action to:

1. Chief Secretary, Government of Rajasthan for confirmation of above order.
2. Addl. Chief Secretary, Home Department, Rajasthan for confirmation of above order.
3. Principal Secretary, Home (Gr.9) Department, Government of Rajasthan, Jaipur in compliance of Advisory letter no. P.35(4)Grih-9/2017 Part-2 Jaipur.
4. IGP Udaipur Range, Udaipur.
5. District Collector and District Magistrate / Superintendent of Police, Udaipur.
6. All District Magistrate/ Superintendent of Police, Udaipur Division.

7. District Superintendent of Police, Udaipur with the request to coordinate with all concerned police officers and the Nodal Officers of Telecom Companies for compliance of the aforesaid order.
8. SDM, District Udaipur.
9. All DySP, Dist. Udaipur
10. Commissioner/Executive Officer, Nagar Palika/Nagar Parishad, Dist. Udaipur.
11. All Police Station Officers, Kota Division
12. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, TATA Docomo, Reliance Jio for compliance – through District Superintendent Udaipur.
13. Notice Board in the Office of District Collector / Office of SP/ All Sub-Divisional Hqrs./ All Tehsil offices in all districts concerned.
14. District Information and Public Relation Officer, Udaipur.

Sd/- illegible

Divisional Commissioner, Udaipur

OFFICE: DIVISIONAL COMMISSIONER, AJMER

No.: P.3()Sam. Internet Sewa/Nyay/2016/185

Date: 27.8.2018

ORDER

With reference to the letter no. 11511 dated 26.8.2018 of the District Superintendent of Police, Bhilwara, the District Magistrate, Bhilwarahas informed vide his letter no. 24916 dated 27.8.2018 that "M.B.C. Banswara Constable Recruitment Exam 2018" is scheduled to be conducted by Police Headquarters Rajasthan Jaipur on 27th June 2018 at six examination centers in Bhilwara city, for which the District Magistrate has requested to suspend the internet service on 27.8.2018 from 2 pm to 5 pm in Bhilwara city during the written examination of "M.B.C. Banswara Constable Recruitment Exam 2018" so as to effectively curb the malpractices like copying/cheating etc. during examination.

Therefore, 2G/3G/4G/Data, Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and landline broadband and lease line data) in Bhilwara city are temporarily suspended in Bhilwara City from 2 p.m. to 5.00 p.m. on 27.8.2018 in view of public safety and in

order to prevent the malpractices like copying/cheating etc. during examination being conducted by Police Headquarter Rajasthan Jaipur on 27th June 2018 at 6 examination centers in Bhilwara city.

This order is issued today the 27.8.2018 under my signature.

Sd/- illegible

Divisional Commissioner

Ajmer (Raj.)

(Camp: Malpura, Dist. Tonk)

No.: P.3.() Sanbhag Internet Sewa/Nyay/2016/10104-10 Date:
27.8.2018

Copy for information and necessary action to:

1. Private Secretary, Chief Secretary, Rajasthan, Jaipur for information.
2. Principal Secretary, Home Department, Rajasthan, Jaipur.
3. Inspector General of Police, Ajmer Range, Ajmer
4. District Magistrate, Bhilwara
5. District Superintendent of Police, Bhilwara with the request to coordinate with all the telecom companies operating in

the aforesaid areas and ensure compliance of the order from them.

6. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio, and others for compliance – through District Superintendent of Police, Tonk.
7. Order file.

Sd/- illegible

Divisional Commissioner

Ajmer (Raj.)

(Camp: Malpura, Dist. Tonk)

OFFICE: DIVISIONAL COMMISSIONER, AJMER

No.: P.3()Internet Sewa/Nyay/2016/169

Date: 4.8.2018

ORDER

With reference to the letter dated 4.8.2018 of the District Superintendent of Police, Ajmer/Bhilwara/Nagaur and Tonk, the District Magistrate, Ajmer/Bhilwara/Nagaur and Tonk have informed vide letter dated 4.8.2018 that the Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2018 is proposed to be held at the District Headquarters of the aforesaid four districts of the Division on August 5, 2018 and the possibility of incidents like cheating, paper leakage/viral, spread of false rumours and fake news related to the examination through internet has been expressed.

Therefore, keeping in view the public safety, secrecy and transparency in the Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2018 proposed to be held on August 5, 2018 and in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding

Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and landline broadband and lease line data) services are temporarily suspended at the places and time periods mentioned against the names of the districts of the Division:

SN	Name of District	Places where the internet services shall remain temporarily suspended	Date and time of such temporary suspension of internet services
1.	Ajmer	Amjer City, Byawar and Kishangarh	On 5.8.2018 from 9.00 a.m. to 1.00 p.m.
2.	Bhilwara	Bhilwara City	On 5.8.2018 from 9.00 a.m. to 1.00 p.m.
3.	Nagaur	In the vicinity of Nagaur town	On 5.8.2018 from 9.30 a.m. to 1.00 p.m.
4.	Tonk	Tonk town area	On 5.8.2018 from 10.00 a.m. to 1.00 p.m.

This order is issued today the 4.8.2018 under my signature.

Sd/- illegible

Divisional Commissioner

Ajmer (Raj.)

No.: P.3.Internet Sewa/Nyay/2016/9282-9297 Date: 4.8.2018

Copy for information and necessary action to:

1. Private Secretary, Chief Secretary, Rajasthan, Jaipur for information.
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Inspector General of Police, Ajmer Range, Ajmer
4. District Magistrate, Ajmer/Bhilwara/Nagaur and Tonk.
5. District Superintendent of Police, Ajmer/Bhilwara/Nagaur and Tonk with the request to coordinate with all the telecom companies operating in the aforesaid areas and ensure compliance of the order from them.
6. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Ajmer/Bhilwara/Nagaur and Tonk.
7. District Public Relation Officer, Ajmer/Bhilwara/Nagaur and Tonk.

8. Order file.

Sd/- illegible

Divisional Commissioner

Ajmer (Raj.)

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, KOTA DIVISION,

KOTA

No.: P.4()D.C./Nyay/2018/733, Date: 4.8.2018

ORDER

District Magistrate, Kota, Bundi, Jhalawar and Baran, in consultation with the Superintendents of Police of the concerned Districts, have requested that in view of the Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2018 scheduled to be held on August 5, 2018, internet services 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and lease line data) may be temporarily suspended in the municipal areas of Kota, Bundi, Jhalawar and Baran from 9.00 a.m. to 1.00 p.m. on 5.8.2018 so as to prevent the likely incidents of cheating, paper leak/viral, spread of false rumours and fake news related to the examination through internet and in order to maintain transparency and law and order in the areas concerned during the said examination.

Therefore, as per Order no. F-15(1)Grih-9/2006 Part dated 2.9.2017 of the Home Department, Government of Rajasthan under the provisions of the Temporary Suspension of Telecom Services(Public Emergency or Public Safety) Rules, 2017, all internet services 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and lease line data) are hereby temporarily suspended in the municipal areas of Kota, Bundi, Jhalawar and Baran from 9.00 a.m. to 1.00 p.m. on 5.8.2018. It is also clarified here that this order shall be applicable only to 2G/3G/4G data services, internet, bulk SMS/MMS, WhatsApp/Facebook/Twitter on mobile phones and the services provided by Internet Service providers on mobile phones. Any kind of suspension on mobile to mobile voice calls and SMS services and all voice calls and internet services on landlines (including broadband and lease lines) will not be effective.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, action will be taken against him/her as per rules. This order will

be effective from 9 am to 1 pm on 5/8/2018 in the municipal areas of the above four cities.

Sd/- illegible

(K.C. Verma)

Divisional Commissioner

Kota

Date: 4.8.2018

Even No./734, Date: 4.8.2018

Copy for information and necessary action:

1. Chief Secretary, Government of Rajasthan.
2. Principal Secretary, Home Department, Rajasthan, Jaipur for approval.
3. Inspector General of Police, Kota Range, Kota.
4. District Collector and District Magistrate, Kota/Jhalawar/Bundi/Baran.
5. All District Magistrates, Rajasthan
6. Dist. Police Superintendent, Kota /Jhalawar/ Bundi and Baran with the request to send this order to all concerned police officers and Nodal Officers of the Telecom Companies for compliance.

7. Sub-Divisional Magistrate, Dist.
Kota/Jhalawar/Bundi/Baran
8. All Dy. SPs, Kota /Jhalawar/ Bundi and Baran
9. Commissioner, Municipality/Municipal Board.....
10. All SHOs..... Dist. Kota/Jhalawar/ Bundi and Baran.
11. Nodal Officers, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Kota city.
12. Notice Board in the Office of District Collector / Office of SP/ All Sub-Divisional hqrs./ All Tehsil offices in Kota/Jhalawar/Bundi and Baran.
13. Dy. Director, Public Relation Department, Kota/ Assistant Director, Public Relation Department, Kota/Jhalawar/Bundi and Baran.

Sd/- illegible

Divisional Commissioner

Kota

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)/Ka.Vya/DCJ/2017/524-547

Date: 4.8.2018

:: ORDER ::

The District Magistrate, Alwar vide letter no. Nyay/Kanun Vyawastha/2018 dated 4 August, 2018; the District Magistrate, Sikar vide letter no. 1670/Nyay/2018 dated 4 August, 2018; the District Magistrate, Jhunjhunoo vide letter no. F.16(6)Nyay/2008/1729-30 dated 4.8.2018; the District Magistrate, Dausa vide letter no. Nyay/Internet Service/2018/5360 dated 4.8.2018; the District Magistrate, Jaipur vide letter no. Nyay/2018/423 dated 4.8.2018 have requested to suspend/restrict the internet services during the Rajasthan State and Subordinate Services Combined Competitive (Preliminary) Examination, 2018 organized by the Rajasthan Public Service Commission, Ajmer to be held on 5.8.2018 in order to prevent cheating and unfair means during the aforesaid exam.

The aforesaid Rajasthan State and Subordinate Services Combined Competitive (Preliminary) Examination, 2018 is being organized by the Rajasthan Public Service Commission, Ajmer on 5 August, 2018 from 10 a.m. to 1 p.m. A lot of rumors are being circulated on social media to create disturbances in the said examination by misuse of internet and other means. Many active copying/exam solver gangs have been caught in many examinations conducted in the past, who disrupted the exam processes by misusing internet services. Since a large number of candidates will participate in this examination and if unfair means related to internet are used in the said examination and information of disruption is spread on social media, then it may create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, due to which the possibility of a law and order situation cannot be ruled out.

Therefore, I consider it necessary to suspend internet service from telecom companies at the examination centers of Jaipur, Alwar, Dausa, Sikar, Jhunjhunu districts of Jaipur division during the aforesaid Rajasthan State and Subordinate Services Combined Competitive (Preliminary) Examination, 2018 is being organized by the Rajasthan Public Service Commission, Ajmer on 5 August, 2018.

Therefore, I, T.Ravikant, Divisional Commissioner, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 5.8.2018 from 8.00 a.m. to 1.00 p.m. at the following places in district Jaipur/Sekar/ Alwar/ Dausa/ Jhunjhunoo:

SN	Name of District	Places
1.	Alwar	Entire jurisdictional territory of Tehsil Alwar, Malakheda, Rajgarh, Kishangarh Bas in District Alwar.
2.	Sekar	Entire jurisdictional territory of Sekar Circle, PS Fatehpur Kotwali, PS Laxmangarh in Dist. Sekar.

3.	Jhunjhunoo	Municipal areas of Jhunjhunooo and Badad in Dist. Jhunjhunoo.
4.	Dausa	Police Station Kotwali area of Dausa City and urban areas of PS Sadar Dausa.
5.	Jaipur	All Police Station areas within the Police Commissionerate, Jaipur.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 4.8.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/524-547 Date: 4.8.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. Commissioner of Police, Jaipur with the request to coordinate with all the telecom companies/operators in the

aforesaid areas and ensure compliance of the order from them.

5. District Collector and Magistrate, Jaipur/Sekar/ Alwar/ Dausa/ Jhunjhunoo.
6. Superintendent of Police, Jaipur/Sekar/ Alwar/ Dausa/ Jhunjhunoo with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through Commissioner of Police, Jaipur and S.P. Jaipur/Sekar/ Alwar/ Dausa/ Jhunjhunoo.
8. Public Relation Officer, Jaipur/Sekar/ Alwar/ Dausa/ Jhunjhunoo for wide publicity.
9. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)Ka.Vya/DCJ/2017 Date: 13.7.2018

:: ORDER ::

The Additional Commissioner of Police-First, Jaipur vide letter no. 17761 dated 13.7.2018 has informed that the written exam of Rajasthan Police Constable Recruitment-2018 is scheduled to be organized on 14 and 15 July, 2018. In order to prevent cheating and unfair means during the written exam, the Police Commissionerate has requested to temporary suspend internet services in all Police Station areas of the district on 14 and 15 July, 2018 from 8.00 a.m. to 5.00 p.m.

The above Police Constable Written Test is being conducted in the State on 14.7.2018 and 15.7.2018 in two shifts between 10 am to 12 noon and 3 pm to 5 pm, in which about 14-15 lakh candidates are likely to participate. Earlier, Written Online Examination For Recruitment Of Police Constable-2018 was conducted by the Police Department on 7.3.2018, but in the said examination, unfair means related to internet were widely used, in which many cases were registered and arrests made by the SOG and news of scam in the aforesaid exam were also

made viral/spread on social media due to which the aforesaid exam had to be cancelled.

Even at present many rumors are being spread on social media about scam in the said examination. Apart from this, many active exam solver gangs or copying gangs have also been caught in the districts of Jodhpur, Sikar and Bharatpur, against whom cases have been registered and arrests have also been made. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation.

Therefore, in view of the strong possibility of spreading various types of rumors on social media resulting in law and order situation and in order to maintain public peace and law and order during the written examination of Rajasthan Police Constable Recruitment-2018 on 14.7.2018 and 15.7.2018, we consider it necessary to ask the telecom companies to suspend their internet services during the aforesaid dates.

Therefore, keeping in view the law and order and public safety at the following examination centers falling under Police Commissionerate Jaipur, I, T.Ravikant, Divisional

Commissioner, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 14.7.2018 and 15.7.2018 from 8.00 a.m. to 6.00 p.m. at the following examination centers falling under Police Commissionerate Jaipur:

SL. No	Name of Center	Address of Center
1	Anand International College of Engineering, Gate No-2	Near Kanota, Agra Road, Jaipur
2	Shri Maharaja Vinayak P.G. College	Dhyawana Nagar, Paldi Meena, Agra Road, Jaipur
3	Maheshwari Public School	Sector-4, Jawahar Nagar, Jaipur

4	University Rajasthan College	J.L.N. Marg, Near Gandhi Circle, Jaipur
5	Vedik Kanya P.G. College	Lane 1, Raja Park, Jaipur
6	Senior Secondary Adarsh Vidya Mandir	Behind Pink Square Mall, Janta Colony, Jaipur
7	Adarsh Vidhya Mandir Sr. Sec. School	Near Govind Marg, Near Dashahra Maidhan, Adarsh Nagar Jaipur
8	Sadhu Vaswani Sr. Sec. School	Mira Bhawan, Geeta Bhawan Road, Raja Park, Bees Dukan, Adarsh Nagar, Jaipur
9	Lal Bahadur Shastri P.G. College	Pandit Devi Shankar Tiwari Marg, Tilak Nagar, Jaipur
10	Shahid Lt. Abhaya Pareek Govt. Girls Sr. Sec. School	Gandhi Nagar, Jaipur
11	Nitin Senior Secondary School	Kisan Mak, Barkat Nagar, Tonk Phatak, Jaipur
12	St. Joseph Academy	Plot No- 600, Barkat Nagar Road, Mahesh Nagar Railway Phatak, Tonk Phatak, Jaipur
13	The Modern Happy Sr. Sec. School	Siddharth Nagar, Malviya Nagar, Sector -10, Jaipur
14	Nitin Girls Sr. Sec. School	Kishan Marg, Barkat Nagar, Tonk Phatak, Jaipur
15	S.V. Public School	Mira Bhawan, Opp. Geeta Bhawan, Adarsh Nagar, Jaipur
16	Govt. Girls Sr. Sec. School - Malviya Nagar	Sector-2, Near Satkar Shopping Center, Malviya Nagar, Jaipur
17	Govt. Girls Sr. Sec. School - Adarsh Nagar	Near 20 Dukan, Goalchakker, Adarsh Nagar, Jaipur

18	Agrawal Senior Secondary School	Maharaja Agrasen Marg, Agrasen Katla, Near Sanganeri Gate, Agra Road, Jaipur
19	Agrawal PG College	Maharaja Agrasen Marg, Agrasen Katla, Near Sanganeri Gate, Agra Road, Jaipur
20	Shivalik Public Sr. Sec. School	59-60, Jagdish Vihar, Jagatpura, Jaipur
21	Govt. Girls Senior Secondary School	Nagar Nigam Road, Sanganer, Jaipur
22	N.K. Public School	Gem Palace, Behind Sanganer Stadium, Sanganer, Jaipur
23	R.C. Dukya International School	34 G, Suraj Nagar I, Near Malpura Gate, Sanganer Jaipur
24	Rahul Shikshan Sansthan Sr. Sec. School	Gaytri Nagar-11, Near Pinjrapol Gaushala, Sanganer, Jaipur
25	St. Sheetal Royal Academy Sr. Sec. School	31/212, Pratap Nagar, Sec-3, Sanganer, Jaipur
26	Suresh Gyan Vihar University	Mahal, Jagatpura, Jaipur
27	Swami Keshvanand Institute of Technology Management and Gramothan	5KIT, Ram Nagaria, Jagatpura, Jaipur
28	Vivekanand Institute of Technology	Sector - 36, NRI Road, Jagatpura, Jaipur
29	Vivekanand Institute of Technology East	Sector - 36, NRI Road, Jagatpura, Jaipur
30	Jaipur National University Old Campus	Jaipur- Agra Bypass, Near New Rto Office, Jagatpura, Jaipur
31	JVP International School	Sector-17, Near PHED Water Tank, Pratap Nagar, Sanganer. Jaipur

32	Vivekanand Global University	Sector - 36, NRI Road, Sisyawas, Jagatpura, Jaipur
33	St. Joseph Convent School Wing - 2	Vidhyasagar Road, Sector 7, Pratap Nagar, Sheopur Road, Jaipur
34	St. Joseph Convent School Wing - 1	Vidhya Sagar Road, Sector 7, Pratap Nagar, Sheopur Road, Jaipur
35	R. K. Public School	Suraj Nagar, Diggi Road, Near Malpura Gate, Opposite Amrit Hospital, Sanganer, Jaipur
36	Kendriya Vidyalaya No. 1, Jaipur	KV No. 1, Bajaj Nagar, Jaipur
37	Kendriya Vidyalaya No. 3, Jaipur	Jhalana Doongari, Opposite Rviti Jaipur
38	PG School of Humanities	University Of Rajasthan Campus, Jaipur
39	Late Ku. Laxmi Badhala Girls PG	NH-52, Govindgarh, Jaipur
40	Shri Ganga Singh College	NH-52, Govindgarh, Chomu, Jaipur
41	Shri Krishna Mahavidyala	Anantpura Road, Govindgarh, Teh. Chomu, Dist. Jaipur
42	Bright Moon Girls PG College	Bus Stand Govindgarh, Teh. Chomu, Dist. Jaipur
43	Shri Mahaveer International School	Near Railway Station, ShyamVihar, KishangarhRenwal, Jaipur
44	NIMS University	Jaipur-Delhi Highway, Shobha Nagar, National Highway 11C, Jaipur
45	Shri Minesh PG College	Near Bus Stand, JamwaramGarh, Jaipur
46	Rahul Chandija Memorial College	Village Post-Bhanpur Kala, Via Amber, Tehsil Jamwaramgarh, Jaipur

47	Pankaj Sr. Sec. School	Neemadiya, Heerawala, Jamwaramgarh, Jaipur
48	Mahatama Jyoti Rao Phoole University	Sp-2,3 Kant, Kalwar, RIICO Industrial Area, NH-8, Achrol, Jaipur
49	Gyan Jyoti Senior Secondary School	8/85, Vidhyadhar Nagar, Jaipur
50	Shri Khandelwal Vaish PG Mahavidhyalaya	Housing Board, Shashtri Nagar, Jaipur
51	Tagore Public School Wing -1	Near Pital Factory, Shastri Nagar Road, Shashtri Nagar, Jaipur
52	Tagore Public School Wing -2	Near Pital Factory, Shastri Nagar Road, Shashtri Nagar, Jaipur
53	Tagore Public School Wing -3	Near Pital Factory, Shastri Nagar Road, Shashtri Nagar, Jaipur
54	Tagore Public School Wing -4	Near Pital Factory, Shastri Nagar Road, Shashtri Nagar, Jaipur
55	Tagore Public School Wing -5	Near Pital Factory, Shastri Nagar Road, Shashtri Nagar, Jaipur
56	Tagore Public School Wing	Near Pital Factory, Shastri Nagar Road, Shashtri Nagar, Jaipur
57	M. K. B. Girls Senior Secondary School Wing - 1	Near Panipetch, Shivaji Marg, Nehru Nagar, Jaipur
58	M. K. B. Girls Senior Secondary School Wing - 2	Near Panipetch, Shivaji Marg, Nehru Nagar, Jaipur
59	Bright Moon Public Senior Secondary School Wing-1	P. No. 01, Madan Badi, Naya Kheda, Ambabadi, Jaipur
60	Bright Moon Public Senior Secondary School Wing-2	18, Prithivi Nagar, Naya Kheda, Ambabadi, Jaipur

61	Shri Jain Swetamber Terapanthi Sr. Sec. School	Ram Nagar, Shashtri Nagar, Jaipur
62	RD Public Secondary School	20-21, Rathore Marg, Vivekanand Colony, Naya Khera, Ambabari, Jaipur
63	Tagore Public School, Ambabari	Tagore Marg, Near AWHO Colony, Ambabari, Jaipur
64	Sr. Sec. Girls Adarsh Vidhya Mandir Ambabari	Ambabari Circle, Ambabari, Jaipur
65	Shri Krishna Public Senior Secondary School, Naya Kheda	89, Rajiv Nagar, Sector 3, Naya Kheda, Near Mandir Mod, Vidhyadhar Nagar, Jaipur
66	Mayur Public Senior Secondary School	A-44-46, LS Nagar, Naya Kheda, Vidhyadhar Nagar, Jaipur
67	Shri Hariram Saboo Public School	Subhash Nagar, Shopping Centre, Subhash Nagar, Jaipur
68	Rajasthan Police Academy	Nehru Nagar, Shashtri Nagar, Jaipur
69	Dhruv Bal Niketan Sr. Sec. School	Plot -No, Seetarampuri Purana Ramgarh Mod, Amer Road, Jaipur
70	Bright Scholar's School	Shikshak Colony, Shyam Ram Baba Ki Dungari, Amer, Jaipur
71	Sanctum Academy Senior Secondary School	Mehandi Ka Bash, Shyam Ram Baba Ki Dungari, Amber, Jaipur
72	Sri Ganga Shiksha Mandir Secondary School	Mehdi Ka Bans, Amer, Jaipur
73	Jai Durga Sr. Sec. School	Plot No. 3, Shankar Nagar, Mount Road, Amer Road, Jaipur
74	Saint Lawrence Public Sr. Sec. School	Lalpura House, Behind Hotel Man Singh, Near Anand Bhawan, Sansar

		Chandra Road, Near Sindhi Camp, Jaipur
75	Small Wonders Academy	134, Shankar Nagar, Brahmpuri, Jaipur
76	Govt Maharaja Girls Sr. Sec. School	Kishanpole Bazar, ChotiChopar, Jaipur
77	M. C. Sindhi Panchyat Sr. Sec. School	Near Colony, Near Singh Dwar, Mi Road, Jaipur
78	Modal Scholar Sr. Sec. School	12 Anand Colony 3, Purana Ramgarh Moad, Near Brammpuri Police Thana, Amer Road, Jaipur
79	Arya Institute of Engineering and Technology	Arya Ist Main Campus, Sp- RIICO Industrial Area, Kukas, Delhi Road, Jaipur
80	Rajasthan Sanskriti College	Pandit Ramji Lal Shashtri Marg, Samrat Ji Ka Bagh, Sitaram Bazar, Brahmpuri, Jaipur
81	Surendra Public School Wing-1	Gajsinghpura, Opposite HrapuraPower House, Ajmer Road, Jaipur
82	Surendra Public School Wing-2	Gajsinghpura, Opposite HrapuraPower House, Ajmer Road, Jaipur
83	Rawat P.G. Girls Colledge Wing 1	KarniVihar, Heerapura, Ajmer Road, Jaipur
84	Rawat P.G. Girls Colledge Wing 2	KarniVihar, Heerapura, Ajmer Road, Jaipur
85	Shakti Shiksha Academy Senior Secondary School	Shakti Nagar, Gajsinghpura, Opp. HrapuraPower House, Jaipur
86	Mahatama Jyoti Rao PhooleMahavidhyalaya	Ram Nagar Extension, New Sanganer Road, Sodala, Jaipur

87	Jagannath Gupta Institute of Engineering and Technology (JNIT)	Ip-2, 3 Phase -Iv, Opp. - Chokhi Dhani, Sitapura Industrial Area, Jaipur
88	Modern Education Society Women Teacher Training College	Padmavati Colony-B, Nirman Nagar, Gopalpura Bye Pass, Jaipur
89	Mahatama Gandhi Colledge of Education	Isi-15 A, RIICO Industrial Area, Sitapura, Jaipur
90	Yash Vidhya Mandir Sr. Sec. School	Hawa Sadak, Civil Lines, Opp Ram Mandir, 22 Godam, Jaipur
91	BSN College	Bhawani Shiksha Niketan, Vatika Road, Baxawala, Opp. Jda Scheme, Sanganer, Jaipur
92	Chitransh Public Sr. Sec School.	Plot No. 16-17-18, Chitransh Path, Mohan Colony, Swej Farm, Ram Nagar Extension, Behind Mjrp Colledge, Sodala, Jaipur.
93	Choudhary Public Sr. Sec. School (English Medium)	32-33, Janta Nagar, Rankri, Near 4 No. Dispensari, Hatwada Road, Sodala, Jaipur
94	Choudhary Public Sr. Sec. School (Hindi Medium)	62-64, Janta Nagar, Rankri, Near 4 No. Dispensari, Hatwada Rod, Sodala, Jaipur
95	Dayanand Public Sr. Sec. School	Varun Path, Mansarovar, Jaipur
96	Deepshikha College of Technical Education	Sector-4, Varjn Path, Mansarovar, Jaipur
97	Gagan Bharti Public Sr. Sec. School	690, Sumer Nagar, Rajawat Farm, Opposite Aggarwal Farm, New Sanganer Road, Mansarovar, Jaipur
98	Gayatri Public Sr. Sec. School	Swej Farm, Mandpuri G, Sodala, Jaipur

99	Global Institute of Technology	Its-1, It Park, Epip, Sitapura, Jaipur
100	IGM Senior Secondary Public School	3-Aggarwal Farm, Vijay Path, Sector 9, Tulsi Marg, Mansarovar, Jaipur
101	St. J. K. L. College	Opposite Balaji Mandir, Near Morarka Foundation, Vatika Mode, 12 Meel, Jaipur
102	Kautilya Institute of Technology and Engineering	Isi-16, RIICO Institutional Area, Kautiliya Circle, Sitapura, Jaipur
103	Kendirya Vidhya Mandir Sr. Sec. School	3/3A, Katewa Nagar, Extn., Opposite Metro Pillar No. 69, Gurjar Ki Thadi, New Sanganer Road, Jaipur
104	Kesar International Academy Sr. Sec. School	Kesar Nagar, Muhana Mandi Road, Vijay Path, Mansarovar, Jaipur
105	Maharishi Arvind Institute of Engineering and Technology	Sector-7, Madhyam Marg, Mansarovar, Jaipur
106	Mahavir Law College	Sector -4, Kiran Path, Mansarovar, Jaipur
107	Mount Mary Sr. Sec. School	A-1, Monika Vihar-2, Opp. Rajat Path, New Sanganer Road, Mangyawas Road, Mansarovar Jaipur
108	My Own School	Shri Ram Marg, Shyam Nagar, Sodala, Ajmer Road, Jaipur
109	Navjeevan Sr. Sec. School	8, Krishnapuri, Rakadi, Sodala, Jaipur
110	S. S. Public Senior Secondary School	80-85, Jaganathpuri-1, Triveni Nagar, Gopalpura, Bypass, Jaipur

111	Shri Ram Senior Secondary School	Golyanwas New Sanganer Road, Opp. Heera Path, Mansarovar, Jaipur
112	Shine International Institute of Technology	Lakhna Road, Via-Sanganer Bazol, Jaipur
113	Sr. Wilfred's P.G. College	Sector-10, Meera Marg, Madhyam Marg, Ward Number 43, Mansarovar, Jaipur
114	Tagore Adarsh PG College	Sector - 7, Zone Shipra Path, Mansarovar, Jaipur
115	Tagore Vidya Bhawan Sen. Sec. School	Swaran Path, Mansarovar, Jaipur
116	The Lawrence Public School	V.T. Road, Crossing Patrakar Colony Road, New Sanganer Road, Opp. Veer Tejaji Temple, Mansarovar, Jaipur
117	Vikas Vidhya Mandir Sr. Sec. School	Opp. 116/46, Shipra Path, Thadi Market, Mansarover Jaipur
118	Welfare Academy Sr. Sec. School	Bad Mohanpura, Iskon Road, Vijay Path, Mansarovar, Jaipur
119	RP Secondary School	18-19, Dev Nagar-C, Rampura Road, Near Pank Ki Tanki, Sanganer, Jaipur
120	Yagyavalkya Institute of Technology Wing-1	Yit Lane RIICO Industiral Area, Opp. ChokhiDhani, Tonk Road, Sitapura, Jaipur
121	Yagyavalkya Institute of Technology Wing-2	Yit Lane RIICO Industiral Area, Opp. ChokhiDhani, Tonk Road, Sitapura, Jaipur
122	DhanwantriInstitute of Medical Science	Sector-2, Kaveri Path, Mansarovar, Jaipur
123	DCS PG College	Ragunathpura, Near Ratlya Stand, Diggy Road, Sanganer, Jaipur

124	Rama Krishna Teacher Training College	Before Ring Road, Ragunathpura (Ratlya), Diggi Road, Sanganer, Jaipur
125	Kendriya Vidyalaya No. 5, Jaipur	No.5, Mansarovar, Jaipur
126	Prince International School	Opp. Radhaswami Bagh, Jaitpura, Chomu, Jaipur
127	Senior Secondary Adarsh Vidya Mandir	Thana Mode, Chomu, Jaipur
128	Vinayak P.G. College	Kachouya Road, Bodh Vihar ,Chomu Jaipur
129	Bansal Institute of Education Senior Secondary School	Opp. BSNL Office, Renwal Road, Chomu , Dist. Jaipur
130	Target College	KacholiyaRoad,Target Colony, Chomu, Jaipur
131	Piyush College	New Bypass Road, Radhaswami Bagh, Near Bhojawala Cut, Chomu, Jaipur
132	Asian Children Senior Secondary School	Radhwaswami Bagh, Chomu, Jaipur
133	Rajani Public Sr.Sec.School	KacheBhandeKeSamne, Bhojawala Road, Chomu, Jaipur
134	Shiv Shakti Public Senior Secondary School	A-52/53, Dadhichi Nagar, Opp. Road No 6, Near Khatu S-Iyam Mandir, Vki Area, Sikar Road, Jaipur
135	Shri Gyan Jyoti Public Senior Secondary School	30- Ganesh Nagar-3, Murlipura, Jaipur
136	Manish Senior Secondary School	28, Gayatri Nagar, Jodla, Balaji Kanta, Sikar Road, Harmara, Jaipur
137	Saint Bright Moon Public Senior Secondary School	P. No. 41-A, 41-B, Arya Nagar, Murlipura, Jaipur

138	Government Girls Senior Secondary School	Meera Marg, Banipark, Jaipur
139	Shaheed Himmat Singh Shekhawat Government Secondary School	Murlipura Scheme, Sikar Road, Jaipur
140	Shashi Kishan Public Senior Secondary School	27. ShindhuNagar,Vijay Bari, Murlipura, Jaipur
141	Adarsh Vidhya Mandir Senior Secondary School	Sindhi Colony, Banipark, Jaipur
142	Bright moon Public School	Khorashyamdas, RajawasMode, Sikar Road, Harmada,Jaipur
143	Sri Balaji College of Engineering & Technology	Benad Road, Near Dadi Ka Phatak, Macheda, Jaipur
144	G. R. Global Academy	Benad Road, Near Dadi Ka Phatak, Macheda, Jaipur
145	Mehta Public Senior Secondary School	Village - Uaipuriya, Post- Harmara, Sikar Road, Jaipur
146	Chand Devi Vidhya Mandir Senior Secondary School	Village- KhoraShyamdas, Rajawas Mod, Harmada, Sikar Road, Jaipur
147	Eklavya International Academy	Village-Uaipuriya , Post- Harmara, Sikar Road, Jaipur
148	Mehta College andInstitute of Technology	Village-Uaipuriya , Post- Harmara, Sikar Road, Jaipur
149	Akshardham Academy	Plot No. 11-12, Ganga ViharVistar Colony, Behind JodalaPowerhouse, Harmada, Jaipur
150	Maharani Girls Engineering College	N.H.8, Kalawara, SuratpuraP.Oad, Near Mahindra World City (Sez) , Ajmer Road, Jaipur

151	Gandhi Bal Niketan Senior Secondary School	340-341, Vijay Bari, Path No. 6, DherKe Balaji, Jaipur
152	Shine Star Children Academy School	C-36, Balaji Vihar-6, Near Jahnavilti, Benad Road, Jhotwara, Jaipur
153	Marigold Public School	Nidar Land, Bad Pipali, Sikar Road Jaipur
154	Shri Bhawani Niketan MahliaMahavidayala	MaharaoShekha Circle, Sikar Road, Jaipur
155	Shri Bhawani Niketan Public School	MaharaoShekha Circle, Sikar Road, Jaipur
156	Shri Bhawani Niketan Girls Senior Secondary School	MaharaoShekha Circle, Sikar Road, Jaipur
157	Shri Bhawani Niketan Polytechnic	MaharaoShekha Circle, Sikar Road, Jaipur
158	Rajasthan College for Engineering For Women	Ajmer Road, Bhankrota, Jaipur
159	Dr.Radhakrishan Institute of Engineering	Kalwara, Near Mahindra Sez, Ajmer Road, Jaipur
160	Tilak Public Senior Secondary School	ShivnathVihar, Bhakrota, Ajmer Road, Jaipur
161	Smt. Kamla Devi Budhiya Govt. Sr. Sec. School	200 Feet BypassChoraha, Ajmer Road, Jaipur
162	Motherland Public Senior Secondary School	Near Bypass Chouraha, Nirwaru Road, Jhotwara, Jaipur
163	Darbar Public Senior Secondary School	11-12, Kali Kothi, Niwaru Road, Jhotwara, Jaipur
164	Jagriti Vidhya Mandir Senior Secondary School	396, Udhog Nagar, Nirwaru Road, Jhotwara, Jaipur
165	Shukla Shiksha Samiti Senior Secondary School	83, Jagdish Colony, Behind Netaji Ki Chakki, Niwaru Road, Jhotwara, Jaipur

166	Khandelwal Vaish Girls Institute of Technology	Vailshali Marg, Vaishali Nagar, Near Police Thana, Jaipur
167	Raghuraj Academy	14-Narsi Vihar, Bajrang Dwar, Kalwar Road, Jhotwara, Jaipur
168	Prakash Public Senior Secondary School	46-48, Ganesh Nagar, 200 Ft., Bypass, Near Niwaru Link Road, Jhotwara, Jaipur
169	Shri Krishna Public Senior Secondary School	29-38, Ashok Vihar, Harnathpura, Niwaru Road, (Vaidh Ji Ka Chauraha), Jhotwara, Jaipur
170	Sidharth Public Secondary School	9, Jda Colony, Sector 15, Shriram Nagar, Near KhirniPhatak, Jhotwara, Jaipur
171	Tagore Public School	Amrapali Circle, Vaishali Nagar, Jaipur
172	AVN Public Secondary School	154-156, Ak Gopalan Nagar, Jaswant Nagar, Mod Khatirpura Road, Jaipur
173	Navjyoti Public Senior Secondary School	72, Dev Nagar, CharanNadi, Benar Road, Jaipur
174	Pink City Academy Sr. Sec. School	Near 30, No. Bus Stand, KhoraBisal, Jhotwara, Jaipur
175	Anand Public Sr. Sec. School	98, Balaji Vihar- 25, SitawaliPhatak, Benar Road, Jhotwara, Jaipur
176	Rajasthan MahilaMahavidyalaya	Keshav Nagar, CharanNadi, Bypass Road, Murulipura Scheme, Jaipur
177	Vikas Vidhya Ashram Sr. Sec. School	Dadi Ka Phatak, Jhotwara, Jaipur
178	St. Sai Nath Academy	17-18, Ganga Vihar, Near Nangal JaisaBohara, Near Dadi Ka Phatak, Jhotwara, Jaipur
179	Ganpati Vidhya Bhawan Sr. Sec. School	Subhrampura, KhoraBisal, Benad Road, Jhotwara, Jaipur

180	Talent Public Sr. Sec. School	Green Town, Dadi Ka Phatak, Benar Road, Jhotwara, Jaipur
181	Shri Govind College	Village-KhoraBisal, Near Government School, Benad Road, Jhotwara, Jaipur
182	Pooja Public School	93-104, Vijay Nagar Vistar, Near Sp Farm, Daulatpura Road, Jaipur
183	Vinayak Public Senior Secondary School	Near Electric Grid Sub-Station, Powerhouse, Machwa, Kalwar Road, Jaipur
184	Welcom Private I.T.I.	5-6, Vivek Vihar, Opp. Vijaya Bamk, Hathoj, Kalwar Road, Jaipur
185	Shiv Shakti Iti College	A-39, Royal City, RidhiShidhi College KeSamne, Kalwar Road, Manchawa, Jaipur
186	Adarsh Vidhya Mandir Senior Secondary School	Ramnath Puri, Kalward Road, Jhotwara, Jaipur
187	Kiran Bal Bharti Senior Secondary School	Kalwar Road, Govindpura, Jhotwara, Jaipur
188	Shubh Shakti Vidhyapeeth Senior Secondary School	58, Devi Nagar Vistar, Rawan Gate, Kalwar Road, Jhotwara, Jaipur
189	Indian National Senior Secondary School	44, Laxmi Nagar, Inside Rawan Gate, Harnathpura, Kalwar Road, Jhotwara, Jaipur
190	Prince Residential Senior Secondary School	Govindpura, Kalwar Road, Jhotwara, Jaipur
191	New Blue Bells Academy	Ganesh Nagar, Main Niwaru Road, Jhotwara, Jaipur
192	Universe Public Senior Secondary School	1-4, 6-8, Shekhawat Colony, Meenawala, Jaipur
193	Biyani College of Science & Management	BehindaBhartariyaBharoo Temple, Kalwar-Jobner Road, Jaipur

194	Somani International School	44-45, Ramnathpuri, Kalwar Road, Near Mangej Singh, Petrol Pump, Jhotwara, Jaipur
195	Sri Kalyan World School	Hathoj, Kalwar Road, Jaipur
196	AlankarMahila PG Mahavidyalaya	Katariya Agri Farm, Sirsi Road, Jaipur
197	Alpha International Academy	Katariya Farm, Vishnawala, Sirsi Road, Jaipur
198	Alpha International Academy Senior Secondary School	Katariya Farm, Vishnawala, Sirsi Road, Jaipur
199	New Adarsh Sr. Sec. School	53-54, 100 Feet Road, Shree Ram Nagar, - Ga, Indrapura, Jhotwara, Jaipur
200	Universe Girls College	Sirsi, Begas Road, Mundiya Ramsar, Jaipur
201	Sufal Vidhya Peeth Sr. Sec. School	42, Roop Nagar, Opp. Khardhani Thana, Nine Dukan, Kalwar Road, Jhotwara, Jaipur
202	B.D. Memorial Kalyan SnsthanB.Ed College	Ms Nagar, New Army Ara, Niwaru Road, Jhotwara, Jaipur
203	ParamountsVidhyashram School	Gwala Baba Mode, Niwaru Road, Mansarampura, Jothwara, Jaipur
204	Paramount Public School	Plot -173, Balaji Vihar 17, Govindpura, Kalwar Road, Jaipur
205	NBF Public School	Ganesh Nagar, Niwaru Road, Jhotwara, Jaipur
206	Genius Academy Sr. Sec School	Sunder Vihar, Takiya Ki Chowki, Kalwar Road, Jhotwara, Jaipur
207	Manipal University	Ajmer Road, Near Hotel Highway King, Jaipur
208	Kendriya Vidyalaya No. 4, Jaipur	Kv No. 4, Khatipura Road, Shahid Sagat Singh Marg, Jaipur

209	Kendriya Vidyalaya No. 2, Jaipur	Kv No. 2, Army Cantt. Jhotwara, Jaipur
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I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 13.7.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/438-45 Date: 13.7.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. Commissioner of Police, Jaipur with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
5. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA,

Reliance, Reliance Jio and others for compliance – through
Commissioner of Police, Jaipur.

6. District Magistrate, Jaipur.
7. District Public Relation Officer, Jaipur for wide publicity.
8. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)Ka.Vya/DCJ/2017 Date: 13.7.2018

:: ORDER ::

The Additional District Magistrate, Jaipur City (South) vide letter no. 1546 dated 11.7.2018 has informed that the written exam of Rajasthan Police Constable Recruitment-2018 is scheduled to be organized on 14 and 15 July, 2018. In order to prevent cheating and unfair means during the written exam, the Addl. District Magistrate, Jaipur City (South) has requested to temporary suspend internet services in all Police Station areas of the district on 14 and 15 July, 2018 from 8.00 a.m. to 5.00 p.m.

The above Police Constable Written Test is being conducted in the State on 14.7.2018 and 15.7.2018 in two shifts between 10 am to 12 noon and 3 pm to 5 pm, in which about 14-15 lakh candidates are likely to participate. Earlier, Written Online Examination For Recruitment Of Police Constable-2018 was conducted by the Police Department on 7.3.2018, but in the said examination, unfair means related to internet were widely used, in which many cases were registered and arrests made

by the SOG and news of scam in the aforesaid exam were also made viral/spread on social media due to which the aforesaid exam had to be cancelled.

Even at present many rumors are being circulated on social media about scam in the said examination. Apart from this, many active exam solver gangs or copying gangs have also been caught in the districts of Jodhpur, Sikar and Bharatpur, against whom cases have been registered and arrests have also been made. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation.

Therefore, in view of the strong possibility of spreading various types of rumors on social media resulting in law and order situation and in order to maintain public peace and law and order during the written examination of Rajasthan Police Constable Recruitment-2018 on 14.7.2018 and 15.7.2018, we consider it necessary to ask the telecom companies to suspend their internet services during the aforesaid dates.

Therefore, keeping in view the law and order and public safety at the following examination centers of District Jaipur, I,

T.Ravikant, Divisional Commissioner, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 14.7.2018 and 15.7.2018 from 8.00 a.m. to 6.00 p.m. at the following examination centers falling in Rural Areas of District Jaipur:

S. No.	Police Station	Name of the Center	Address of the Center
1	Govindgarh	Late Ku. Laxmi Badha Girls PG College	NH-52, Govindgarh, Jaipur
2	Govindgarh	Shri Ganga Singh College	NH-52, Govindgarh, Chomu, Jaipur
3	Govindgarh	Shri Krishna Mahavidalaya	Anantpura Road, Govindgarh, The Chomu, Distt. Jaipu

4	Govindgarh	Bright Moon Girls PG College	Bus Stand Govindgarh, The Chomu, Distt. Jaipur
5	Renwal	Shri Mahaveer International School	Near Railway Station, ShyamVihar, Kishangarh Renewal Jaipur
6	Jamwaramgarh	Shri Minesh PG College	RJ SH 55, Sira Sadan Bus Stand, Jamwaramgarh Jaipur
7	Jamwaramgarh	Rahul Chandija Memorial College	Village Post- Bhanpur Kala, Via Amer, Tehsil Jamwaramgarh, Jaipur
8	Jamwaramgarh	Pankaj Sr. Sec. School	Neemadiya, Heerawala, Jamwaramgarh, Jaipur
9	Chandwaji	Mahatma Jyoti Rao Phoole University	SP-2-3, Kant, Kalwar, RIICO Industrial Area, NH-8, Achrol, Jaipur
10	Chandwaji	NIMS University	Jaipur - Delhi Highway, Shobha Nagar, National Highway, 11C, Jaipur, Rajasthan

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 13.7.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/430-37 Date: 13.7.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. SP Jaipur Rural with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
5. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through SP Jaipur Rural.
6. District Magistrate, Jaipur.
7. District Public Relation Officer, Jaipur for wide publicity.
8. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)Ka.Vya/DCJ/2017 Date: 13.7.2018

:: ORDER ::

The District Magistrate, Alwar vide letter no. 3629 dated 13.7.2018 has informed that the written exam of Rajasthan Police Constable Recruitment-2018 is scheduled to be organized on 14 and 15 July, 2018. In order to prevent cheating and unfair means during the written exam, it has been requested to temporary suspend internet services in all Police Station areas of the district on 14 and 15 July, 2018 from 8.00 a.m. to 5.00 p.m.

The above Police Constable Written Test is being conducted in the State on 14.7.2018 and 15.7.2018 in two shifts between 10 am to 12 noon and 3 pm to 5 pm, in which about 14-15 lakh candidates are likely to participate. Earlier, Written Online Examination For Recruitment Of Police Constable-2018 was conducted by the Police Department on 7.3.2018, but in the said examination, unfair means related to internet were widely used, in which many cases were registered and arrests made by the SOG and news of scam in the aforesaid exam were also

made viral/spread on social media due to which the aforesaid exam had to be cancelled.

Even at present many rumors are being circulated on social media about scam in the said examination. Apart from this, many active exam solver gangs or copying gangs have also been caught in the districts of Jodhpur, Sikar and Bharatpur, against whom cases have been registered and arrests have also been made. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation.

Therefore, in view of the strong possibility of spreading various types of rumors on social media resulting in law and order situation and in order to maintain public peace and law and order during the written examination of Rajasthan Police Constable Recruitment-2018 on 14.7.2018 and 15.7.2018, we consider it necessary to ask the telecom companies to suspend their internet services during the aforesaid dates.

Therefore, keeping in view the law and order and public safety at the following examination centers of District Alwar, I, T.Ravikant, Divisional Commissioner, Jaipur in exercise of the

powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 14.7.2018 and 15.7.2018 from 8.00 a.m. to 6.00 p.m. at the following examination centers of District Alwar:

S. No.	Name of the Center	Address of the Center
1	Babu Shobharam Government Arts College	Jail Circle, Alwar
2	Gauri Devi Government College for Women	Near Manju Marg Circle, In Front to JK Club, Alwar
3	Adarsh Vidhya Mandir Senior Secondary School	Rajendra Nagar, Alwar
4	Swaraj Senior Secondary School	60 Feet Road, Alwar
5	Institute of Engineering & Technology	North Extension, MLA, Alwar

6	Khandelwal Senior Secondary School	Subhash Nagar, Behind Neb Police Thana, Alwar
7	Adinath Public School	11, Gandhi Nagar, Scheme No. 8, Alwar
8	Little Birds Public School	Near Railway Station, Sanjay Nagar, Kush Marg, Alwar
9	Shri Adinath Jain College Eve	11, Gandhi Nagar, Scheme No. 8, Alwar
10	Laxmi Devi Institute of Engineering & Technology	Alwar Tijara Delhi Highway Road, Chikani, Alwar
11	Laxmi Devi Institute of Engineering & Technology (Polytechnic College)	Alwar Tijara Delhi Highway Road, Chikani, Alwar
12	Lords International School	Alwar Tijara Delhi Highway Road, Chikani, Alwar
13	Northern Institute of Engineering & Technology	12Th Milestone, Alwar-Bhiwadi Mega Highway, Alwar, Tijara Road, Alwar
14	Siddhi Vinayak College of Science and Higher Education	E-1, B-1, Mia, Alwar
15	Adarsh Vidhya Mandir Senior Secondary School	Malviya Nagar, Alwar
16	Shri Oswal Jain Senior Secondary School Wing-1	Aggarsen Marg, Near Bus Stand, Alwar
17	Shri Oswal Jain Senior Secondary School Wing-2	Aggarsen Marg, Near Bus Stand, Alwar
18	Children Academy Convent School Wing-2	Mathura Bharatpur Highway, Diwakari, Near Bakhtal Ki Chowki, Alwar
19	Happy Public School	Swami Dayanand Marg, Near Company Bagh, Alwar

20	Sunrise University	Vill-Bagad Rajput, Tehsil - Ramgarh, Alwar
21	Mount Litera Zee School	6, Milestone Sirmoli Road, Bhiwadi, Tijara Highway, Alwar
22	St. Anselms Senior Secondary School	Old Delhi Road, Mungska, Alwar
23	Delhi Public School	Shri Ram Vatika, Kati Ghat, Jaipur Road, Alwar
24	Nightgale College for Girls	Vijay Nagar, Near Jail Circle, Alwar
25	Kendriya Vidyalaya No. 1	Near Moti Dungari, Alwar
26	Bansur P. G. College	Bypass Road, Bansur, Alwar
27	Marudhar Senior Secondary School	Behind Anaj Mandi, Bansur, Alwar
28	Murti Devi PG College	Near Ananj Mandi, Bypass Road, Bansur Alwar
29	Swaraswati Modern Senior Secondary School	Narayanpur Road, Bansur, Alwar
30	Smt. Parvati Devi Girls College	Narayanpur Road, NopalaWali, Bansur, Alwar
31	Matsya P. G. College	Narayanpur Road, Bansur, Alwar
32	Government Senior Secondary School	Bansur, Alwar
33	Takshila PG College, Hamjapur, Behror	Kund Road, Near ManchalBustand, HamhjapurBehror, Alwar
34	Raath International School	NH-8, Between Behrorand Neemrana, Dughera, Tehsil - Behror District Alwar
35	Baba Shri Narayan Das Abhinav Girls PG College	Near Sbi Bank, Behror, Alwar
36	Rajeshwar College	Shyam Nagar, Opp. Of Rtdc Midway Hotel, Behror, Alwar

37	Baba Khethanath PG Women College Behror	Kund Road, BitheraBehror, Alwar
38	Global T.T College, Kund Road, Behror	Kund Road, Behror, Alwar
39	Sarvodaya Bal Bharti Senior Secondary	Bharthari Mandir Road, Near Hp Gas Agency, Behror, Alwar
40	Government College, Behror	Jaguwas Road, Behror, Alwar
41	Government Senior Secondary School	Panchayat Samiti Road, Behror, Alwar
42	Raffles International School	NH-8, Riico Industrial Area, Sotanala, Behror, Alwar
43	Government Senior Secondary School	Harsoli Road, Ward No. 8, Khairthal , Alwar
44	Government Girls Senior Secondary School	Near Ambedkar Circle, Khairthal, Alwar
45	Maharshi Parshuram MahilaMahavidyalaya	Ismailpur Road, Ward No. 16, Khairthal, Alwar
46	Geeta Devi Degree College	NagalMoziya, Khairthal, Alwar
47	Kishangarh PG College	Vashist Market, Kishangarh Bas, Alwar
48	Bhartiya College	Alwar - Bhiwadi, Megha Highway Road, Kishangarh Bas, Alwar
49	Durga Devi Senior Secondary School	State Highway, Malakhera, Alwar
50	Government Senior Secondary School	Narayanpur, Alwar
51	Vrindawan International Public School	Near BawariNaghorShilapur Road, Neemrana, District Alwar
52	Mohan Lal Dayal Vinay Mandir School	Sp-1, Riicoo Industrial ArEa, Neemrana, Distt. Alwar
53	Rao Sohan Lal College	Shree Krishan Nagar, Neemrana, Distt. Alwar

54	Raffles University	Japanese Zone, National Highway-8, Neemrana, Distt. Alwar
55	Government PG College	Tehla Road, Rajgarh, Alwar

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 13.7.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/422-29 Date: 13.7.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. SP Alwar with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
5. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA,

Reliance, Reliance Jio and others for compliance – through
SP, Alwar.

6. District Magistrate, Alwar.
7. District Public Relation Officer, Alwar for wide publicity.
8. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)Ka.Vya/DCJ/2017 Date: 13.7.2018

:: ORDER ::

The District Magistrate, Jhunjhunoo vide letter no. 1575 dated 13.7.2018 has informed that the written exam of Rajasthan Police Constable Recruitment-2018 is scheduled to be organized on 14 and 15 July, 2018. In order to prevent cheating and unfair means during the written exam, it has been requested to temporary suspend internet services in all Police Station areas of the district on 14 and 15 July, 2018 from 8.00 a.m. to 5.00 p.m.

The above Police Constable Written Test is being conducted in the State on 14.7.2018 and 15.7.2018 in two shifts between 10 am to 12 noon and 3 pm to 5 pm, in which about 14-15 lakh candidates are likely to participate. Earlier, Written Online Examination For Recruitment Of Police Constable-2018 was conducted by the Police Department on 7.3.2018, but in the said examination, unfair means related to internet were widely used, in which many cases were registered and arrests made by the SOG and news of scam in the aforesaid exam were also

made viral/spread on social media due to which the aforesaid exam had to be cancelled.

Even at present many rumors are being circulated on social media about scam in the said examination. Apart from this, many active exam solver gangs or copying gangs have also been caught in the districts of Jodhpur, Sikar and Bharatpur, against whom cases have been registered and arrests have also been made. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation.

Therefore, in view of the strong possibility of spreading various types of rumors on social media resulting in law and order situation and in order to maintain public peace and law and order during the written examination of Rajasthan Police Constable Recruitment-2018 on 14.7.2018 and 15.7.2018, we consider it necessary to ask the telecom companies to suspend their internet services during the aforesaid dates.

Therefore, keeping in view the law and order and public safety at the following examination centers of District Jhunjhunoo, I, T.Ravikant, Divisional Commissioner, Jaipur in

exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 14.7.2018 and 15.7.2018 from 8.00 a.m. to 6.00 p.m. at the following examination centers of District Jhunjhunoo:

S. No.	Name of the Center	Address of the Center
1	Keystone Group of Institution	Pilod Surajgarh On Laharu-Chrawa- Jhunjhunu State Highway, Jhunjhunu
2	Sh. Paliram Brijlal Senior Secondary School, Surajgarh	Ward No. 18, Surajgarh, Jhunjhunu
3	Birla Balika Vidhyapeeth	Ram Marg, Near Bits Pilani, Jhunjhunu
4	Birla Technical Training Institute, Pilani	State Highway - 13, Pilani, Jhunjhunu

5	Saraswati Bal Vidya Mandir Senior Secondary School	Dundload Pathak, Nawalgarh, Jhunjhunu
6	Subhodh Pub Senior Secondary School	Ghcomchakkar Nawalgarh, Jhunjhunu
7	Prerana Senior Secondary School Nawalgarh (New)	Station Road, Nawalgarh, Opp. Railway Station, Nawalgarh Jhunjhunu
8	Prerana Senior Secondary School Nawalgarh (Old)	Station Road, Nawalgarh, Opp. Railway Station, Nawalgarh Jhunjhunu
9	Smt. Kunani Devi Mahila PG Mahavidyalaya	New Campus, Jhajhar Road, Nawalgarh, Jhunjhunu
10	Shri Radheshyam R Morarka Government PG College	Road No. 02, Fauz Ka Mohala, Jhunjhunu
11	Indian Public School	Spl-01, Riico Residential Colony, Jhunjhunu
12	Shahid Carnal JP Janu Senior Secondary School	Ward No. 21, Jhunjunu Road, Jhunjhunu
13	Kendriya Vidyalaya, Jhunjhunu	Churu Bypass Rod, Basant Vihar, Jhunjhunu
14	Seth Moti Lal PG College Main Building	Opposite Rani Sati Mandir, Rani Sati Road
15	Seth Moti Lal PG College Main Building	Opposite Rani Sati Mandir, Rani Sati Road
16	Jhunjhunu Academy Senior Secondary School	Ward No. 24, Gaushala Road, Jhunjhunu
17	Ravindra Public Senior Secondary School, Wing -1	Wing-1, Kisan Colony, Jhunjhunu
18	New Indian Public Senior Secondary School	Suru Road, Housing Board, Basant Vihar, Sector 4, Jhunjhunu

19	Smt Ram Kumar PG Girls College	Mukundgarh Mandi, Mukundgarh, Jhunjhunu
20	Bal Sadhna Senior Secondary School	Tod Bhodki Road, Gudhagorji, Jhunjhunu
21	Indira Bal Niketan Senior Secondary School	Near Power House, Tod, Udaipurwati Road, Gudhagorji, Jhunjhunu
22	Central Academy Senior Secondary School	Udaipurwati, Malikon Di Dhani, Gudagorji, Jhunjhunu
23	Sanskar Science Academy Sr. Sec School	Jhunjhunu Road, TodiGudagorji, Jhunjhunu
24	Shri Shraddhanath PG College	Todi, Bhorki Road, GudhaGorji, Jhunjhunu
25	Gudha Public School	GudhaGorji Sh-37, Jhunjhunu Road, Jhunjhunu
26	GinnideviSatyanarayanSekhsaria Girls PG College	Near Court Behind Sekhsaria Hospital, Pujari Colony, Chirawa
27	SNMT Government Girls PG College	Nath Ji Ka Tilla, Fauz Ka Mohalla, Bagar Road, Jhunjhunu
28	Jyoti Vidyapeeth Senior Secondary School	Ward No. 9, Bypass Circle, Islampur Road, Bagar, Jhunjhunu

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 13.7.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/422-29 Date: 13.7.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. District Magistrate, Jhunjhunoo.
5. SP Jhunjhunoo with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
6. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through SP, Jhunjhunoo.
7. District Public Relation Officer, Jhunjhunoo for wide publicity.
8. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)/Ka.Vya/DCJ/2017 Date: 13.7.2018

:: ORDER ::

The District Magistrate, Sikar vide letter no. 1500 dated 13.7.2018 has informed that the written exam of Rajasthan Police Constable Recruitment-2018 is scheduled to be organized on 14 and 15 July, 2018. In order to prevent cheating and unfair means during the written exam, it has been requested to temporary suspend internet services in all Police Station areas of the district on 14 and 15 July, 2018 from 8.00 a.m. to 5.00 p.m.

The above Police Constable Written Test is being conducted in the State on 14.7.2018 and 15.7.2018 in two shifts between 10 am to 12 noon and 3 pm to 5 pm, in which about 14-15 lakh candidates are likely to participate. Earlier, Written Online Examination For Recruitment Of Police Constable-2018 was conducted by the Police Department on 7.3.2018, but in the said examination, unfair means related to internet were widely used, in which many cases were registered and arrests made by the SOG and news of scam in the aforesaid exam were also

made viral/spread on social media due to which the aforesaid exam had to be cancelled.

Even at present many rumors are being circulated on social media about scam in the said examination. Apart from this, many active exam solver gangs or copying gangs have also been caught in the districts of Jodhpur, Sikar and Bharatpur, against whom cases have been registered and arrests have also been made. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation.

Therefore, in view of the strong possibility of spreading various types of rumors on social media resulting in law and order situation and in order to maintain public peace and law and order during the written examination of Rajasthan Police Constable Recruitment-2018 on 14.7.2018 and 15.7.2018, we consider it necessary to ask the telecom companies to suspend their internet services during the aforesaid dates.

Therefore, keeping in view the law and order and public safety at the following examination centers of District Sikar, I, T.Ravikant, Divisional Commissioner, Jaipur in exercise of the

powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 14.7.2018 and 15.7.2018 from 8.00 a.m. to 6.00 p.m. at the following examination centers of District Sikar:

S. No	Name of the Center	Address of the Center
1	Noble Academy Senior Secondary School	Main Market, Dantaramgarh, Sikar
2	Jamna Girls B.Ed College	Jeevanpura, Po- Surera, Dantaramgarh, Sikar
3	Aryan PG College	In Front Of Bsnl Office, Dantaramgarh, Sikar
4	Tagore PG College	Sikar Road, Near Thana Stand Dantaramgarh, Sikar
5	Shri Arjun Ram College	Laxmangarh Road, Sikar

6	Baba Narsingh Das PG College	Neechawa, Teh. Laxmangarh, Sikar
7	Sunrise International Public School	Salasar Main Road, Nechhwa, Tehsil Laxmangarh Dist. Sikar
8	MarudhraPolytechinc College	Mukangardh Road, Basni, Laxmangarh, Sikar
9	Shri BhagwandasTodi PG College	Todi College Road, Laxmangarh, Sikar
10	Marudhra Public Senior Secondary School	Mukangadh Road, BasniLaxmangarh, Sikar
11	Choudhary Gharsiram Public School	NH-52, Near Power House, Manasi, Laxmangarh, Sikar
12	Bhartiya Senior Secondary School, Laxmangarh	Manasiya Road, Laxmangarh, Sikar
13	Sardar Patel PG College	Dhod Road, Losal Sikar
14	Shehawati Public Senior Secondary School	Behind Police Station, Sikar Road, Losal Sikar
15	Sumitra Memorial Senior Secondary School	Ward No. 24, Losal Sikar
16	Shri Mangalchand Didwania Vidhya Mandir	Sh 37-B, Khoribrahamnan, Raghunathgarh Sikar
17	Aryan Mahila, Mahavidayala	Near Bsnl Office, NH-52, ShishuRanoli, Sikar
18	Bhartia Senior Secondary School-Reengus	NH-52, Bypass, Reengus, Sikar
19	Central Children Academy Sr. Sec. School	Ward No. 8, Np Reegus, Sikar
20	Mahatama Gandhi International School	Near Mahaveer Dal, Ward No. 3, Shrimadhopur, Sikar
21	Mahatama Gandhi International School	Near Mahaveer Dal, Ward No. 3, Shrimadhopur, Sikar
22	SBN College	Near New Court, Shrimadhopur, Sikar

23	Government Senior Secondary School	Near Railway Station, Shrimadhopur, Sikar
24	Rajasthan Public Senior Secondary School	Ward No. 4, Jalpali, Shrimadhopur, Sikar
25	Shri Shastri Senior Secondary School	Bypass, Shrimadhopur, Sikar
26	Vidya Bharti Public School	Secotor C, Near Sanwali Circle, Todi Nagar, Sikar
27	Tagore Public Senior Secondary School	Kishan Colony, Nawalgarh Road, Sikar
28	Bharti Bal Niketan Senior Secondary School	Dhod Road, Chandpol, Sikar
29	Islamia College	Kargil Shahid Marg, Pink House Rod, Ward No. 8, Sikar
30	Bhartiya Mahila PG College	Bajaj Gram Sanwali, Jaipur - Bikaner Bypass, Sikar
31	Bhartiya Institute of Engineering & Technology	Bajaj Gram Sanwali, Jaipur - Bikaner Bypass, Sikar
32	Bhartiya Public School	Bajaj Gram Sanwali, Jaipur - Bikaner Bypass, Sikar
33	Kendriya Vidyalaya, Sikar	NH-11, Fatehpur Road, Sabalpura, Sikar
34	Savitri Bai Phule MahilaMahavidyalaya	Jhunjhunu Bypass, Near RTO Office, Sikar
35	Bhartia Senior Secondary School-Sikar	Choudhary Charan Singh Nagar, Nawalgarh Road, Sikar
36	Vishwa Bharti PG College	Near Circuit House, Jaipur Road, Sikar
37	GhraminMahilaShikshanSansthan Sr. Sec. School	SH -8, Shivsinghpura, Sikar
38	Sambal College of Education	Shivsinghpra, Sikar
39	Unique Senior Secondary School	Janta Colony, Nawalgarh Road, Sikar

40	Shri Kalwayn Govt Girls College Sikar	Silver Jubilee Road, Sikar
41	Radhna Krishan Maroo Govt. Girls Sr. Sec. School, Sikar	Fatehpur Road, Sikar
42	Shri Kalyan Govt Sr. Sec. School Sikar	Silver Jubilee Road, Sikar
43	Shri Krishna Satsang Balika Mahavidhyalaya	Ghanta Ghar Road, Sikar

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 13.7.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/406-413 Date: 13.7.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. District Magistrate, Sikar.

5. SP Sikar with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
6. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through SP, Sikar.
7. District Public Relation Officer, Sikar for wide publicity.
8. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR DIVISION,
JAIPUR

No.: P.3(92)/Ka.Vya/DCJ/2017/397-405

Date: 13.7.2018

:: ORDER ::

The District Magistrate, Dausa vide letter no. 4367 dated 12.7.2018 has informed that the written exam of Rajasthan Police Constable Recruitment-2018 is scheduled to be organized on 14 and 15 July, 2018. In order to prevent cheating and unfair means during the written exam, it has been requested to temporary suspend internet services in all Police Station areas of the district on 14 and 15 July, 2018 from 8.00 a.m. to 5.00 p.m.

The above Police Constable Written Test is being conducted in the State on 14.7.2018 and 15.7.2018 in two shifts between 10 am to 12 noon and 3 pm to 5 pm, in which about 14-15 lakh candidates are likely to participate. Earlier, Written Online Examination For Recruitment Of Police Constable-2018 was conducted by the Police Department on 7.3.2018, but in the said examination, unfair means related to internet were widely

used, in which many cases were registered and arrests made by the SOG and news of scam in the aforesaid exam were also made viral/spread on social media due to which the aforesaid exam had to be cancelled.

Even at present many rumors are being circulated on social media about scam in the said examination. Apart from this, many active exam solver gangs or copying gangs have also been caught in the districts of Jodhpur, Sikar and Bharatpur, against whom cases have been registered and arrests have also been made. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to spread rapidly on social media which may result in law and order situation.

Therefore, in view of the strong possibility of spreading various types of rumors on social media resulting in law and order situation and in order to maintain public peace and law and order during the written examination of Rajasthan Police Constable Recruitment-2018 on 14.7.2018 and 15.7.2018, we consider it necessary to ask the telecom companies to suspend their internet services during the aforesaid dates.

Therefore, keeping in view the law and order and public safety at the following examination centers of District Dausa, I, T.Ravikant, Divisional Commissioner, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on 2G/3G/4G/Data (mobile internet), internet services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet services through internet service providers (except voice call and broadband internet) on 14.7.2018 and 15.7.2018 from 8.00 a.m. to 6.00 p.m. at the following examination centers of District Dausa:

S. No.	Police Station	Name of the Center	Address of the Center
1	Kotwali, Dausa	Government Arts College	Govt Arts College, Agra Road, Dausa
2	Kotwali, Dausa	SW. Pandit Naval Kishor Sharma, Govt PG College	SW PNKS Govt. PG College, Agra Road, Janta Colony, Dausa

3	Kotwali, Dausa	Shri Sant Sundardas Government Girls PG College	Gupteshwar Road, Near Gupteshwar Temple, Dausa
4	Kotwali, Dausa	Rajasthan Engineering College	Somnath Nagar, Ganeshpura Road, Dausa
5	Kotwali, Dausa	Prasavi TT College	CollectorateChouraha, Agra, Bypass Road, Dausa

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 13.7.2018 under my hand seal of the office.

Sd/- illegible

(T.Ravikant)

Divisional Commissioner, Jaipur

No.: P.3(92)Ka.Vya/DCJ/2017/397-405 Date: 13.7.2018

Copy to the following for information and necessary action:

1. Chief Secretary, Rajasthan, Jaipur
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur.
3. Secretary, Home Department, Rajasthan, Jaipur.
4. District Magistrate, Dausa.

5. SP Sikar with the request to coordinate with all the telecom companies/operators in the aforesaid areas and ensure compliance of the order from them.
6. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through SP, Dausa.
7. District Public Relation Officer, Dausa for wide publicity.
8. Guard file.

Sd/- illegible

Divisional Commissioner, Jaipur

GOVERNMENT OF RAJASTHAN

Office: Divisional Commissioner, Jodhpur

No.: Nyayik/Sambhag Internet Sewa/18/327

Date: 11 February, 2018

:: ORDER ::

On the basis of the request made by District Magistrate, Jalore in his letter no. 1449 dated 10.2.2018, the internet services were temporarily suspended in Jalore, Ahor and Bhimmal of the district on 11.2.2018 from 9.00 a.m. to 12.00 noon and from 1.00 p.m. to 5.00 p.m. vide even numbered letter no. 305-312 dated 10.2.2018 of this office in order to maintain confidentiality, clarity and transparency in the Rajasthan Eligibility Examination for Teacher (REET-2017) to be held in two shifts on 11.2.2018 (10.00 a.m. to 12.00 noon and 2.30 p.m. to 5.00 p.m.).

Since the aforesaid examination is over now, therefore order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017, the 2G/3G/4G/Data Internet

Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and broadband on landline) (except leased line (MPLS/Point to Point) services and as far as possible for hospitals, banks and industries) are hereby restored in Jalore, Ahor and Bhimmal of the districts from 5.00 pm on 11.2.2018 onwards.

This order is issued today on 11.2.18 by the order of the Divisional Commissioner.

Sd/- illegible

Addl. Divisional Commissioner

Jodhpur

No.: Even no./18/328 to 333 Date: 11.2.2018

Copy to the following for information and necessary action:

1. PS to Chief Secretary, Government of Rajasthan, Jaipur.
2. Additional Chief Secretary, Home Department, Rajasthan, Jaipur
3. District Magsitrate, Jalor
4. District Superintendent of Police, Jalor with the request to coordinate with all the telecom companies operating in the

aforesaid areas and ensure compliance of the order from them.

5. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio, Kappa and others for compliance – through District Superintendent of Police, Jalor)
6. Order file.

Sd/- illegible

Addl. Divisional Commissioner

Jodhpur

OFFICE: SUPERINTENDENT OF POLICE, DHAULPUR
(RAJASTHAN)

No. 445/

Date: 10.2.2018

To,

District Collector,

Dhaulpur.

Subject: In connection with the suspension of internet facility
during the REET Examination held on 11th February
2017.

Sir,

On the subject cited above, it is requested that the written exam of Rajasthan Eligibility Examination for Teacher (REET-2017) is scheduled to be held on 11.2.2018 in two shifts – first shift from 10.00 a.m. to 12.00 noon and the second shift from 2.30 p.m. to 5.00 p.m. Therefore, in order to neutralize the activities of gangs/persons active in cheating/copying by using internet (social media), it would be appropriate to shut down the internet facility in Dholpur City and Badi Town from 9.00 am to 11.00 a.m. and from 1.00 p.m to 3.00 p.m. on 11.2.2018.

Therefore, the report is sent for further action to shut down the internet facility during the aforesaid hours.

Yours faithfully,

Sd/- illegible

(Rajendra Verma)

Addl. Superintendent of Police

Dhaulpur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONLA COMMISSIONER, BIKANER DIVISION,
BIKANER

No.: P.9()D.C.Bi./Ka.Vy./2018/09

Date: 10.2.2018

ORDER

Rajasthan Eligibility Examination for Teacher (REET-2017) will be held on 11.2.2018. Restricting internet service by telecom companies has proved to be very effective in order to maintain confidentiality, clarity and transparency in the examination. In this continuation, keeping in view the scheduled Rajasthan Eligibility Examination for Teacher (REET-2017), requests have been made by the District Magistrates of the Division to restrict the internet services provided by the telecom companies on the date of exam i.e. 11.2.2018 between 9 am to 12 noon and thereafter between 1 pm to 4 pm.

Therefore, in order to maintain confidentiality, clarity and transparency in the examination. In this continuation, keeping in view the scheduled Rajasthan Eligibility Examination for Teacher (REET-2017) and in exercise of powers conferred by Order No. 35(1) Home-9/2006 dated 2.9.2017 of the Home

(Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, all 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone) are temporarily suspended in the districts of Bikaner, Sri Ganganagar and Hanumangarh on 11.2.2018 between 9 am to 12 noon and thereafter between 1 pm to 4 pm.

This order is issued under my signature today on 10.2.18.

Sd/- illegible

(Anil Gupta)

Divisional Commissioner, Bikaner

No.: even numbered dated 10.2.2018.

Copy to the following for information and necessary action:

1. Hon'ble Chief Secretary, Rajasthan, Jaipur
2. Hon'ble Addl. Chief Secretary, Home Department, Rajasthan, Jaipur
3. Inspector General of Police, Bikaner Range, Bikaner.
4. District Collector and District Magistrate, Bikaner, Sri Ganganagar and Hanumangarh.

5. Superintendent of Police, Bikaner, Sri Ganganagar and Hanumangarh with the request to coordinate with all the telecom companies operating in the aforesaid areas and ensure compliance of the order from them.
6. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Bikaner, Sri Ganganagar and Hanumangarh.
7. District Public Relation Officer, Bikaner, Sri Ganganagar and Hanumangarh.

Divisional Commissioner, Bikaner

GOVERNMENT OF RAJASTHAN

OFFICE: DISTRICT MAGISTRATE, SIKAR

No.: Spe.1/Nyay/2018 Date: 10.2.2018

::ORDER::

District Superintendent of Police, Sikar has informed vide his letter no. Sekar/2018 dated 10.2.2018 that there is a possibility of spreading rumors regarding the Rajasthan Eligibility Examination for Teacher (REET-2017) to be held on 11.2.2018 in Sikar district. Therefore, immediate preventive measures are required to be taken in order to maintain confidentiality, clarity and transparency in the exam/question paper and law and order in the district. Therefore, keeping in view the aforesaid situation, I, Naresh Kumar Thakral, the District Magistrate, Sikar in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby impose temporary restriction on all 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social

Media by internet service providers (except voice call of landline and mobile phone and landline internet) in the entire District of Sekar.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order shall come into force in the entire territorial jurisdictions of all Police Stations in District Sekar from 2.00 a.m. to 5.00 p.m. on 11.2.2018.

This order is issued today 11.2.2018 with the approval of Hon'ble Divisional Commissioner, Jaipur Division, Jaipur and given under my hand and seal of the office.

Sd/- illegible

(Naresh Kumar Thakral)

District Magistrate, Sekar

No.: Spe.1/Nyay/2018 Date: 10.2.2018

Copy for information and necessary action:

1. Prncipal Secretary, Government of Rajasthan.
2. Divisional Commissioner, Jaipur Division, Jaipur.
3. Inspector General of Police, Kota Range, Kota.
4. All District Magistrates, Rajasthan

5. All District Magistrates, Rajasthan
6. Dist. Police Superintendent, Sikar with the request to send this order to all concerned police officers and Nodal Officers of the Telecom Companies for compliance.
7. Addl. Dist. Magistrate, Sekar
8. CEO, District Board, Sekar
9. All Executive Officers.....
10. All Sub-Divisional Magistrates.....
11. All Tehsildar and Executive Magistrates.....
12. All Development Officers, Panchayat Samiti
13. Asstt. Director, Information and Public Relation Officer, Sekar for publicity.
14. Municipal Commissioner, Sekar
15. PS to District Collector, Sekar
16. Concerned SHO, PS..... For compliance (through SP Sekar)
17. Nodal Officers, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Sekar.
18. Notice Board of this office/ SP office/ All Sub Divisional / Tehsil offices.

Sd/- illegible

District Magistrate, Sekar

OFFICE: COLLECTOR AND DISTRICT MAGISTRATE,
KARAULI

No.: P.20(4)1/Vividh/1/Nyay/2012/903

Date: 10.2.2018

To,

Divisional Commissioner,

Bharatpur Division, Bharatpur.

Subject: Regarding restriction/ban on internet services in view
of the REET Exam on 11.2.2018.

Ref.: Letters of S.D.O. Karauli and Hindaun.

Sir,

On the subject cited above, this is inform that the Rajasthan Eligibility Examination for Teacher (REET-2017) is organizing by the Board of Secondary Education, Ajmer on 11.2.2018. In view of the secrecy and public safety in the district during the aforesaid Exam (REET), it would be appropriate to restrict/ban the internet and broadband services on 11.2.2018 from 9 a.m. to 11 a.m. and from 1 pm to 3 pm in District Karauli.

You are therefore requested to kindly issue order for restricting/banning the internet and broadband services on

11.2.2018 from 9 a.m. to 11 a.m. and from 1 pm to 3 pm in
District Karauli.

Sd/- illegible

(Abhimanyu Kumar)

District Magistrate

Karauli



SFLC.IN
2nd Floor, K9
Birbal Road, K-Block
Jangpura Extension, Delhi – 110014
sflc.in | mail@sflc.in | +91-11-43587126

Via electronic mail communication

31st October 2020

To,

Shri Pema Khandu

Chief Minister of Arunachal Pradesh

Block No 1, First Floor Room No 107

Civil Secretariat,. Itanagar-791111

cmoffice-arn@gov.in

Dear Sir,

Subject - Suspension of Internet services in 15 districts of Arunachal Pradesh to curb cheating in State Service Exams

Greetings from SFLC.in,

This is in reference to the newspaper [article](#) dated 30.10.2020 published in Telegraph India titled 'Arunachal Internet Bar to curb Cheating'. A copy of the newspaper article is attached with this email.

The said article stated that Arunachal Pradesh government will be shutting down internet services on 1st November 2020 in 15 of its districts to ensure that no cheating takes place during state civil service exams. The districts where Internet services will be suspended are Lower Subansiri, Upper Subansiri, Lower Dibang Valley, Lohit, Tirap, Changlang, Itanagar Capital Region, Papum Pare, Tawang, East Kameng, West Kameng, East Siang, West Siang, Leparada and Upper Siang. The

internet services will remain suspended from 8AM to 12 Noon and then from 12 Noon to 4PM on 1st November 2020.

The Temporary Suspension Of Telecom Services (Public Emergency Or Public Safety) Rules, 2017 issued under section 7 of the Indian Telegraph Act, 1885 is the special law that provides for suspension of Internet services. Under these Rules, temporary suspension of Telecom services can only be ordered for public safety or in public emergency or in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence. Cheating in exams does not fall under any of these categories and switching off the internet to prevent cheating in examinations is a violation of the law.

The Supreme Court of India in 2020 in **Anuradha Bhasin V. Union of India** (Writ Petition (C) No. 1031 OF 2019/1164 Of 2019) held that suspension of the internet has to be necessary, unavoidable and a drastic measure, it has to be done following the procedures laid down in Telecom Suspension Rules, 2017. A state should only consider suspending telecom services if necessary and unavoidable.

We would therefore like to request the State authorities to reconsider shutting down the internet to prevent cheating in examinations. Internet shutdowns have a harrowing impact on citizens and are often disproportionate in nature. Internet shutdowns are bound to cause economic loss, an impact on education, healthcare and other welfare schemes. An internet shutdown during a pandemic can be especially grave considering citizens depend on the internet to get information, work and study. Shutting down the internet to prevent cheating in exams will be a violation of the Telecom Suspension Rules as well the decision of the honorable Supreme Court of India in Anuradha Bhasin V. Union of India.

SFLC.IN is the first Indian legal services organization that works exclusively on technology, law, and policy. As a not-for-profit organization engaged in the empowerment of Indian citizens about their digital freedom and rights, it operates as a collective bringing together different stakeholders to a common platform to further the cause of digital rights. SFLC.in promotes innovation and open access to knowledge by helping policy makers make informed and just decisions regarding the use and adoption of technology. As of 2020

SFLC.in is the only Indian organization to be inducted as a member of the IFEX, a global network to defend the right to freedom of expression and information.

Sincerely,
Prasanth Sugathan
prasanth@sflc.in
Legal Director
SFLC.in

Copy to -

1 Shri Satya Gopal
cs-arunachal@nic.ac.in

Chief Secretary

Arunachal Pradesh

2. Shri Abhyankar Ameya Ajit
ameya.abhyankar@ias.nic.in

IT Secretary

Arunachal Pradesh

Via electronic mail communication

26th September 2021

To,

Shri Ashok Gehlot

Chief Minister of Rajasthan

Secretariat, Jaipur-302005,

Rajasthan, India

cmrajasthan@nic.in

Dear Sir,

Subject - Suspension of Internet services in multiple districts of Rajasthan to curb cheating in REET Exams 2021.

Greetings from SFLC.in,

This is in reference to the newspaper [article](#) dated 25.09.2021 published in Times of India titled 'REET exam: Mobile internet services to remain suspended from 6AM to 6PM in Rajasthan districts today' A copy of the newspaper article is attached with this email.

The said article stated that the Rajasthan government has shut down internet services on 26th September 2021 in 5 of its districts to ensure that no cheating takes place during the REET 2021

exams. The districts where Internet services will be suspended are Alwar, Dausa, Jhunjhunu, Jaipur rural districts. The internet services will remain suspended from 6AM to 6PM on 26th September 2021.

The Temporary Suspension Of Telecom Services (Public Emergency Or Public Safety) Rules, 2017 issued under section 7 of the Indian Telegraph Act, 1885 is the special law that provides for suspension of Internet services. Under these Rules, temporary suspension of Telecom services can only be ordered for public safety or in public emergency or in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence. Cheating in exams does not fall under any of these categories and switching off the internet to prevent cheating in examinations is a violation of the law.

The Supreme Court of India in 2020 in *Anuradha Bhasin V. Union of India* (Writ Petition (C) No. 1031 OF 2019/1164 Of 2019) held that suspension of the internet has to be necessary, unavoidable and a drastic measure, it has to be done following the procedures laid down in Telecom Suspension Rules, 2017. A state should only consider suspending telecom services if necessary and unavoidable.

We would therefore like to request the State authorities to reconsider shutting down the internet to prevent cheating in examinations in future and restore Internet in the said districts at an urgent basis. Internet shutdowns have a harrowing impact on citizens and are often disproportionate in nature. Internet shutdowns are bound to cause economic loss, an impact on education, healthcare and other welfare schemes. An internet shutdown during a pandemic can be especially grave considering citizens depend on the internet to get information, work and study. Shutting down the internet to prevent cheating in exams will be a violation of the Telecom Suspension Rules as well the decision of the honorable Supreme Court of India in *Anuradha Bhasin V. Union of India*.

SFLC.IN is the first Indian legal services organization that works exclusively on technology, law, and policy. As a not-for-profit organization engaged in the empowerment of Indian citizens about their digital freedom and rights, it operates as a collective bringing together different stakeholders to a common platform to further the cause of digital rights. SFLC.in promotes innovation and open access to knowledge by helping policy makers make informed and just decisions regarding the use and adoption of technology. As of 2020 SFLC.in is the only Indian organization to be inducted as a member of the IFEX, a global network to defend the right to freedom of expression and information.

Sincerely,

Prasanth Sugathan

prasanth@sflc.in

Legal Director

SFLC.in

Copy to -

1. SHRI NIRANJAN KUMAR ARYA

Chief Secretary

Government of Rajasthan

csraj@rajasthan.gov.in

23rd October 2021

To,
Shri Ashok Gehlot
Chief Minister of Rajasthan
Secretariat, Jaipur-302005,
Rajasthan, India
cmrajasthan@nic.in

Dear Sir,

Subject - Suspension of Internet services in various districts of Rajasthan to prevent cheating in Patwari Recruitment Exam

Greetings from SFLC.in,

This is in reference to the newspaper article dated 23.10.2021, published by The Times of India titled 'Patwari Exam: Mobile internet banned in Jaipur, Dausa' and the order dated 22.10.2021, issued by the Divisional Commissioner of Bikaner suspending mobile internet services. Copies of the article and the order are attached with this letter.

The above mentioned article states that the Rajasthan government has suspended mobile internet services on 23rd October 2021 in the district of Jaipur and Dausa. The internet services will remain suspended from 6 am to 6 pm.

The said order states that internet services shall remain suspended on 23rd October and 24th October 2021 in the district of Bikaner, Shri Ganganagar and Hanumangarh. The services will be suspended from 6 am to 6 pm on each day. The reason that has been stated for the same is to prevent spread of

fake news and rumours related to leak of question paper which may result in disruption in law and order.

It is to bring to your notice that, The Temporary Suspension Of Telecom Services (Public Emergency Or Public Safety) Rules, 2017 issued under section 7 of the Indian Telegraph Act, 1885 is the special law which provides for suspension of Internet services. Under these Rules, an internet suspension can be issued *only* for **public safety** or in **public emergency** in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence. Prevention of cheating in exams does not satisfy any of these objectives. Neither is prevention of spread of fake news and rumours related to leak of paper, in order to maintain law and order situation a valid reason under the said rules. It must be noted a law and order situation is not the same as a public order situation as laid down by the Supreme Court in ***Ram Manohar Lohia V. State of Bihar*** (1966 AIR 740). Therefore, suspension of internet services is a violation of the law.

In addition to that, the Supreme Court of India in 2020 in ***Anuradha Bhasin V. Union of India*** (Writ Petition (C) No.1031 OF 2019/1164 Of 2019) held that internet suspension *cannot be ordered* unless it is necessary, unavoidable and a drastic measure. The procedure established under the Telecom Suspension Rules, 2017 shall be followed. A state should only consider suspending telecom services if necessary and unavoidable.

We would therefore like to request the State authorities to not shut down the internet to prevent cheating in exams in future. It is also requested to restore Internet in the said districts on an urgent basis. Internet Shutdowns have a harrowing impact on citizens and are often disproportionate in nature. Internet shutdowns are bound to cause economic loss, an impact on education, healthcare and other welfare schemes. An internet shutdown during a pandemic can be especially grave considering citizens depend on the internet to get information, work and study. Shutting down the internet to prevent cheating in exams or to maintain law and order will be a violation of the Telecom Suspension Rules as well as the decision of the Honorable Supreme Court of India in ***Anuradha Bhasin V. Union of India***

SFLC.IN is the first Indian legal services organization that works exclusively on technology, law, and policy. As a not-for-profit organization engaged in the empowerment of Indian citizens about their digital freedom and rights, it operates as a collective bringing together different stakeholders to a common platform to further the cause of digital rights. SFLC.in promotes innovation and open

access to knowledge by helping policy makers make informed and just decisions regarding the use and adoption of technology. As of 2020 SFLC.in is the only Indian organization to be inducted as a member of the IFEX, a global network to defend the right to freedom of expression and information.

Sincerely,

Copy to-

1. SHRI NIRANJAN KUMAR ARYA

Chief Secretary

Government of Rajasthan

csraj@rajasthan.gov.in

2. Shri Suresh Chand Gupta

Home Secretary

Government of Rajasthan

sca_ca_co@yahoo.com



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ No. 10304/2018

Dhirendra Singh Rajpurohit S/o Sh. Jagdish Singh Rajpurohit,
Aged About 27 Years, Plot No. 10, Near Rajasthan Hospital, Shri
Jasvidi Hardware, Banar Road, Jodhpur, Rajasthan (Pin- 342027)

-----Petitioner

Versus

1. State Of Rajasthan, Through Chief Secretary, Secretariat,
Jaipur
2. State Of Rajasthan, Through Its Secretary, Home
Department, Government Secretariat, Rajasthan, Jaipur
3. Divisional Commissioner, High Court Road, Bhadwasia,
Paota, Jodhpur, Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Nitin Goklani Mr. Pravin Vyas
For Respondent(s)	:	Mr. Ayush Gehlot for Mr. Rajesh Panwar, AAG

**HON'BLE MR. JUSTICE SANGEET LODHA
HON'BLE MR. JUSTICE DINESH MEHTA**

Order

28/11/2018

This writ petition (PIL) is directed against the order dated 12.07.2018 issued by the Divisional Commissioner, Jodhpur suspending the data internet services, Bulk SMS/MMS/Whatsapp/Facebook, Twittter and other Social Media by internet services Providers (except voice call of Landline, Mobile Phone, all lease line and Broadband) during the written examination for recruitment to the posts of constable to be conducted during the period from 14.07.2018 to 15.07.2018 from 6:00 AM to 5:00 PM.



Precisely, the case set out by the petitioner is that the Divisional Commissioner, Jodhpur had no authority to suspend the internet services in the manner it is done.

An additional affidavit has been filed by the respondents. Along with the additional affidavit, the respondents have placed on record Communication dated 22.10.2018 issued by the Special Secretary, Home (Disaster Management) Department, addressed to the Divisional Commissioner of various Division, directing that no order suspending the internet services be issued in future during the examinations.

In view of the categorical stand of respondents not to suspend the internet services during the Competitive Examinations, the writ petition has rendered infructuous.

Dismissed accordingly.

(DINESH MEHTA),J

(SANGEET LODHA),J

60-himanshu/-

GOVERNMENT OF RAJASTHAN

Office: Collector and District Magistrate, Ajmer

No.: Ka.A./F-31/Nyay/2021/14257

Date: 24.9.2021

To,

Hon'ble Divisional Commissioner,
Ajmer Division, Ajmer.

Subject: Regarding restricting the internet service
during the REET Exam-2021 conducted by
the Board of Secondary Education.

Sir,

On the above subject it is to inform that the Board of Secondary Education, Rajasthan is going to conduct the Rajasthan Eligibility Examination for Teacher (REET-2021) on 26.9.2021 in two shifts - 1st shift from 10 am to 12 noon and second shift from 2 pm to 5 pm at the District Headquarter as well in all the subdivision areas. In order to maintain confidentiality in the said recruitment test, it is necessary to suspend internet services in Ajmer district.

Therefore, it is requested that in order to maintain the confidentiality in the aforesaid examination, please issue an order to temporarily suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice call of landline and mobile phone and landline broadband and lease line data) in the entire district from 6 am to 6 pm on 26.9.2021.

Yours faithfully,

(Prakash Rajpurohit)

District Magistrate, Ajmer

No.: No.: Ka.A./F-31/Nyay/2021/14258-14252 Date:
24.9.2021

1. District Superintendent of Police, Ajmer
2. Addl. Collector and Addl. District Magistrate
(First/City/Second) Ajmer
3. Coordinator and Secretary, Rajasthan Eligibility
Examination for Teacher (REET).
4. Guard file.

Addl. Dist. Magistrate-City Ajmer
& Incharge Officer-Justice Branch

GOVERNMENT OF RAJASTHAN
OFFICE: DIVISIONAL COMMISSIONER, JAIPUR
DIVISION, JAIPUR

No.: P.3(92) Nyay/DCJ/379 Date: 25.9.2021

:: ORDER ::

The District Collector, Jhunjhunoo has informed vide his letter no. F.16(6)(2)Nyay/2008/1862 dated 24.9.21 that Rajasthan Eligibility Examination for Teacher (REET-2021) is scheduled to be held on 26.9.2021. Some organized cheating/copying gangs / paper solver gangs may create disturbance in the written examination through social media/internet. For the smooth conduct of the examination, request has been made to suspend internet services in the entire revenue limit of Jhunjhunu District from 6 am to 6 pm on 26 September, 2021.

Besides above, it has also been mentioned in the Advisory Letter No.35(4) Grih-9/2017/part-2 Jaipur dated 24.9.2021 issued by the Home Department, Government of Rajasthan that the aforesaid examination is being conducted in two shifts

- 1st shift from 10 am to 12 noon and second shift from 2 pm to 5 pm in the entire State wherein about 16 lakh candidates are likely to appear. There will be movement of candidates from one district to another, in such a situation, there may be a situation of deteriorating law and order due to fake news, rumor of accident, rumor of paper leak, etc.

Thus, I am satisfied that there is every possibility of law and order situation being created and public peace disrupted due to spread of fake news, rumors of accidents, rumors of paper leaks etc. by means of internet during the examination hours. Therefore, in view of the above situation, it has become necessary to suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) in Jhunjhunu district to maintain law and order during the said examination on 26.9.2021 in the larger public interest.

Therefore, keeping in mind the law and order and public safety in the entire revenue limit of Jhunjhunu district, I Dinesh Kumar Yadav, Divisional Commissioner, Jaipur Division, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby temporarily strict/suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) on 26.9.2021 for next 12 hours from 6 a.m. to 6 p.m. so as to maintain law and order during Rajasthan Eligibility Examination for Teacher (REET-2021).

I direct all citizens of District Jhunjhunoo to comply with this order and not to disobey. If any

person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law. This restrictive/temporary suspension order of the said services will be effective from 6 am to 6 pm on 26/9/2021 in the entire revenue limit of Jhunjhunu district.

This order is issued today the 25.9.2021 under my signature.

Sd/- illegible

Dinesh Kumar Yadav,

Divisional Commissioner, Jaipur

No.: P.3(92) Nyay/DCJ/380-396 Date: 25.9.2021.

1. Chief Secretary, Government of Rajasthan, Jaipur
2. Principal Secretary, Home Department, Government of Rajasthan, Jaipur
3. Secretary, Home Department, Government of Rajasthan, Jaipur
4. IGP, Jaipur Range, Jaipur
5. District Collector and Magistrate, Jhunjhunoo

6. Superintendent of Police, Jhunjhunoo with the request to coordinate with all the telecom companies operating in the aforesaid areas and ensure compliance of the order from them.
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance, Reliance Jio and others for compliance – through District Superintendent of Police, Jhunjhunoo.
8. District Public Relation Officer, Jhunjhunoo for wide publicity.
9. Order file.

Sd/- illegible

Divisional Commissioner

Jaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, KOTA

DIVISION, KOTA

No.: P.4()D.C.Nyay/2018/1091 Date: 25.9.2021

:: ORDER ::

By means of Order No.
P.4()D.C./Nyay/2018/1089 date 24.9.2021 of this
office, an order has been issued to suspend/restrict
internet services in Kota, Bundi, Baran and Jhalawar
Districts of Kota Division from 5 am to 5 pm on
26.9.2021.

Information is being sought by various Internet
Service Provider companies regarding the
continuation of broadband services during the
restricted period. Therefore, it is clarified in this
regard that there is no mention of the closure of
broadband service in the said order. Therefore,
broadband services of all internet service providers
will continue in Kota Division.

Sd/- illegible

(Anurag Bhargava)

Addl. Divisional Commissioner

Kota

No.: Even number/1092 Date: 25.9.2021

Copy for information and necessary action to:

1. Chief Secretary, Government of Rajasthan.
2. Principal Secretary, Home Department,
Government of Rajasthan, Jaipur for approval.
3. IGP Kota Range, Kota.
4. District Collector and District Magistrate,
Kota/Bundi/Baran and Jhalawar.
5. All District Magistrate..... Rajasthan.
6. District Superintendent of Police, Kota City, Kota
Rural, Bundi, Baran and Jhalawar with the
request to coordinate with all concerned police
officers and the Nodal Officers of Telecom
Companies for compliance of the aforesaid
order.
7. All SDMs, Kota Division.
8. All DySP, Kota Division
9. All Police Station Officers, Kota Division

10. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, TATA Docomo, Reliance Jio for compliance – through concerned District Superintendent of Police.
11. Notice Board in the Office of District Collector / Office of SP/ All Sub-Divisional hqrs./ All Tehsil offices in all districts concerned.
12. Dy. Director, Public Relation Department, Kota with the request to ensure wide publicity of the order through newspapers and electronic media.
13. Information and Public Relation Officer, Bundi/Baran and Jhalawar with the request to ensure wide publicity of the order through local newspapers and different means of telecom media.

Sd/- illegible

Addl. Divisional Commissioner,

Kota Division, Kota.

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, UDAYPUR

(Raj.)

No.: D.C.U./Nyay/2021/Udaypur/3421

Date: 25.9.2021

ORDER

Rajasthan Eligibility Examination for Teacher (REET-2021) is scheduled to be held on 26.9.2021. The exam will be conducted in two shifts - 1st shift from 10 am to 12.30 pm and second shift from 2.30 pm to 5 pm. In the aforesaid exam, about 16 lakh candidates will participate in the State and on a large scale students will come to Udaipur from other districts of the State of Rajasthan. In such a situation, a law and order situation may arise due to fake news, rumors of accident, rumors of paper leaks, etc. There is also a possibility of disrupting public peace and creating law and order situation by spreading rumors through social media by anti-social elements. In such a situation, the District Collector and District Magistrate, Udaipur vide letter no.

Nyay/Vividh/2021/12054 dated 24.9.2021 has recommended to shut down the internet services (except Lease Line) within the entire the revenue limits of District Udaipur (excluding Sub-Division Lasadia and Kotada) on 26.9.2021 from 6.00 am to 6 pm in view of the sensitivity of the said examination and maintaining confidentiality and maintenance of law and order, public safety and public emergency.

As per the Advisory Letter No.35(4) Grih-9/2017/part-2 Jaipur dated 24.9.2021 issued by the Principal Secretary, Home (Group-9) Department, Government of Rajasthan and based on the recommendation made by District Collector and District Magistrate, Udaipur, it is necessary to take preventive measures in view of in view of the sensitivity of the said examination and maintaining confidentiality and in order to curb the spread of false rumours and fake news related to the examination through internet and to maintain confidentiality, clarity and transparency in the exam/question paper and law and order in the district.

Therefore, in exercise of the powers conferred by Rule 2(1) of Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 circulated vide Order No. 35(1)(Home-9)/2006Pt. Jaipur Dated 2.9.2017, the internet services (except Lease Line) within the entire revenue limits of District Udaipur (excluding Sub-Division Lasadia and Kotada) are hereby suspended on 26.9.2021 from 6.00 am to 6 pm.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

Sd/- illegible

(Rajendra Bhatt)

Divisional Commissioner, Udaipur

No.: DCU/Nyay/2021/Udaipur/3421 Dt. 25.9.21

Copy for information and necessary action to:

1. Chief Secretary, Government of Rajasthan for confirmation of above order.

2. Addl. Chief Secretary, Home Department, Rajasthan for confirmation of above order.
3. Principal Secretary, Home (Gr.9) Department, Government of Rajasthan, Jaipur in compliance of Advisory letter no. P.35(4)Grih-9/2017 Part-2 Jaipur.
4. IGP Udaipur Range, Udaipur.
5. District Collector and District Magistrate / Superintendent of Police, Udaipur.
6. All District Magistrate/ Superintendent of Police, Udaipur Division.
7. District Superintendent of Police, Udaipur with the request to coordinate with all concerned police officers and the Nodal Officers of Telecom Companies for compliance of the aforesaid order.
8. SDM, District Udaipur.
9. All DySP, Dist. Udaipur
10. Commissioner/Executive Officer, Nagar Palika/Nagar Parishad, Dist. Udaipur.
11. All Police Station Officers, Kota Division

12. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, TATA Docomo, Reliance Jio for compliance – through District Superintendent Udaipur.
13. Notice Board in the Office of District Collector / Office of SP/ All Sub-Divisional Hqrs./ All Tehsil offices in all districts concerned.
14. District Information and Public Relation Officer, Udaipur.

Sd/- illegible

Divisional Commissioner, Udaipur

GOVERNMENT OF RAJASTHAN

OFFICE: DIVISIONAL COMMISSIONER, JAIPUR

DIVISION, JAIPUR

No.: P.3(92) Nyay/DCJ/618 Date: 25.10.2021

:: ORDER ::

Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2021 is to be conducted by the Rajasthan Public Service Commission, Ajmer on 27.10.2021 from 10 a.m. to 1.00 p.m. In this connection, the Commissioner of Police, Jaipur has also informed vide letter no. PuAaA/2021/13408 dated 26.10.2021 that many rumors are being spread on social media about scam in the said examination. Many active exam solver gangs or copying gangs have also been caught who caused disruption in the examinations conducted in the past by misusing internet. If unfair means are used in the examination, then it can create a lot of dissatisfaction among the lakhs of candidates taking part in the examination, as well as the information and rumors related to it are also likely to

spread rapidly on social media which may result in law and order situation. It has been requested that in the above situation, it is necessary to suspend/restrict the internet service in the area falling within the Police Commissionerate on 27.10.2021 from 9.00 a.m. to 1.00 p.m.

Thus, I am satisfied that there is every possibility of law and order situation being created and public peace disrupted due to spread of fake news, rumors of accidents, rumors of paper leaks etc. by means of internet during the examination hours. Therefore, in view of the above situation, it has become necessary to suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) in the entire area falling within the Police Commissionerate on 27.10.2021 from 9.00 a.m. to 1.00 p.m. in the larger public interest.

Therefore, keeping in mind the law and order and public safety in the entire area falling within the

Police Commissionerate, I Dinesh Kumar Yadav, Divisional Commissioner, Jaipur Division, Jaipur in exercise of the powers conferred by the order no. F35(1) Home-9/2006 dated 2.9.2017 of the Home (Group-9) Department, Government of Rajasthan issued under Rule 2(1) of Notification regarding Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 dated 7 August, 2017 issued by the Ministry of Communications, Government of India, do hereby temporarily strict/suspend 2G/3G/4G/Data Internet Services, Bulk SMS/MMS/ WhatsApp, Facebook, Twitter and other Social Media by internet service providers (except voice calls and broadband internet) on 27.10.2021 for next four hours from 9.00 a.m. to 1.00 p.m. in the larger public interest so as to maintain law and order Rajasthan Administrative and Subordinate Services Combined Competitive Examination (PRE.) 2021.

I direct all citizens of the Police Commissionerate areas to comply with this order and

not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law. This restrictive/temporary suspension order of the said services will be effective from 9 am to 1 pm on 27.10.2021 in the entire area falling within the Police Commissionerate.

This order is issued today the 26.10.2021 under my signature.

Sd/- illegible

Dinesh Kumar Yadav,

Divisional Commissioner, Jaipur

No.: P.3(92) Nyay/DCJ/619-635 Date: 26.10.2021.

1. Chief Secretary, Government of Rajasthan,
Jaipur
2. Principal Secretary, Home Department,
Government of Rajasthan, Jaipur
3. Secretary, Home Department, Government of
Rajasthan, Jaipur
4. IGP, Jaipur Range, Jaipur
5. Commissioner of Police, Jaipur

6. District Collector and District Magistrate, Jaipur
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Aircell, MTS, TATA, Reliance Jio and others for compliance – through Commissioner of Police, Jaipur.
8. District Public Relation Officer, Jaipur for wide publicity.
9. Order file.

Sd/- illegible

Divisional Commissioner

Jaipur

GOVERNMENT OF RAJASTHAN

Office: Divisional Commissioner, Bikaner Division,
Bikaner

No.: P.9()DC.Bi/Ka.Vy./Internet/20 Date: 22.10.21

:: ORDER ::

District Magistrates of Bikaner, Sri Ganga Nagar and Hanumangarh District under the Division have informed me that in the Patwari Direct Recruitment Examination-2021 to be held on 23.10.2021 (Saturday) and 24.10.2021 (Sunday), a large number of candidates will participate in the districts and there will be inter-district movement as well and the Law and Order situation might arise during the examination due to fake news or rumours about accidents and paper leak.

Therefore, in view of the above circumstances and in order to maintain law and order, I, Bhanwar Lal Mehra, Divisional Commissioner, Bikaner Division, in exercise of the powers conferred by Order No. F.35(1)Grih-9/2006 Jaipur dated 2.9.2017, do hereby order that the 2G/3G/4G/Data, Internet service, Bulk,

SMS/MMS, Whatsapp, Facebook, Twitter and other Social Media by Internet Service Providers (except voice calls of all landlines, mobile phones, all leased lines and broadband and as far as possible for hospitals, banks and industries) will be temporarily suspended between 06:00 am on 23.10.2021 to 06:00 pm on 24.10.2021 in entire three districts of Bikaner division i.e. Bikaner, Sri Ganganagar and Hanumangarh so as to avoid occurrence of public emergency and in the interest of public safety.

I direct all citizens to comply with this order and not to disobey. If any person violates the above prohibitory orders, he/she shall be prosecuted under the relevant provisions of law.

This order is issued today the 26.10.2021 under my signature.

Sd/- illegible
(Bhanwar Lal Mehra)
Divisional Commissioner
Bikaner

No.: Even/419-430 Date: 22 Oct. 2021

Copy for information and necessary action to:

1. Private Secretary to Chief Secretary, Rajasthan, Jaipur
2. Principal Secretary, Home (Group-9) Department, Rajasthan, Jaipur
3. Inspector General of Police, Bikaner Range, Bikaner.
4. District Collector and Magistrate, Bikaner/ Sri Ganganagar/ Hanumangarh.
5. District Superintendent of Police, Bikaner/ Sri Ganganagar/ Hanumangarh with the request to coordinate with all the telecom companies operating in the aforesaid areas and ensure compliance of the order from them.
6. District Public Relation Officer, Bikaner/ Churu/ Sri Ganganagar/ Hanumangarh.
7. Nodal Officer, Telecom Company, Bharat Sanchar Nigam Limited, Airtel, Vodafone, Idea, Reliance Jio and all others telecom operators in these districts for compliance – through Superintendent of Police of concerned District)

Divisional Commissioner. Bikaner

07/01/2022, 14:53

Officer Details

Officer: MUKESH PAREEK

Address: Home Department Home Gr-9 Room No.
1116 Main Building Secretariat.

View Application Details

Specific details of information required:

1. If mobile internet services were shutdown in any districts of Rajasthan during the month of August 2018.
2. If yes, then please provide the copy of order/orders suspending mobile internet services in the month of August 2018.
3. Under what provision of law the suspension of internet services ordered for the abovementioned period.
4. The designation of officer ordering suspension of mobile internet services.
5. If there is a Review Committee Constituted according to sub rule 2(5) of the Temporary Suspension of Telecom Services(Public

Emergency or Public Safety) Rules, 2017 (the Telecom Suspension Rules).

6. If yes, then please provide the minutes of the meeting of review committee for the months of August and September 2018.

Registered

GOVERNMENT OF RAJASTHAN
OFFICE OF DIVISIONAL COMMISSIONER, AJMER
DIVISION, AJMER

No.: R.T.I./123/2021/10998 Date: 29.12.21

To,

Rattanmeek Kaur

745, GF, Cassia

New Chandigarh

Pin Code: 140901

Subject: Regarding supply of information/copies
under the Right to Information Act, 2005.

Ref.: Your letter dated 2.12.2021.

In continuation of your application dated 2.12.2021 seeking information under the Right to Information Act, 2005, the desired information in eight certified copies is being sent with this letter.

Encl.: a.a.

Sd/- illegible

Officer in-Charge

Right to Information Branch

Office of the Divisional Commissioner

Ajmer (Raj.)

No.: Sam./

Date:

Copy to State Public Information Officer and Dy.
Secretary, Home (Group-9) Department, Government
of Rajasthan, Secretariat, Jaipur with reference to his
letter no. P.38 (43) Grih-9/2021 dated 3.11.2021 for
information.

Sd/- illegible

Officer in-Charge

Right to Information Branch

Office of the Divisional Commissioner

Ajmer (Raj.)

Information as acquired by Rattameek Kaur
Application under RTI received from Home (Gr.9)
Department, Rajasthan, Jaipur

SN	Subject	Information
1.	If mobile internet services were shutdown in any districts of Rajasthan during the months of August 2018.	Mobile internet services were shutdown in district Ajmer/Bhilwara/Nagaur/Tonk of Ajmer Division during the month of August 2018.
2.	If yes, then please provide the copy of order/orders suspending mobile internet services in the month of August 2018.	Copies of 6 orders suspending mobile internet services in the month of August 2018 are enclosed.
3.	Under the provision of law the suspension of internet services	Suspension of internet services ordered as per Powers delegated to

	ordered for the above mentioned period.	Divisional Commissioners of the State of Rajasthan by Home (Gr-9) Department order no. F35(1) Home-9/2006 Pt. Dated 2.9.2017 (copy enclosed)
4.	The designation of officer ordering suspension of mobile internet services.	Divisional Commissioner, Ajmer.
5.	If there is a Review Committee constituted according to sub-rule 5(2) of the Temporary Suspension of Telecom Services (Public Emergency of Public Safety) Rules,	No such committee is constituted at the level of Divisional Commissioner, Ajmer.

	2017 (the Telecom Suspension Rules).	
6.	If yes, then please provide the minutes of the meeting of Review Committee for the months of August and September 2018.	NIL

ANNEXURE P-8TRUE TYPED COPY

**The Anatomy of an Internet Blackout:
Measuring the Economic Impact of Internet Shutdowns in
India**

2. Measuring the Economic Impact of Internet Shutdowns

The role of digital technology is rapidly expanding in both developed and developing countries. With a substantial policy push, the Internet is now central to most socio-economic activities in India. India's Internet economy is expected to touch USD 250 billion in 2020 (7.5% of GDP), driven by explosive growth in data consumption. E-commerce and financial services are likely to lead this growth¹⁷. A recent survey reported that of the total time spent by Indians on their mobile, 45 percent is on entertainment, 34 percent on search, social media and messaging and about 4 percent on shopping¹⁸. India is already the highest ranked in mobile data consumption, at volumes which are 50 percent more than that in China, indicating the disruptive effect of Reliance Jio that entered the market in September 2016 and resulted in significant adoption through its free data and voice plans. India's mobile obsession is also underscored by the relentless rise in smart phone users and average monthly spends on mobile data despite poor network speeds and unaffordable devices. Interestingly, this growth is led by rural areas, where the recent rate of uptake is higher than that in urban areas¹⁹.

The empirical literature measuring the dividends of Internet has conclusively established high impact on economic

growth and job creation. A pioneering study by Roller and Waverman (RW) 20 showed evidence of growth externalities due to telecoms that were not necessarily linear. Several studies (Sridhar & Sridhar 2004, Qiang et al 2009, Koutropompis 2009) inspired by RW also estimated growth dividends of telecoms. ICRIER used a modified RW (2001) approach and also adapted the Barro (1991) model in a series of reports from 2009 that captured the growth dividend of telecoms in India, starting with the now ubiquitous mobile²¹. This report estimated that a 10 percent increase in mobile penetration resulted in a 1.2 percent increase in rate of GDP growth. According to recent estimates a 10 percent increase in Internet subscribers results in a 2.4 percent increase in the rate of GDP growth per capita²² while a 10 percent increase in Internet traffic results in a 3.3 percent increase²³. The latter focuses on Internet usage as opposed to penetration, moving away from the implicit assumption that traffic growth is proportional to subscriber growth. From available industry statistics we know that the compounded annual growth rate for subscribers in India is 27 percent as compared to 32 percent for traffic²⁴ over the period 2013 to 2017.

The policy narrative on the Internet is now bittersweet. Rising instances of Internet abuse and its anticipated role in sparking and fueling law and order situations is pushing governments to order shutdowns, the frequency of which has risen disproportionately to its expanding footprint. These shutdowns are naturally criticized by sections of society who favour liberty and whose financial interests are tied to a functioning Internet. But public policy has a mandate that

transcends narrow interests and at the same time has to be exercised responsibly. How to achieve this delicate balance is however not the focus of this study, recognizing that tradeoffs are manifest in public policy choices. We concentrate instead on the opportunity cost represented by the loss from interrupted economic activity of an Internet shutdown.

Instances of communication shutdown and its socioeconomic impacts have been studied before. For instance, cutting off the mobile telecommunication network in Nepal²⁵ in 2005 was found to have a negative impact on the economy and the resultant social alienation led to the eventual downfall of the reigning king. A recent study on Pakistan examined the shutdown in Islamabad and Rawalpindi during March 2015²⁶. It covers a wide range of impacts including safety, access to emergency services, disruption to education, impact on small businesses and availability of e-services. This study however does not report the estimate of the economic loss. An earlier study in 2012, reported that Pakistan suffered an estimated loss of USD 49 million to the exchequer from mobile companies for a shutdown during Eid²⁷.

The first rigorous quantitative estimate of economic disruption was due to OECD in 2011²⁸. It reported an estimated loss of USD 90 million for shutdown of Internet and communication services in Egypt for a period of five days. The loss estimates however ignored the indirect impacts on sectors affected by the Internet such as e-commerce, tourism, etc. A more recent report by the Brookings Institution²⁹ estimates that Internet shutdowns cost countries about USD 2.4 billion between July 2015 and June 2016. The reported estimate for

India was USD 968 million for 70.54 days of Internet shutdown during this period. The study triangulates estimates available from the literature on the contribution of a country's Internet economy to GDP and the multiplier effect it generates to arrive at cost estimates of each shutdown, justly distinguishing between mobile and fixed line disruptions. However, the study acknowledges challenges of precision due to paucity of relevant economic data.

As online ecosystems mature and infiltrate, the impact of such shutdowns is only likely to increase. According to Deloitte³⁰, for a well-connected country, the per day impact of an Internet shutdown would be \$23.6 million per 10 million population. With medium and low levels of Internet penetration GDP impact amounts to \$6.6 million and \$ 0.6 million per 10 million people respectively. The study is based on varying estimates of broadband usage and broadband speeds in different economies. The Internet speed elasticity helps measure the impact of throttling, a purposeful slowing down of available bandwidth. The estimation is based on data from 96 countries and the elasticities are borrowed from previous studies by Deloitte³¹.

Since 2015, network disruptions have also become very common in Sub-Saharan African countries. A report by CIPESA recently developed a framework to measure the costs of network disruptions in Africa to account for the informal economy that GDP based approaches may not accurately measure. While their approach borrows from Brookings and Deloitte it introduces a country risk profile and measures loss of efficiency from the inability to digitize businesses. According to

their estimate, Internet and social media shutdowns during the period 2015 to 2017 cost countries in Sub-Saharan Africa \$237 million approximately. Available estimates for Internet shutdowns is summarised in Table 2.1 below

2.1 ECONOMETRIC FRAMEWORK AND ESTIMATES

As highlighted in the introduction, Internet shutdowns in India have increased exponentially over the last few years. From three reported shutdowns in 2012, the number increased to 70 in 2017. The duration of shutdowns increased from a total of 9 in 2012 to 8141 hours in 2017. Based on carefully assembled data from different sources, we find that the frequency and duration of shutdowns between 2012 and 2017 are concentrated in certain regions (shown in Tables 2.2 and 2.3 below). As is evident, Jammu & Kashmir has seen a disproportionate number of shutdowns followed by Rajasthan, Haryana and Gujarat. Data on hours of shutdown across states shows that there is no simple relationship between number of shutdowns and duration, implying the incidence of very long duration shutdowns as in the case of Nagaland and West Bengal. In general, mobile networks have been shut down for longer than fixed line Internet.

Table 2.1: Estimates for the Economic Impact of Internet Shutdown

Study	Country	Duration in days	Number of instances	Economic Impact Estimate
OECD	Egypt	5	1	Direct costs

(2011)				of a minimum USD 90 million (On a yearly scale 3-4% of GDP)
Brookings (2016)	India, Iraq, Syria (non-ISIS areas) Pakistan, Turkey, Bangladesh, Brazil, North Korea, Republic of Congo, Uganda, Vietnam, Algeria, Bahrain Chad, Ethiopia, Libya, Morocco, Saudi Arabia, Syria (ISIS areas)	753	81	Total: USD 2.43 billion India: USD 968 million for 70.54 days of shutdown
Deloitte (2016)	Based on data for 96 countries	Not applicable	Not applicable	<ul style="list-style-type: none"> Highly Internet connected country: Per day impact of USD 23.6 million per 10 million population. Medium

				<p>connectivity country: Per day impact of USD 6.6 million per 10 million population.</p> <ul style="list-style-type: none"> • Low connectivity country: Per day impact of USD \$0.6 million per 10 million population.
CIPESA (2017)	Cameroon, DR Congo, Ethiopia, Gabon. Gambia, Niger, Republic of Congo, Togo	176	Not applicable	USD 218 million (estimate only for total Internet shutdowns)

Source: Compiled by Author.

TABLE 2.2: INSTANCES OF INTERNET SHUTDOWNS BY STATE

	2012		2013		2014		2015		2016		2017		
	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Total
Arunachal Pradesh									1				
Bihar										3	2		5
Chandigarh											1		1
Gujara					1		6		2		1		10
Haryana									4		6	2	12
Jammu and Kashmir	2	1	4	1	4	1	3	2	8	2	23	9	60
Jharkhand									1				1

Madhya Pradesh											1		1
Maharashtra									1		1		2
Manipur								1		1			2
Meghalaya								1					1
Nagaland								1				2	3
Odisha												2	2
Punjab											1		1
Rajasthan								1	4	2	7	3	17
Telangana												2	2
Tripura												2	2
Uttar Pradesh										2	2		4
West Bengal											2	1	3
Total	2	1	4	1	5	1	9	6	21	10	47	23	130

TABLE 2.3: DURATION OF INTERNET SHUTDOWNS BY STATE

States/Years	2012		2013		2014		2015		2016		2017		Total Duration (In hours)
	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	Mobile	Mobile and Fixed Line	
Arunachal Pradesh									48				48
Bihar										312	420		732
Chandigarh											72		72
Gujara					72		528		28		96		724
Haryana									4		6	2	12
Jammu and Kashmir	4	5	336	24	42		9	106	5352	240	1428	230	7776

Jharkhand									24				24
Madhya Pradesh											96		96
Maharashtra									48				48
Manipur								168		288			456
Meghalaya								24					24
Nagaland								48				1224	1272
Odisha												96	96
Punjab											72		72
Rajasthan								24	120	120	474	216	954
Telangana												144	144
Tripura												110	110
Uttar Pradesh										120	372		492
West Bengal											2496	120	2616
Total	4	5	336	24	114	1	537	370	5704	1080	5848	2293	16315

Source: compiled from internet shutdown tracker, SFLC and other media reports.

We estimate the economic impact of shutdowns using a familiar methodology³² that uses the impact elasticities for mobile and total Internet usage to derive the estimated losses. We first estimate these using an instrumental variable regression. The geographical diversity of India means that inter-state variations can be modeled to arrive at growth elasticities. The results show that a 10% increase in India's mobile traffic will deliver on average a 1.6% increase in India's GDP per capita and a 10% increase in India's total Internet traffic will deliver on average a 3.1% increase in India's GDP per capita. Details of the econometric model including data sources are provided in Box 2.1

Box 2.1: Model Specification, Assumptions and Data Sources

$$\text{Log GDP_PC}_{it} = \alpha + \beta \text{Log (K/L)}_{it} + \nu \text{Log (MobileInternetTraffic)}_{it} + D_i + \varepsilon(i)$$

$$\text{Log GDP_PC}_{it} = \alpha + \beta \text{Log (K/L)}_{it} + \nu \text{Log (TotalInternetTraffic)}_{it} + D_i + \varepsilon(ii)$$

Where i goes across 19 telecom circles of India and t runs from 2012-13 to 2016-17

In equation (i),

Log GDP_PC_{it} is the logarithmic value of nominal state domestic product per capita in rupees lakhs (using the 2011-12 base) for the i th circle in year t . Data for this variable has been extracted from the State Series data of the National Accounts

(CSO)².

$\log(K/L)_it$ is the logarithmic value of capital intensity as measured by Net Investments (Net of investments in telecommunication) in rupees lakhs for the i th circle in year t . Data on Net Investments has been estimated by subtracting investments in telecom from total gross capital formation in the country and distributed across states using the proportion of factories as distributed across states. Data on Net Investments is extracted from the National Accounts Statistics (CSO) and on number of factories from the Annual Survey of Industries¹. Labour is measured using data on state-wise higher education enrollment³.

$\log(\text{MobileInternetTraffic})_it$ is the logarithmic value of mobile Internet traffic in petabytes per month for the i th circle in year t . In the absence of circle level data, mobile Internet traffic for India has been distributed using the proportion of adjusted gross revenue accruing to each circle. CISCO VNI made data on total Internet traffic in India available and data on adjusted gross revenue was extracted from TRAI's Financial Reports.

D_i are 19 telecom circle dummies

α and ε are the Constant and Error terms respectively

Data for 2016-17 has been extrapolated where necessary. The logarithmic value of the number of Base Transceiver Stations (BTSs) is used as an instrument. Data on number of BTSs has been extracted from Lok Sabha starred questions and also extrapolated where necessary. The data for 2013 and 2014 are

March figures, however for 2015 and 2016 they are for September and January respectively.

In equation (ii),

All variables remain the same, except $\text{Log}(\text{TotalInternetTraffic}_{it})$ which is the logarithmic value of total Internet traffic in petabytes per month for the i th circle in year t . Similar to the method in equation (i) national level data has been distributed by state

Note 1: Telecom data for Mumbai and Kolkata have been added to Maharashtra and West Bengal respectively. UP East and UP West have combined to represent a single circle

Note 2: State data has been aggregated to represent circles

Note 3: State data has been aggregated to represent circles

Since we use a log- log model the estimated coefficients will be elasticities

Results of the model are provided in Appendix I. The elasticities are then applied to the hours lost in a specific region due to a shutdown to arrive at the resultant economic harm. Each shutdown reported in India since 2012 has been tabulated with details on region, duration and network disrupted (mobile/ mobile and fixed line). A two-step procedure is used to determine the economic harm caused as a result of the shutdown. In step 1 we estimate traffic impacted by the shutdown and in step 2 we estimate the economic cost of the traffic impacted using measured elasticities. Our top line results are:

- 16,315 hours of Internet shutdown in India cost the economy approximately \$3.04 billion during the period 2012 to 2017
- 12,615 hours of mobile Internet shutdown in India cost the economy approximately \$2.37 billion during the period 2012 to 2017
- 3,700 hours of mobile and fixed line Internet shutdowns in India cost the economy approximately \$678.4 million during the period 2012 to 2017

How much does an hour of internet shutdown cost the economy? Result naturally vary by geography of shutdown, the intensity of economic activity over the internet and by the total duration of the blackout. One of the few examples of a country wide shutdown in Egypt which is estimated to have cost the economy US\$ 750,000 per hour in 2011 (OECD, 2011). Similarly, an hourly estimate for social network shutdown in Brazil was US \$ 966,985 (estimated from Brookings, 2016). Other geographically targeted shutdowns are clearly less harmful. For example, hourly estimates for Internet shutdowns in Kenya and Ethiopia are US \$ 263,196 and US \$ 145,823 respectively (estimated from CIPESA, 2017). Our average estimate of hourly loss for India over the various shutdowns during 2012-2017 is US \$ 186,332.

The state-wise list of economic impacts for mobile only and mobile plus fixed line shutdowns are reported in Table 2.4. The total number of shutdowns in Table 2.4 is higher than that in Table 2.2, as some instances of shutdowns in Kashmir and Haryana have been separated to account for differences in location of shutdowns across network types during the same instance of a shutdown. Economic impacts for 19 instances

could not be computed due to missing information either on duration or location of shutdown. 17 of these instances were in the state of Jammu & Kashmir.

TABLE 2.4: STATE-WISE ESTIMATES OF ECONOMIC COSTS ON ACCOUNT OF ORDERED INTERNET SHUTDOWNS

Year	state	Network Type	Number of Shutdowns	Total Number of Hours	Economic Impact (USD Million)
2017	Chandigarh	Mobile	1	72	4.31
2014	Gujarat	Mobile	1	72	18.64
2015	Gujarat	Mobile	6	528	1129.6
2016	Gujarat	Mobile	2	28	20.6
2017	Gujarat	Mobile	1	96	8.7
2016	Haryana	Mobile	4	84	21.93
2017	Haryana	Mobile	6	322	332.17
2012	Jammu & Kashmir	Mobile	2	4	0.85
2013	Jammu & Kashmir	Mobile	4	336	165.57
2014	Jammu & Kashmir (Note-1)	Mobile	4	42	Could not be estimated
2015	Jammu & Kashmir (note-2)	Mobile	3	9	1.46
2016	Jammu & Kashmir (note-3)	Mobile	9	5352	30.2
2017	Jammu &	Mobile	24	1428	223.03

	Kashmir (note-4)				
2016	Jharkhand	Mobile	1	24	0.78
2017	Madhya Pradesh	Mobile	1	96	33.26
2016	North East	Mobile	1	48	0.27
2017	Punjab	Mobile	1	72	could not be estimated
2016	Rajasthan	Mobile	4	120	9.68
2017	Rajasthan	Mobile	7	474	80.24
2017	Telangana	Mobile	1	72	7.72
2017	Uttar Pradesh	Mobile	2	372	29.9
2017	West Bengal	Mobile	1	2496	181.34
2017	Bihar	Mobile	4	420	51.91
2016	Maharashtra	Mobile	1	48	13.63
2017	Maharashtra	Mobile	1	not reported	could not be estimated
2016	Bihar	Mobile and Fixed Line	3	312	42.04
2017	Haryana	Mobile and Fixed Line	2	153	75.12
2012	Jammu & Kashmir	Mobile and Fixed Line	1	5	2.82
2013	Jammu & Kashmir	Mobile and Fixed Line	1	24	8.55

2014	Jammu & Kashmir	Mobile and Fixed Line	1	not reported	could not be estimated
2015	Jammu & Kashmir	Mobile and Fixed Line	2	106	66.32
2016	Jammu & Kashmir	Mobile and Fixed Line	2	240	68.06
2017	Jammu & Kashmir (Note 5)	Mobile and Fixed Line	10	230	43.38
2015	North East	Mobile and Fixed Line	3	240	38.68
2016	North East	Mobile and Fixed Line	1	288	18
2017	North East	Mobile and Fixed Line	4	1334	91.82
2017	Odisha	Mobile and Fixed Line	2	96	8.01
2015	Rajasthan	Mobile and Fixed Line	1	24	3.44
2016	Rajasthan	Mobile and Fixed Line	2	120	18.06
2017	Rajasthan	Mobile and Fixed Line	3	216	71.52
2017	Telangana	Mobile and Fixed	1	72	13.85

		Line			
2016	Uttar Pradesh	Mobile and Fixed Line	2	120	23.1
2017	West Bengal	Mobile and Fixed Line	1	120	85.65
	Overall total of which:		134	16315	3044.21
	Mobile Total.		92	12615	2365.79
	Mobile and Fixed Line Total.		42	3700	678.42

Note 1: Number of hours not reported for 3 shutdowns and location not specified for 1 shutdown

Note2: Reported based on data for 2 shutdowns

Note3: Reported based on data for 5 shutdowns

Note4: Reported based on data for 23 shutdowns

Note5: Reported based on data for 7 shutdowns

Some instances of shutdown that stand out in terms of their economic impact are the Internet shutdowns of Gujarat in 2015. In one particular shutdown incident, the entire state of Gujarat that includes the bustling metropolitan area of Ahmedabad was shut down for close to 10 days. This cost the state close to 0.8% of their annual State GDP. However, over the years, Gujarat has seen a reduction in number of shutdowns with only one in 2017. The extended period of shutdowns in Kashmir since 2016 and in West Bengal in 2017, have resulted

in significant impacts. Interruptions that occur repetitively or last for longer durations magnify the GDP impacts as they increase uncertainty in the business environment and often influence service providers to rethink business models and investments in network infrastructure. User industries need to adapt their models and look for expensive alternatives while qualitatively there is erosion of investor confidence and enhanced reputational risk. We discuss the qualitative impacts in the following chapter. It is worth underlining that other than Ahmedabad, Jaipur and Surat, none of the other larger cities in India have witnessed a shutdown. Table 2.5 lists the top 10 cities in India in terms of their City GDP, and highlights the ones that have been impacted by ordered shutdowns (Jaipur doesn't figure in the list of top 10 cities by City GDP).

Empirically we observe that cities with well-developed and deep rooted digital architectures have not witnessed shutdowns despite law and order situations. The disproportionate impact of a shutdown in cities with high levels of digital activity is perhaps one reason, besides the fact that such cities may have other means to address the law and order problem. Using the Deloitte definitions for level of Internet connectivity, and assuming that Ahmedabad and Jaipur fall in the cohort of cities with high levels of Internet connectivity, the per day.

TABLE2.5: TOP 10 CITIES BY GDP AND IMPACT OF INTERNET SHUTDOWNS

City	City GDP (in USD Billion)	Number of shutdow ns	Hours of shutdown	impact of shutdowns (in USD Million)	Estimate (as % of City GDP)
------	---------------------------------	-------------------------------	----------------------	---	--------------------------------------

Mumbai	310	0	0	0	0
Delhi	293.6	0	0	0	0
Kolkata	150.1	0	0	0	0
Bengaluru	110	0	0	0	0
Chennai	78.6	0	0	0	0
Hyderabad	75.2	0	0	0	0
Pune	69	0	0	0	0
Ahmedabad	68	3	264	152.58	0.2%
Surat	59.8	3	240	85.53	0.1%
Vishakhapatnam	43.5	0	0	0	0

Source: City GDP based on data from Brookings, Hours of shutdown from SLFC

Note: Shutdowns in Ahmedabad and Surat shown in the table occurred over a period of 2 years. Ahmedabad saw two shutdowns in 2015 and one in 2016 Surat saw two shutdowns in 2015 and one in 2016. The costs as a percentage of City GDP in the last column are a weighted average over the two years.

impact on City GDP is likely to be USD 18.8 million and USD 8.7 million respectively³⁴. If the cities are assumed to fall within the medium connectivity cohort the corresponding loss estimates will be USD 5.3 million and USD 2.4 million per day³⁵. Our estimates fall in between these two values - the proportionate per day loss is USD 14.5 million and USD 6 million for Ahmedabad and Jaipur respectively.

Nationally, a direct comparison with the Brookings study is not possible due to differences in coverage – both geographical and period. Their estimate for 70.54 days of shutdown cost India USD 968 million during 2015-16, while our numbers find that 679.8 days of shutdown cost India USD 3.04 billion during the period 2012 to 2017.

The economic impact of shutdowns is idiosyncratic not only to location, but also to familiarity with previous occurrences. Stakeholders affected by repeated shutdowns are likely to resort to alternatives – an aftereffect that the econometric evidence cannot immediately capture. Happily, the case studies conducted during the field survey provide such evidence indicating that the statistical loss estimate presented above is best viewed as an upper bound and as an order of magnitude. The availability of such quantitative evidence, while not intended to drive decision making with respect to shutdowns, is relevant data in the hands of administrators ordering shutdowns. Estimates for impacts on business revenues and profitability due to shutdowns are shared in Chapter 3.



Government Internet Shutdowns Cost Over \$4 Billion in 2020

Our annual report analyzes every major intentional internet shutdown in 2020 and reveals that they cost a world economy already devastated by the pandemic a further \$4BN.



Samuel Woodhams & Simon Migliano

4 Jan 2021

This is our most recent annual report on the cost of government internet shutdowns. For the latest real-time data and links to other historical reports, see our the main [Global Cost of Internet Shutdowns](#) page.

Internet Shutdowns: Economic Impact in 2020

- **\$4.01 billion:** economic cost of internet shutdowns globally in 2020, down by 50% from 2019
- **93 major internet shutdowns** took place in 21 countries in 2020
- **27,165 hours:** total duration of major internet outages around the world, up 49% from the previous year.
 - **Internet blackouts:** 10,693 hours
 - **Internet throttling:** 10,920 hours

Introduction

on-year

- **India:** experienced the most costly internet shutdowns, with a loss \$2.8 billion
- **Human rights impact:** 42% of government internet outages were associated with additional human rights abuses:
 - 29% of all internet disruptions were also associated with restrictions on freedom of assembly
 - 15% with election interference
 - 12% with infringements on freedom of the press

How We Track The Impact of Internet Shutdowns

This Global Cost of Internet Shutdowns in 2020 annual report calculates the total economic impact of every major internet blackout and social media shutdown around the world that year.

This report expands on [our 2019 report into the cost of governments using DNS-filtering technology](#) to block internet access. In order to add important context to these incidents of extreme internet censorship, we also identified additional human rights abuses perpetrated during these disruptions to normal internet access.

To determine the global cost of government internet outages, we collated every national and region-wide incident around the world, determined the duration of the restrictions and used the [COST tool](#) to calculate their economic impact.

This tool, developed by internet monitoring NGO Netblocks and advocacy group The Internet Society, uses indicators from the World Bank, ITU, Eurostat and US Census.

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decrease in economic impact compared to \$8.05 billion in 2019.

Jump straight to economic impact data by region, country and by context.

Intentional major disruptions to internet access lasted 50% longer in 2020 than they did in 2019. However, as these internet outages were mainly concentrated in poorer regions this resulted in a lower overall economic impact.

While the overall impact of internet shutdowns on the global economy declined in 2020, authoritarian regimes showed little restraint in the face of a global pandemic and poorer countries were disproportionately affected.

The longest government internet shutdowns in 2020 were again in India and Myanmar. In both countries, internet restrictions originally imposed in 2019 continued throughout 2020. The Chad government again restricted access to WhatsApp after blocking the app for more than a year in 2018/19. Combined, these three countries experienced a total 64% increase in the number of hours of deliberate internet restrictions in 2020, despite the global public health emergency.

And if we look beyond those three most extreme cases, deliberate internet outages lasted 3.5% longer on average in 2020 (268 hours per country) than they did the year before (259 hours).

“Internet shutdowns block people from getting essential information and services. During this global health crisis, shutdowns directly harm people’s health and lives, and undermine efforts to bring the pandemic under control.” – Human Rights Watch^[1]

What Is An Internet Shutdown?

We use the [definition from Access Now](#): “An internet shutdown is an intentional disruption of internet or electronic communications, rendering them inaccessible or effectively unusable, for a specific population or within a location, often to exert control over the flow of information.”

Introduction

- **Internet blackouts:** internet access is completely cut off. This extreme censorship measure cannot be directly circumvented. We have included partial internet blackouts, i.e. on specific Internet Service Providers (ISPs), and modified our calculations accordingly in such cases.
- **Social media shutdowns:** access to social media platforms, such as Facebook, WhatsApp, Twitter or YouTube, is blocked. This can typically be circumvented by [using a Virtual Private Network \(VPN\)](#).
- **Severe throttling:** internet access has been reduced to 2G speeds, which permits the use of SMS and voice calls but renders modern websites and apps functionally unusable. This is an internet blackout in all but name.

While we expanded our report to include additional human rights abuses associated with each deliberate internet disruption, it's important to make clear that internet shutdowns are themselves a violation of international human rights law. That's because they directly infringe upon citizens' freedom of expression, right to information, and rights to freedom of peaceful assembly and association.

The U.N. “condemns unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law and calls on all States to refrain from and cease such measures”. – U.N. Resolution, 2016^[2]

Internet shutdowns have also been shown to be deployed as a means of concealing violent abuses by the state.

During our analysis of every internet shutdown in 2020, we saw a continuation of the trends we identified the year before. They most often occur in response to protests or civil unrest, especially surrounding elections, as authoritarian regimes look to restrict the flow of information and maintain their grip on power.

It's telling that every deliberate internet outage that took place around an election in 2020 coincided with accusations of election interference.

Introduction

around the world.

See all of our Cost of Internet Shutdowns research

Internet Shutdowns By Region

The following data table shows the total economic cost of all major internet shutdowns in 2020 broken down by the global region where the disruptions occurred. The data table is ordered from greatest to least economic impact, measured in USD.

Region	Total Cost	Duration (Hrs)	Internet Users Affected
Asia	\$2,969.2M	17,735	10.5M
Europe	\$510.3M	1,373	80.7M
Middle East & N. Africa	\$289.6M	1,126	100.2M
Sub-Saharan Africa	\$237.4M	6,929	56.3M
South America	\$2.4M	2	20.5M

Internet Shutdowns By Country

The following table shows the total economic cost of all major internet shutdowns in 2020 by country where the disruptions occurred. Ranking is greatest to least economic impact, measured in USD.

The table also indicates the nature of any additional human rights abuses perpetrated during each shutdown. A cross indicates that the human right specified was violated.

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Rank	Country	Total Cost	Duration (Hrs)	Internet Users Affected	Peaceful Protest
1	India	\$2.8BN	8,927	10.3M	X
2	Belarus	\$336.4M	218	7.9M	X
3	Yemen	\$236.8M	912	7.9M	-
4	Myanmar	\$189.9M	8,808	0.2M	-
5	Azerbaijan	\$122.6M	1,128	8M	-
6	Ethiopia	\$111.3M	1,536	19.5M	X
7	Sudan	\$68.7M	36	13.2M	-
8	Turkey	\$51.1M	18	61.7M	-
9	Syria	\$35.9M	79	5.8M	-
10	Tanzania	\$27.5M	432	14.7M	X
11	Chad	\$23.1M	4,608	2.2M	-
12	Algeria	\$9.6M	26	21.1M	-
13	Guinea	\$6.1M	238	2.8M	-
14	Jordan	\$4.9M	92	6.8M	-
15	Venezuela	\$2.4M	2	20.5M	-
16	Iran	\$2M	9	58M	X
17	Iraq	\$0.4M	8	0.6M	X
18	Somalia	\$0.2M	31	1.6M	-
19	Burundi	\$0.2M	24	1.1M	
20	Kyrgyzstan	\$0.2M	9	3.1M	X
21	Togo	\$0.1M	24	1.2M	-

Internet Shutdowns By Context

The following data table shows the total economic cost of all major internet shutdowns in 2020 grouped by context, i.e. the nature of what prompted the authorities to cut internet

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The data table also indicates the number of incidents in each category and the total duration of deliberate internet outages in hours.

Context	Total Cost	No. of Shutdowns	Duration (Hrs)
Political repression	\$2,767.2M	2	8,784
Conflict	\$616.1M	8	11,970
Protests	\$260.9M	20	648
Elections	\$215.5M	13	893
Exams	\$119.4M	43	241
Information control	\$25.2M	5	4,614
Anniversaries	\$4.5M	2	15

Internet Shutdowns in 2020: Country by Country

The following sections of the report examine the circumstances around each instance of governments cutting or restricting access to the internet.

We have looked at each country individually and broken out the duration of each type of internet outage. We have also identified the nature of any additional human rights abuses in each country associated with the government internet outages.

Countries are ordered and grouped according to the overall economic impact of their government’s internet restrictions over the course of the year.

Use the following links to jump straight to the relevant country-by-country section:

Introduction

- Internet shutdowns costing \$10-\$100 million
- Internet shutdowns costing \$1-\$10 million
- Internet shutdowns costing under \$1 million

Internet Shutdowns With Over \$500 Million Cost

India

- Internet blackouts: 1,655 hours
- bandwidth throttling: 7,272 hours
- Total cost of internet outages: \$2,779.3 million
- Human rights abuses: Right to peaceful assembly & freedom of press

India continued to deliberately cut internet access more than any other country: over 75 times in 2020.^[4] Most of these short internet outages were highly-targeted, affecting groups of villages or individual city districts and so were not included in this report, which focuses on larger region-wide internet shutdowns. The true economic cost is therefore likely to be even higher than the \$2.8 billion we have calculated.

In Kashmir, authorities lifted internet restrictions in March 2020,^[5] seven months on from the controversial move to strip India's only Muslim-majority region of its autonomy. However, even after internet access was restored, authorities continued to severely throttle internet speeds, with citizens only able to access 2G connections.

During the longest internet shutdown in a democracy,^[6] the arbitrary arrest of senior Kashmiri political leaders, lawyers, rights activist and students became widespread.

The restrictions on internet access have negatively impacted the distribution of medicine, businesses and schools.^[7]

“The limiting of networks to 2G has made it impossible for online classes to function adequately. Graduate students and teachers have been unable to

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Rights Watch^[8]

The Indian government continues to justify the ongoing internet restrictions as “absolutely necessary in the interest of the sovereignty and integrity of India”.^[9]

Belarus

- **Internet blackouts:** 218 hours
- **Total cost of internet restrictions:** \$336.4 million
- **Human rights abuses:** Right to peaceful assembly, election interference, press freedoms

Authorities in Belarus cut internet access in August and September to try to stifle protests following a controversial presidential election, whose results were described as “falsified” by the international community.^[10]

During the internet outages, there were multiple reports of police brutality, torture, and attacks on the press. In one report, Amnesty International said police had “brutally tortured hundreds of peaceful protesters”.

In response, protesters turned to privacy apps including Telegram and [Virtual Private Networks](#) (VPN) to continue organizing protests.^[12] During the period of internet restrictions, we documented [a 650% spike in VPN demand](#). Such demand is typically focused on popular free VPN services, [many of which are unsafe](#).

Internet Shutdowns With Costs of \$100-\$250 million

Yemen

- **Internet blackouts:** 912 hours
- **Total cost of internet restrictions:** \$236.8 million

Damage to an undersea cable reduced Yemen’s internet capacity by 80% in January. Some have claimed it was a deliberate act of sabotage by the Houthi rebels that control

Introduction

Regardless of who or what is responsible, citizens were effectively cut off from one another and the rest of the world. The continued disconnections have become increasingly dangerous with the continued spread of COVID-19,” Access Now said in a statement.^[13]

Myanmar

- **Internet blackouts:** 5,160 hours
- **Bandwidth throttling:** 3,648 hours
- **Total cost of internet restrictions:** \$189.9 million
- **Human rights abuses:** Press freedoms

Internet outages in the Chin and Rakhine regions of Myanmar continued in 2020, with an internet blackout continuing until early August. However, even after internet access was restored, authorities continued to throttle internet speeds.

Human Rights Watch claimed the ongoing internet outages have “meant that people in some villages are unaware of the Covid-19 outbreak”.^[14]

In an article for TIME magazine, Kyaw Hsan Hlaing, a student, activist and freelance journalist from Rakhine State, described how the restrictions had impacted people’s livelihood: “Although 2G services were restored this August, 3G and 4G networks remain blocked in all but one of the affected townships, leaving people unable to perform a basic internet search. The government says these restrictions aim to hinder the activities of the Arakan Army, but it has also imperiled the safety of many civilians who lack access to vital information.”^[15]

Azerbaijan

- **Social media shutdowns:** 1,128 hours
- **Total cost of internet restrictions:** \$122.6 million
- **Human rights abuses:** Press freedoms

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the eruption of violent conflict with Armenia over the contested territory of Nagorno-Karabakh.

Multiple human rights abuses reportedly occurred during the conflict, with Amnesty International and Human Rights Watch both claiming that war crimes had been committed.^[16]

“Internet shutdowns restrict access to vital information, prevent people from communicating with loved ones, limit the effectiveness of emergency responders, and suppress reporting of human rights violations.

“Especially during times of conflict and unrest, dependable internet access can help civilians access credible information which can be the difference between life and death.” – Access Now^[17]

During the period of the internet outages, we [documented a 1,646% increase in VPN demand](#) as citizens attempted to circumvent the internet censorship.

Ethiopia

- **Internet blackouts:** 1,536 hours
- **Total cost of internet restrictions:** \$111.3 million
- **Human rights abuses:** Right to peaceful assembly, election interference, press freedoms

Ethiopia continued its disturbing trend of restricting the access to the internet during politically sensitive moments in 2020.

For more than three weeks between June and July, internet access was cut off as protests swept the country following the killing of popular singer Hachalu Hundessa.^[18]

At least 166 people were killed and at least 2,000 people, including opposition politicians, arrested during the protests, according to the United Nations.^[19]

Introduction

limited the work of humanitarian agencies during the conflict and prevented citizens from communicating with their relatives in the region.

“The phone and internet shutdown has made it difficult for journalists and aid workers to document and confirm reports of the situation on the ground, Ethiopians outside the region have also been cut off from their relatives in Tigray.” – Human Rights Watch^[20]

Internet Shutdowns With \$10-100 Million Cost

Sudan

- Internet blackouts: 36 hours
- Total cost of internet restrictions: \$68.7 million

Authorities in Sudan once again restricted access to the internet in 2020 after similar internet outages [cost the country almost \\$2 billion in 2019](#).

This year the Sudan authorities said they cut access to the internet to stop students from cheating during exams.

According to a report by Global Voices: “The mechanism used for this shutdown – disabling mobile data – was the same one used in the 2019 shutdown, when local internet services providers (ISPs) in Sudan only disabled the access point name or APN.”^[21]

Turkey

- Social media shutdowns: 18 hours
- Total cost of internet restrictions: \$51.1 million

The Turkish government blocked access to Facebook, WhatsApp, YouTube, Instagram and Twitter following an attack against Turkish troops in Syria in February.^[22]

The internet outage led to a surge in demand for VPN services, which [increased by 810% during the social media blocks](#).

Introduction

Syria

- **Internet blackouts:** 79 hours
- **Total cost of internet restrictions:** \$35.9 million

Syria has repeatedly shut down the internet during exam periods, a practice that had began in 2016.^[23] In 2020, internet access was cut for 4-6 hour periods in June, July, and August as exams took place.

The Syrian Ministry of Education justified the measure as a “precautionary measure to ensure [the students’] health and safety, in a manner than ensures the smooth running of the examination process, its transparency and integrity”.^[24]

Tanzania

- **Internet blackouts:** 264 hours
- **Social media shutdowns:** 168 hours
- **Total cost of internet restrictions:** \$27.5 million
- **Human rights abuses:** Right to peaceful assembly, election interference, press freedoms

The Tanzanian authorities blocked access to social media on the eve of the country’s presidential elections in October.

The internet outage meant “Twitter, WhatsApp, backend servers for Instagram and some Google services including Gmail and Translate [were] generally or partially unavailable,” according to Netblocks.^[25]

There was also a partial internet blackout in the run up to the election and several days after, with internet access reduced to 90% of normal levels.

Twitter has been blocked since the initial social media shutdown, although the disruptions have not been consistent. During this period, we [documented an enormous 18,823% spike in demand for VPNs](#).

Introduction

- **Social media shutdowns:** 3,936 hours
- **Total cost of internet restrictions:** \$23.1 million

Chad continued its long trend of blocking access to social media and restricting its citizens' access to the internet.

Authorities tried to justify the most recent internet outage on the basis that it was to prevent the spread of messages “inciting hate and division” after videos of a military officer opening fire on a civilian mechanic began circulating.^[26]

Access to WhatsApp was previously restored in 2019 after one of the longest social media shutdowns in the world. However, WhatsApp has been blocked once more in Chad since August 2020.

Internet Shutdowns With \$1-10 Million Cost

Algeria

- **Internet blackouts:** 2 hours
- **Social media shutdowns:** 24 hours
- **Total cost of internet restrictions:** \$9.6 million

Algerian authorities once again restricted access to the internet during exams in 2020. A 24-hour social media shutdown was followed by a two-hour internet blackout in September.^[27] In response, we documented [an 828% increase in VPN demand](#).

The internet outage was criticized as a disproportionate measure to stop exam cheats. “Everyone will be disconnected, from businesses to emergency workers, to hospitals and government agencies, all to stop students from sharing exam answers with each other,” said Access Now.^[28]

The country has a history of shutting down the internet during exams, with [restrictions costing almost \\$200 million in 2019](#).

Introduction

- **Social media shutdowns:** 136 hours
- **Total cost of internet restrictions:** \$6.1 million
- **Human rights abuses:** Election Interference

Internet access was restricted in March and October 2020 in Guinea during elections. On both occasions authorities implemented social media shutdowns and internet blackouts to prevent the free flow of information.

In March, a controversial referendum was held that would allow president Alpha Condé to extend his term by another 12 years and in October, he won reelection with more than double the number of votes as his nearest rival.^[29]

Our team observed a rise in VPN demand around the time of each vote. In March [VPN demand increased by 1,257%](#), while in [October it surged by 3,043%](#), as citizens prepared for internet outages.

Elections in Guinea have been “plagued by violence, delays, and other flaws” since the country returned to civilian rule in 2010.^[30]

Jordan

- **Social media shutdowns:** 92 hours
- **Total cost of internet restrictions:** \$4.9 million

The Jordan government blocked seven popular social media platforms: Telegram, Facebook, Viber, Line, Tango, Whatsapp and IMO, daily between 10am and 2pm for much of July, during the country’s national high school exams.^[31]

The government tried to justify the restrictions by stating “supreme national interest and cooperation must be made so that this process is correct and transparent that reflects the students’ abilities”.^[32]

The Jordan Open Source Association, however, criticized the move and called for an alternative method to, “prevent fraud without compromising citizens’ rights to have

Introduction

Venezuela

- **Social media shutdowns:** 2 hours
- **Total cost of internet restrictions:** \$2.4 million
- **Human rights abuses:** Election interference

State-run internet service provider (ISP) ABA CANTV blocked access to Facebook, YouTube, Instagram, Twitter on Jan 5 2020 as the members of the opposition were blocked from entering the National Assembly ahead of a key leadership vote.^[34] This caused [a spike in VPN demand by 1,731%](#) as locals attempted to bypass the internet restrictions.

The press workers' union reported that "two journalists were attacked and robbed of their equipment by armed militias linked to the government".^[35]

Iran

- **Internet blackouts:** 9 hours
- **Total cost of internet restrictions:** \$2 million
- **Human rights abuses:** Right to peaceful assembly

In July, October and November, authorities in Iran briefly cut citizens' access to the internet. While the overall cost of these internet outages was not comparable with the previous year, hundreds of thousands of people remained cut-off from the internet during politically sensitive moments.

The first instance was recorded the day after two Kurdish men were executed in Urumieh prison in West Azerbaijan province.^[36] The second when protests broke out in Tehran following the death of the singer Mohammed Reza Sahajarin.^[37] The last was imposed on November 16, coinciding with the first anniversary of the 2019 internet blackout across Iran, where widespread protests took place in response to a spike in fuel prices and increasing political oppression.^[38]

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Iraq

Internet access was cut for 8 hours in the Kurdish region of northern Iraq's Sulaymaniyah province on December 7 following clashes between protesters and security forces over late salaries, high unemployment and declining living conditions.^[39]

Security forces used "tear gas canisters, rubber bullets and live bullets, which resulted in the killing of eight people and wounding 54 others".^[40]

Somalia

Internet access was cut off for 31 hours in Somalia over July 26-27.^[41] The internet blackout began following the unexpected removal of long-serving Prime Minister Hassan Ali Khaire.

The ousting drew criticism from the European Union and US Embassy, who denounced the removal as irregular and unconstitutional.^{[42][43]}

Burundi

Authorities in Burundi blocked access to social media in August as citizens went to the polls. Twitter, Facebook and WhatsApp were all affected during the 48-hour restriction.^[44] During this period, we recorded [a 5,686% spike in demand for VPN](#).

"Human rights groups said they had received reports of harassment of opposition members and incidents of voter fraud, but with social media blocked, they were unable to confirm them," the New York Times reported.^[45]

Kyrgyzstan

A partial internet cut followed after protests broke out in the Kyrgyz capital Bishkek, due to alleged election interference in Kyrgyzstan's recent parliamentary elections.

The results were annulled following widespread protests which were met by violent clashes with the police, which left hundreds injured and at least one person dead.^{[46][47]}

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Togo

As the polls closed on election day, restrictions were placed on Facebook and Whatsapp through Togo's main state operator, Togo Telecom.^[49]

The timing of the social media shutdown coincided with the key opposition leader's home being surrounded by security forces under the guise of Agbeyomem Kodjo's "personal security".^[50]

Internet Shutdown Research Methodology

We reviewed every documented internet and social media shutdown globally in 2020. We included national shutdowns along with regional disruptions that on a sufficient scale to be economically significant. For the purposes of this research, internet outages due to natural disasters or infrastructural failures were not included, nor were outage days prior to 2020 for ongoing incidents.

Shutdown nature, duration and severity was sourced from Netblocks real-time graphic data and reports, IODA and the SFLC.IN Internet Shutdown Tracker. Additional open-sourced information used came from Access Now and reputable news reports.

Shutdown costs were derived from the Netblocks and the Internet Society's Cost of Shutdown Tool, based on the Brookings Institution method. Regional shutdown costs were calculated by determining the region's economic output as a proportion of national GDP.

Regional shutdown costs were calculated as a proportion of national costs, based on a region's economic contribution to national GDP. In the case of Myanmar, where official regional GDP data was not available, costs were based on the internet users in the affected area as a proportion of total internet users.

Mobile-only or carrier-specific outages were calculated as a proportion of the above costs based on the most up-to-date market-share information publicly available.

Introduction

Download the 2020 cost of internet shutdowns data sheet as a [Google Sheet](#) or as a [PDF](#).

Additional research by Christine O'Donnell

Main image: A paramilitary trooper stands on guard on the first anniversary of the abrogation of semi-autonomous status of Jammu & Kashmir, India, on 5th August, 2020. *Credit: SOPA Images Limited/Alamy Live News.*

The authors of all our investigations abide by the journalists' [code of conduct](#).

References

- [1] <https://www.hrw.org/news/2020/03/31/end-internet-shutdowns-manage-covid-19> ↩
- [2] https://www.accessnow.org/cms/assets/uploads/2016/06/A_HRC_32_L.20_English-OR-30-June.docx ↩
- [3] <https://iran-shutdown.amnesty.org/> ↩
- [4] <https://internetshutdowns.in/> ↩
- [5] <https://www.dw.com/en/india-restores-internet-access-in-kashmir-with-conditions/a-52643554> ↩
- [6] <https://www.hrw.org/news/2020/01/17/india-failing-kashmiri-human-rights> ↩
- [7] <https://www.medianama.com/2020/08/223-kashmir-internet-shutdown-medicine/> ↩
- [8] <https://www.hrw.org/news/2020/08/04/india-abuses-persist-jammu-and-kashmir> ↩
- [9] <https://www.aljazeera.com/news/2020/10/22/high-speed-internet-ban-in-kashmir-to-continue> ↩
- [10] <https://www.gov.uk/government/news/uk-calls-for-fresh-presidential-elections-in-belarus> ↩
- [11] <https://www.amnesty.org/en/latest/news/2020/08/belarus-police-must-be-held-accountable-for-violence/> ↩
- [12] <https://www.dw.com/en/in-belarus-privacy-apps-help-resist-internet-shutdown/a-54560843> ↩

Introduction

[14] <https://www.hrw.org/news/2020/06/19/myanmar-end-worlds-longest-internet-shutdown> ↩

[15] <https://time.com/5910040/myanmar-internet-ban-rakhine/> ↩

[16] <https://www.theguardian.com/world/2020/dec/10/human-rights-groups-detail-war-crimes-in-nagorno-karabakh> ↩

[17] <https://www.accessnow.org/azerbaijan-armenia-internet-shutdown/> ↩

[18] <https://netblocks.org/reports/internet-cut-in-ethiopia-amid-unrest-following-killing-of-singer-pA25Z28b> ↩

[19] <https://news.un.org/en/story/2020/07/1068781> ↩

[20] <https://www.hrw.org/news/2020/11/13/ethiopia-protect-people-tigray-crisis-escalates> ↩

[21] <https://globalvoices.org/2020/11/09/shutdowns-throttling-and-stifling-dissent-online-africas-new-normal-part-ii/> ↩

[22] <https://netblocks.org/reports/social-media-blocked-in-turkey-as-idlib-military-crisis-escalates-r8VWGXA5> ↩

[23] <https://twitter.com/InternetIntel/status/1298621788310704130> ↩

[24] <https://www.zarkachat.com/general-exam-2020-syria-starts-21-6-2020/> ↩

[25] <https://netblocks.org/reports/internet-disrupted-in-tanzania-on-eve-of-presidential-elections-oy9abny3> ↩

[26] <https://www.accessnow.org/shutdownstories-how-chad-fixation-on-social-media-blackouts-hurts-citizens/> ↩

[27] <https://netblocks.org/reports/social-media-restricted-and-internet-cut-during-algeria-school-exams-xAGolxAz> ↩

[28] <https://www.accessnow.org/need-stop-shutting-internet-school-exams/> ↩

Introduction

[30] <https://freedomhouse.org/country/guinea/freedom-world/2020> ↩

[31] <https://smex.org/noexamshutdown-4-mena-countries-shut-down-the-internet-so-far-to-fight-cheating/> ↩

[32] <https://royanews.tv/news/218994> ↩

[33] https://twitter.com/jo_osa/status/1278317849577226241 ↩

[34] <https://www.nytimes.com/2020/01/05/world/americas/venezuela-noticias-guaido-maduro.html> ↩

[35] <https://www.france24.com/en/20200107-venezuela-s-guaido-sworn-in-as-parliament-speaker-after-stand-off> ↩

[36] <https://www.amnesty.org/en/latest/news/2020/07/iran-two-kurds-executed-amid-increasing-use-of-death-penalty-as-weapon-of-repression/> ↩

[37] <https://www.al-monitor.com/pulse/originals/2020/10/iran-singer-death-protests-mohammad-reza-shajarian-musician.html> ↩

[38] <https://www.bbc.co.uk/news/world-middle-east-50444429> ↩

[39] <https://www.aljazeera.com/news/2020/12/8/iraqi-leader-calls-for-end-to-violence-in-sulaymaniyah-protests> ↩

[40] <https://www.middleeastmonitor.com/20201211-iraq-8-killed-in-sulaymaniyah-protests/> ↩

[41] <https://netblocks.org/reports/somalia-internet-blackout-after-parliament-votes-to-remove-prime-minister-DA3lx6BW> ↩

[42] https://eeas.europa.eu/headquarters/headquarters-homepage/83408/somalia-statement-high-representativevice-president-josep-borrell-recent-developments-house_en ↩

[43] <https://so.usembassy.gov/united-states-concerned-over-irregularities-of-no-confidence-vote-somalias-future-elections-process/> ↩

GOVERNMENT OF RAJASTHAN

HOME (GR.9) DEPARTMENT

No.F.35(1)Home-9/2006 Pt.

Jaipur, dated: 2.09.2017

ORDER

In exercise of the powers conferred by Rule 2(1) of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, the Divisional Commissioners of the State of Rajasthan are hereby empowered to exercise the powers conferred by the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 in case of public emergency or public safety.

(Maneesh Chauhan)

Secretary, Home

Copy for information & necessary action to:-

1. Director General of Police, Rajasthan, Jaipur.
2. All Divisional Commissioners, Rajasthan.
3. All IGP Range, Rajasthan.
4. Police Commissioner, Jaipur/ Jodhpur.
5. All District Collectors, Rajasthan.
6. All Superintendents of Police, Rajasthan.
7. Director, Information & Public Relations, Rajasthan, Jaipur for publication in the news papers.
8. Chief General Manager, BSNL, Jaipur.
9. Guard file.

(Maneesh Chauhan)

Secretary, Home

26

**STANDING COMMITTEE ON
COMMUNICATIONS AND INFORMATION TECHNOLOGY
(2021-22)**

SEVENTEENTH LOK SABHA

**MINISTRY OF COMMUNICATIONS
(DEPARTMENT OF TELECOMMUNICATIONS)**

SUSPENSION OF TELECOM SERVICES/INTERNET AND ITS IMPACT

TWENTY- SIXTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

December, 2021/Agrahayana, 1943 (Saka)

TWENTY- SIXTH REPORT

STANDING COMMITTEE ON
COMMUNICATIONS AND INFORMATION TECHNOLOGY
(2021-22)

SEVENTEENTH LOK SABHA

MINISTRY OF COMMUNICATIONS
(DEPARTMENT OF TELECOMMUNICATIONS)

SUSPENSION OF TELECOM SERVICES/INTERNET AND ITS IMPACT

Presented to Lok Sabha on 01.12.2021

Laid in Rajya Sabha on 01.12.2021

LOK SABHA SECRETARIAT
NEW DELHI*December, 2021/Agrayahana, 1943 (Saka)*

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Rajya Sabha

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23. Dr. Subhash Chandra
24. Shri Y. S. Chowdary
25. Shri Suresh Gopi
26. Shri Md. Nadimul Haque
27. Shri Syed Nasir Hussain
28. Dr. Narendra Jadhav
29. Shri Shaktisinh Gohil*
30. Shri Parimal Nathwani*
31. **VACANT[#]**

Committee constituted w.e.f. 13th September, 2019 *vide* Bulletin Part-II Para No. 542 dated 13th September, 2019.

* Nominated to the Committee w.e.f. 22nd July, 2020 *vide* Para No.1370 Bulletin Part-II dated 24 July, 2020

Shri Beni Prasad Verma, MP, Rajya Sabha, expired on 27th March, 2020.

COMPOSITION OF THE STANDING COMMITTEE ON INFORMATION TECHNOLOGY (2020-21)**Dr. Shashi Tharoor - Chairperson****Lok Sabha**

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4. Dr. Nishikant Dubey
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23. Dr. Subhash Chandra
24. Shri Y. S. Chowdary
25. Shri Shaktisinh Gohil
26. Shri Suresh Gopi
27. Shri Md. Nadimul Haque
28. Shri Syed Nasir Hussain
29. Shri Syed Zafar Islam
30. Dr. Narendra Jadhav
31. Shri Nabam Rebia

* Smt. Sunita Duggal, Shri Ganesh Singh and Shri Parvesh Sahib Singh (*vice* Shri Sunny Deol) were nominated to the Committee vide Para No. 2822 of Bulletin Part-II dated 27 July, 2021.

**COMPOSITION OF THE STANDING COMMITTEE ON COMMUNICATIONS
AND INFORMATION TECHNOLOGY (2021-22)**

Dr. Shashi Tharoor - Chairperson

Members

Lok Sabha

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33. Smt. Locket Chatterjee
34. Shri Karti P. Chidambaram
35. Dr. Nishikant Dubey
36. Smt. Sunita Duggal
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46. Shri Sanjay Seth
47. Shri Ganesh Singh
48. Shri Parvesh Sahib Singh
49. Shri Tejasvi Surya
50. Dr. T. Sumathy (A) Thamizhachi Thangapandian
- 51. Vacant**

Rajya Sabha

52. Dr. Anil Agrawal
53. Shri John Brittas
54. Dr. Subhash Chandra
55. Shri Y. S. Chowdary
56. Shri Ranjan Gogoi
57. Shri Suresh Gopi
58. Shri Syed Nasir Hussain
59. Shri Syed Zafar Islam
60. Shri Jawhar Sircar
- 61. Vacant**

Secretariat

- | | | |
|--------------------------|---|---------------------|
| 1. Shri Y.M. Kandpal | - | Joint Secretary |
| 2. Dr. Sagarika Dash | - | Additional Director |
| 3. Shri Shangreiso Zimik | - | Deputy Secretary |

Committee constituted w.e.f. 13 September, 2021 *vide* Para No.3184 of Bulletin Part-II dated 9 October, 2021.

ABBREVIATIONS

COAI	Cellular Operators Association of India
ISPs	Internet Services Providers
SMS	Short Message Service
SOPs	Standard Operating Procedures
CrPC –	Criminal Procedure Code
DoT –	Department of Telecommunications
MHA –	Ministry of Home Affairs
NCRB -	National Crime Records Bureau
OTT –	Over The Top
TRAI –	Telecom Regulatory Authority of India

INTRODUCTION

I, the Chairperson, Standing Committee on Communications and Information Technology (2021-22), having been authorized by the Committee do present the Twenty-sixth Report on 'Suspension of telecom services/internet and its impact' relating to the Ministry of Communications (Department of Telecommunications).

2. The Standing Committee on Information Technology (2019-20) selected this subject for detailed examination and report to the Parliament. The examination of the subject, however, could not be completed during 2019-20. Keeping in view the importance of the subject and the need for wider consultation, the Committee re-selected the subject for further examination and report during 2020-21. The Report though finalized could not be considered by the Committee during the year 2020-21 due to expiry of the term of the Committee. The Committee, therefore, selected the subject once again during 2021-22 for its adoption and presentation to the House.

3. The representatives of the Ministry of Communications (Department of Telecommunications) briefed the Committee on the subject on 11th August, 2020. The Committee took evidence of the representatives of the Ministry of Communications (Department of Telecommunications), the Ministry of Home Affairs, the State Government of Bihar and the Union Territory of NCT of Delhi on 16th October, 2020. The Committee took conclusive evidence of the representatives of the Ministry of Communications (Department of Telecommunications) and the Ministry of Home Affairs on 25th November, 2020.

4. The Committee at their sitting held on 16th November, 2021 considered and adopted the Report.

5. The Committee wish to express their thanks to the representatives of the Ministry of Communications (Department of Telecommunications), the Ministry of Home Affairs, the State Government of Bihar and the U.T. of NCT of Delhi for tendering evidence before the Committee and also for furnishing written information in connection with examination of the subject. The Committee also wish to express

their thanks to the State Government of Kerala and U.T. of J&K for furnishing valuable input in writing which was of great help in the examination of the subject.

6. The Committee also place on record their appreciation for the invaluable assistance rendered by the officials of Lok Sabha Secretariat attached to the Committee.

7. For facility of reference and convenience the Observations/Recommendations of the Committee have been printed in bold in Part-II of the Report.

New Delhi;
29 November, 2021
 8 Agrahayana, 1943 (Saka)

DR. SHASHI THAROOR,
 Chairperson,
**Standing Committee on Communications and
 Information Technology.**

Part-I

Narration Analysis

I. Introductory

The Department of Telecommunications (DoT) is *inter-alia* responsible for Telecom Policy; Licensing and Co-ordination matters relating to telegraph, telephones, telecom wireless data; international co-operation in matters connected with telecommunications; and promotion of private investment in the sector. DoT is also responsible for frequency management in the field of radio communication in close co-ordination with the international bodies. DoT enforces wireless regulatory measures by monitoring wireless transmission of the users in the country.

2. The Central Government grants licenses under the provisions of Section 4 of Indian Telegraph Act, 1885 for various types of telecom services including Access Services, Internet Services, etc. The Access Services cover collection, carriage, transmission and delivery of voice and/or non-voice messages over Licensee's network in the designated service area and includes mobile, wireline & internet services. Internet Service Provider can provide data services. A copy of Indian Telegraph Act, 1885 is attached as Annexure-I.

II. Legal provision empowering the Government to restrict Telecom services

3. Section 5 of Indian Telegraph Act, 1885 empowers Government to take possession of licensed telegraphs, to order interception of messages and issue instructions for not transmitting the message. The "message" means any communication sent by telegraph, or given to a telegraph officer or to be delivered. The provision reads as under:

(1) On the occurrence of any public emergency, or in the interest of the public safety, the Central Government or a State Government or any officer specially authorized in this behalf by the Central Government or a State Government may, if satisfied that it is necessary or expedient so to do, take temporary possession (for so long as the public emergency exists or the interest of the public safety requires the taking of such action) of any telegraph established, maintained or worked by any person licensed under this Act.

(2) *On the occurrence of any public emergency, or in the interest of the public safety, the Central Government or a State Government or any officer specially authorized in this behalf by the Central Government or a State Government may, if satisfied that it is necessary or expedient so to do in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of an offence, for reasons to be recorded in writing, by order, direct that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government making the order or an officer thereof mentioned in the order:*

Provided that press messages intended to be published in India of correspondents accredited to the Central Government or a State Government shall not be intercepted or detained, unless their transmission has been prohibited under this sub-section.

4. Under clause 10.1(ii) of Unified License Agreement, the Licensor reserves the right to suspend the operation of License/Service Authorization in whole or in part, at any time, if, in the opinion of the Licensor, it is necessary or expedient to do so in public interest or in the interest of the security of the State or for the proper conduct of the Telegraph. A copy of said clause is attached as **Annexure-II**.

5. Section 7 of Indian Telegraph Act, 1885 empowers the Central Government to make rules for the conduct of telegraphs as under:

“The Central Government may, from time to time, by notification in the Official Gazette, make rules consistent with this Act for the conduct of all or any telegraphs established, maintained or worked by the Government or by persons licensed under this Act.”

III. Temporary Suspension of Telecom Services (Public Emergency and Public Safety Rules, 2017)

6. In order to streamline the process of Telecom shutdowns in the country and in pursuance to the provisions contained in Section 5 of the Indian Telegraph Act 1885, the Temporary Suspension of Telecom Services (Public Emergency & Public Safety)

Rules, 2017 were notified *vide* Gazette Notification No. G.S.R. 998 (E) dated 7th August, 2017. A copy of notified rules is attached as **Annexure-III**.

7. The Salient features of these Rules are as under:

- Orders of temporary suspension of telecom services are to be issued by Union/State Home Secretary only. For emergent cases, Joint Secretary Level officer can issue order subject to confirmation from Competent Authority within 24 hours. If no confirmation is received from Competent Authority within 24 hours, then such orders cease to exist.
- Orders contain reasons for such directions and are to be forwarded to Review Committee latest by next working day.
- Directions of suspension to Telecom Service Provider have to be conveyed by an officer not below the rank of Superintendent of Police or equivalent rank.
- Review Committee has to meet within five days of issue of directions for suspension of services due to public emergency or public safety and record its findings whether the directions of suspension issued under the Rules are in accordance with the provisions of sub-section (2) of Section 5 of the Indian Telegraph Act, 1885.

8. When the Committee desired to know whether the Government at any point of time has resorted to Section 5 of the Indian Telegraph Act, the Department in their written submission stated that police and public orders are State subjects as per the Constitution and State Governments are responsible for prevention, detection and investigation of crimes through their law enforcement agencies.

9. The Department further informed that in temporary shutdown of internet services in the region, only internet/data services are suspended temporarily and other communications modes/services like voice calling and Short Message Service (SMS) remain available during the suspension period of internet services through which people in the region can communicate. On 28.09.2018, the Chief Secretaries of all States have been requested to sensitize the concerned officials/agencies

against perceptible actions leading to shutting down of internet services etc. and also to ensure that provisions of Suspension Rules 2017 are strictly followed.

IV. **Supreme Court Observation and Judgement on Suspension of Telecom Services**

10. In the case of Anuradha Bhasin Vs. Uoi (WP No. 1031/2019) and Ghulam Nabi Azad Vs. Uoi and Anr (WP No. 1164/2019), the Hon'ble Supreme Court *vide* its order dated 10 January 2020 made following observation:

“28. None of the counsels have argued for declaring the right to access the internet as a fundamental right and therefore we are not expressing any view on the same. We are confining ourselves to declaring that the right to freedom of speech and expression under Article 19(1)(a), and the right to carry on any trade or business under 19(1)(g), using the medium of internet is constitutionally protected.”

11. Hon'ble Supreme Court in its judgment dated 10.01.2020 in the said petitions apropos to the internet restrictions, *inter-alia*, directed as under:

- The Respondent State/competent authorities are directed to publish all orders in force and any future orders under Section 144, Cr.P.C and for suspension of telecom services, including internet, to enable the affected persons to challenge it before the High Court or appropriate forum.
- We declare that the freedom of speech and expression and the freedom to practice any profession or carry on any trade, business or occupation over the medium of internet enjoys constitutional protection under Article 19(1)(a) and Article 19(1)(g). The restriction upon such fundamental rights should be in consonance with the mandate under Article 19 (2) and (6) of the Constitution, inclusive of the test of proportionality.
- An order suspending internet services indefinitely is impermissible under the Temporary Suspension of Telecom Services (Public Emergency or Public Service) Rules, 2017. Suspension can be utilized for temporary duration only.
- Any order suspending internet issued under the Suspension Rules, must adhere to the principle of proportionality and must not extend beyond necessary duration.

- Any order suspending internet under the Suspension Rules is subject to judicial review based on the parameters set out herein.
- The existing Suspension Rules neither provide for a periodic review nor a time limitation for an order issued under the Suspension Rules. Till this gap is filled, we direct that the Review Committee constituted under Rule 2(5) of the Suspension Rules must conduct a periodic review within seven working days of the previous review, in terms of the requirements under Rule 2(6).
- We direct the respondent State/competent authorities to review all orders suspending internet services forthwith.
- Orders not in accordance with the law laid down above, must be revoked. Further, in future, if there is a necessity to pass fresh orders, the law laid down herein must be followed.
- In any case, the State/concerned authorities are directed to consider forthwith allowing government websites, localized/limited e-banking facilities, hospitals services and other essential services, in those regions, wherein the internet services are not likely to be restored immediately.

12. Copy of the relevant portions of the Hon'ble Supreme Court Judgement is attached as **Annexure –IV**.

V. Amendments to Telecom Suspension Rules

13. In the light of the Hon'ble Supreme Court judgment and in consultation with all stakeholders, Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 has been amended *vide* Gazette Notification dated 10.11.2020 and has been issued by DoT vide O.M dated 10.11.2020. It is envisaged that any suspension order issued under these rules shall not be in operation for more than fifteen days, all such orders be published to enable the affected persons to challenge it before the High Court or appropriate forum and the order must adhere to the principle of proportionality. The Gazette Notification issued by DoT dated 10.11.2020 is attached as **Annexure-V**.

VI. Grounds for Suspension of Telecom Services

14. Telecom shutdown is governed as per Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017. Section 5(2) of the Indian Telegraph Act, 1885 stipulates that “messages” shall not be transmitted on the occurrence of any public emergency, or in the interest of the public safety.

15. Both DoT and MHA submitted before the Committee that ‘Public Emergency’ and ‘Public Safety’ are the two grounds on which internet shutdown can be ordered. Secretary, DoT, also submitted during evidence that any suspension which is done, is for public order or for reasons of law and order and public safety.

16. In this background, the Committee desired to know as to whether any parameters have been laid down to define ‘Public Emergency’ and ‘Public Safety’ and what constitutes ‘Public Emergency’ and ‘Public Safety’ according to DoT/MHA. The Department through their written submission informed the Committee that the parameters have been laid down in section 5(2) of the Indian Telegraph Act, 1885 which reads as under:

“On the occurrence of any public emergency, or in the interest of the public safety, the Central Government or a State Government or any officer specially authorised in this behalf by the Central Government or a State Government may, if satisfied that it is necessary or expedient so to do in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of an offence, for reasons to be recorded in writing, by order, direct that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government making the order or an officer thereof mentioned in the order:

Provided that the press messages intended to be published in India of correspondents accredited to the Central Government or a State Government shall not be intercepted or detained, unless their transmission has been prohibited under this sub-section.”

17. MHA further clarified that the expression public emergency, has not been defined in the statute, but contours broadly delineating its scope and features are discernible from the section which has to be read as a whole. In *Anuradha Bhasin vs. Union of India* on 10th January, 2020 order, Supreme Court mentioned the case of *Hukam Chand Shyam Lal vs. Union of India*, (1976) 2 SCC 128, a four-Judge Bench of Supreme Court which interpreted Section 5 of the Telegraph Act and observed in sub-section (1) the phrase ‘occurrence of any public emergency’ is connected with and is immediately followed by the phrase “or in the interests of the public safety”. These two phrases appear to take colour from each other. In the first part of sub-section (2) those two phrases again occur in association with each other, and the context further clarifies with amplification that a “public emergency” within the contemplation of this section is one which raises problems concerning the interest of the public safety, the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or public order or the prevention of incitement to the commission of an offence. It is in the context of these matters that the appropriate authority has to form an opinion with regard to the occurrence of a public emergency with a view to taking further action under this section.

18. Asked as to whether the parameters have been laid down to decide the merit or justness of the telecom/internet shutdowns and whether it will not be better if an independent or impartial body decides the merit or justness of the shutdown, instead of letting Executive alone to decide, the Department submitted that in Rule 6 of Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017, it has been specified that the Review committee shall record its finding whether the directions issued for the suspension of telecom services are in accordance with the provisions of section 5(2) of the Indian Telegraph Act, 1885. The Review Committees as specified under Rule 5 of the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 are independent and impartial.

19. The Committee wanted to know the number of occasions when internet shutdown has been invoked on reasons other than 'Public Emergency' and 'Public Safety'. To this, the Department informed that they do not maintain any records related to internet shutdown. Parameters for Public Emergency and Public Safety have been laid down in section 5(2) of the Indian Telegraph Act, 1885.

20. The Ministry of Home Affairs informed that they have issued directions for the suspension twice in December, 2019 due to Public Emergency and Public Safety as per Temporary Suspension of Telecom Services (Amendment) Rules, 2020.

21. On the need to properly define the term 'Public Emergency' and 'Public Safety', representative of MHA during evidence stated as under:

"Sir, these words occur in the Telegraph Act, which is administered by DoT. So, in the definitions of that Act they will have to search whether there are any explanations."

VII. Official Data on Internet Shutdown

22. The Department in their initial submission of Background Note on the subject informed the Committee that concerned State Governments are empowered to issue orders for temporary suspension of internet services to maintain law and order in the State or part thereof under the provisions contained in the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017. Records related to telecom services/internet shutdowns ordered by State Governments are not maintained by Ministry of Home Affairs (MHA).

23. On being asked about the reasons for not maintaining records related to telecom services/internet shutdowns ordered by the State Governments, the Department have stated that police and public order are State subjects as per the Constitution and States are responsible for prevention, detection and investigation of crimes through their law enforcement machinery. Records related to internet shutdowns ordered by State Governments are not maintained by DoT.

24. The Department have further informed the Committee that DoT/TRAI have information related to the telecom services license service area-wise. DoT does not maintain any information on State subjects.

25. Secretary, DoT, during evidence submitted as under:

“As Central Government, we do not have a mechanism in which we review as to how many States have given such orders, what were the details given, what were the reasons etc. Sir, essentially Police and Public Order are State Subjects. So, whether they would be enthusiastic about sharing this information, we can explore this.”

26. Elaborating on the issue, representative of MHA during the sitting stated as under:

“.....xxxxx...we have a National Crime Records Bureau which collects information on certain aspects of crime. Communal riots is one of them. That information is collected on a regular basis. It is published on a regular basis. Our view at the moment is that the suspension of internet for purposes of public order, etc. does not actually come under the ambit of crimes. So, this is not within the present purview of the NCRB. At the moment, there is no proposal in MHA at least to collect this information at a central level.”

27. When the Committee desired information on total number of internet and telecom shutdown decisions in last two years, the Government of NCT, Delhi informed the Committee that no decisions have been taken by Govt. of NCT of Delhi in the last two years on shutting down internet and telecom services in Delhi. UT of J&K in their written submission stated that since issuance of the directions by the Hon’ble Supreme Court, a total of 93 orders, including 76 orders issued by the competent authority to the effect of confirming the directions by the authorized officers, have been issued. All these orders are in the public domain and can be accessed on the official website of the Home Department.

28. State Government of Bihar submitted that as per records available with the Home Department, between August, 2018 to 25 August, 2020 the Competent Authority on the basis of report received from the concerned District Administration has directed six times in three Districts to all Internet Services Providers (ISPs), that any messages to or from any person or class of person relating to any subject or any pictorial content through the social networking sites or application shall not be transmitted. Government of Bihar has invoked this power only in extreme emergency situations.

29. The representative of Bihar during his deposition before the Committee informed that during the last two years, after September, 2018 there are only three instances of suspension of internet services that has taken place in Bihar. One was in the year 2018 and twice in 2019. On all these occasions it was 2-3 days initially, which was extended by two more days. The maximum period was five days in a district and on two occasions four days in a district.

30. On the issue of balancing between citizens' rights and maintenance of public order, the representative further submitted as under:

“....xxxx....there is a definite trade-off between personal liberty, citizens' rights, and maintenance of public order. It is a definite trade-off. If we protect the citizens' rights fully and, in all circumstances, then in certain situations some steps that are being taken to control the adverse situation will not be taken. In order to balance this trade-off and keep the inconvenience to the minimum, we, in the Government of Bihar, are doing two things. The shutdown of internet is kept to the minimum required period, as I had submitted, of 4-5 days maximum on each of three occasions during the last three years. Secondly, on each occasion, it was within the District only and not outside or not even bordering the District.”

VIII. Rules Governing Internet Shutdown in the Country

31. When asked how the rules relating to shutting down of telecom/internet services have evolved in the country over a period of time, the Department have replied that the Temporary Suspension of Telecom Services (Public Emergency &

Public Safety) Rules, 2017 were notified vide Gazette Notification no. G.S.R. 998 (E) dated 07th August, 2017. Amendment to the said Rules have been notified on 10.11.2020.

32. The Committee further enquired whether shutting down of telecom/internet services is regulated under a single law/Rule or telecom/internet shutdown is allowed under other rules like Section 144 of CrPC. To this query, the Department have informed the Committee that telecom shutdown is governed as per Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017.

IX. Telecom Suspension under Section 144 Cr.P.C.

33. Hon'ble Supreme Court in its judgement dated 10th January, 2020 in the writ petitions WP(C) 1031/2019 and 1164/2019 made the following directions:

- The Respondent State/competent authorities are directed to publish all orders in force and any future orders under Section 144, Cr.P.C and for suspension of telecom services, including internet, to enable the affected persons to challenge it before the High Court or appropriate forum.

34. When the Committee desired to know whether under the Suspension of Internet Rules there can be any separate suspension done under Section 144 of Cr.P.C. The Telecom Rules issued in 2017 make no reference to Section 144. Now suspension can be done without invoking Section 144 and Section 144 can be invoked without suspension. To this, the Secretary, DoT, clarified during the sitting as under:

“Sir, my understating is that prior to these Rules, recourse was taken to Section 144 to do the suspension. But once the Rules have come, then the suspension is done under these Rules.”

35. Asked as to whether in a volatile situation it is the SDM who under the rules has an authority to order an internet shutdown or it is the Home Secretary who is the only competent authority to order the shutdown, Secretary, DoT, clarified as under:

“Sir, the rules have specified that under such situations a Joint Secretary level officer can order for a shutdown and within 24 hours the appropriate authority has to approve it.”

36. Also asked whether the Central Government had empowered the State to issue suspension order under CrPC 144, the Department have replied that telecom shutdown is governed as per Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017.

37. To the same query, MHA have replied that they have not issued any such order. However, Section 144, Cr.P.C. is one of the mechanisms that enable the State to maintain public peace. It forms part of the Chapter in the Criminal Procedure Code dealing with “Maintenance of Public Order and Tranquillity”. Section 144, Cr.P.C. enables the State to take preventive measures to deal with imminent threats to public peace. It enables the Magistrate to issue a mandatory order requiring certain actions to be undertaken, or a prohibitory order restraining citizens from doing certain things.

38. The Committee desired to know under what provision of Section 144 of the CrPC can internet suspension be issued or whether internet shutdown can still be ordered by District Magistrate under Section 144 of the CrPC given the fact that under Suspension Rules 2017 orders of temporary suspension of telecom services are to be issued by Union/State Home Secretary only. To this, DoT replied that they have empowered the States to issue suspension orders for telecom services under Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017.

39. On the number of cases where State Governments have used the powers under Section 144 of Cr.P.C. to suspend telecom/internet services and whether orders issued under Cr.P.C. are not in contravention of Suspension Rules, 2017, the Department have replied that DoT do not maintain any records related to internet

shutdown. DoT has empowered the States to issue suspension orders for telecom services under Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017.

40. MHA have also replied that Union Home Secretary issues directions for suspension of telecom services under Suspension of Telecom Services (Amendment) Rules, 2020. Ministry of Home Affairs has also no information on the number of internet shutdown done by the State under Section 144 of Cr.P.C.

41. As per Suspension Rules, orders of temporary suspension of telecom services are to be issued by Union/State Home Secretary only. The Committee desired to know as to whether proper procedures have been followed in all the internet suspension orders and in how many occasions orders have been issued by officers other than those permitted under the Rules. To this, the Department in their written submission have stated that DoT do not maintain any records related to the procedure followed in the internet shutdown. As per Rule 6 of the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017, the Review committee records its finding whether the directions issued for the suspension are in accordance with the provisions of section 5(2) of the Indian Telegraph Act, 1885. Records related to orders not in accordance with the Rules may be furnished from the concerned Review Committees.

42. To the same query, MHA have informed that directions of suspension of telecom services were issued twice in the month of December, 2019 by Ministry of Home Affairs with the approval of Union Home Secretary only as Competent Authority under the Rule.

X. Review Committee for reviewing the decision regarding suspension of telecom services – Composition and Powers

(i) Composition

43. One of the important requirements under the Temporary Suspension of Telecom Services (Public Emergency and Public Safety) Rules, 2017 is that Review Committee has to meet within five days of issue of directions for suspension of services due to public emergency or public safety and record its findings whether the directions of suspension issued under the Rules are in accordance with the provisions of sub-section (2) of Section 5 of the Indian Telegraph Act, 1885.

44. The composition of Review Committee defined under the Rules are as follows:

For Central Government

(a) Cabinet Secretary	Chairman
(b) Secretary to the Government of India In-charge, Legal Affairs	Member
(c) Secretary to the Government, Department of Telecommunications	Member

For State Government

(a) Chief Secretary	Chairman
(b) Secretary Law or Legal Remembrancer In-Charge, Legal Affairs	Member
(c) Secretary to the State Government (other than the Home Secretary)	Member

45. Having observed that the Review Committee consists of functionaries from executive, the Committee enquired as to why there is no representation of a Member from public or a former or a retired Member of the judiciary in the Review Committee. To this, Secretary, DoT, submitted during evidence as under:

“Normally, Sir, the Law Secretaries in States are the judicial officers, they are judges. For example, when I was Chief Secretary in Delhi, the Law

Secretary was one of the very senior District Judge. From what I noticed, normally, the persons who come as Law Secretary as judges, they certainly put forth their view points on law issues quite firmly.”

46. In this regard, the representative of State Government of Bihar submitted during evidence as under:

“A Law Secretary is not a bureaucrat, he is a judge. He is among the senior most district judges in our State. He is appointed Law Secretary for a tenure and there have been many instances when he was elevated as a High Court Judge. So, he also applies his judicial mind as a member of the committee and he contributes in that respect also. To that extent, it is a sort of judicial check also by including that person in this committee.”

47. To the Committee’s query as to whether an independent voice should not feature on the Review Committee, the Department submitted that the current composition of Review Committee is balanced. However, they have noted the suggestion.

(ii) Powers of the Review Committee

48. When asked about powers vested with the Review Committee and whether the Review Committee has the power to countermand the Suspension orders, the Department have replied that the Review committee records its finding whether the directions issued for the suspension are in accordance with the provisions of section 5(2) of the Indian Telegraph Act, 1885. Under the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017, Review Committee is empowered to review all suspension orders issued by the competent authority.

49. With regard to number of suspension orders countermand by the Review Committee at Union and State level, the Department have replied that no such records are being maintained by DoT. On this issue, Secretary, DoT, submitted during evidence as under:

“Whether the review committee has overturned or upset the order passed”, we do not have the information nor do we collect it but we can certainly pass it on to the Ministry of Home Affairs. Sir, tomorrow, if you raise a question in Parliament about police and law and order, it will not be addressed to us or marked to us, it will be addressed to the Home Ministry. So, this is my submission, Sir.”

XI. Constitution of Review Committee in all States

50. As per the Temporary Suspension Rules, State Review Committee shall consist of Chief Secretary, Law Secretary and one other Secretary. During the evidence, the Committee were informed that Review Committee was yet to be constituted in Delhi. In this background, the Committee desired to know whether Review Committees have been constituted in all the States including Delhi and the measures taken by the Department to ensure that Review Committees are constituted in all the States. To this, the Department submitted that constitution of the Review Committee is the responsibility of the State Government. Status of formation of Review Committee or otherwise is not monitored by DoT.

51. On this issue the representative of DoT further submitted during evidence as under:

“I would like to submit that the Department has to work within the framework of law which, obviously, all of us know. When an Act is made in the Parliament and it has certain provisions, then it is the duty to follow those provisions. Now, police and public order, without doubt, are State subjects and States are responsible for prevention, detection and investigation of crimes through their law enforcement machinery. That is one point.

Secondly, under the Act and the rules, the concerned State Governments have been empowered to issue orders for temporary suspension of telecom services. We believe that the States are responsible entities and with due application of mind and in public interest, they would be exercising these powers. We have not been reviewing this for what each state has done in this belief that they are empowered to do it and they are accountable in their own systems on how they do it and in the structure which we have of governance. We have not thought to ask each State. Even if such information was sought by any hon. Member, the nodal Ministry for law and order and for police and issues relating to such

suspension is the Ministry of Home Affairs. It is because even in our scheme of things, when the Central Government has to make any such suspension, it is not the Department of Telecommunications, it is the Home Secretary who orders this. So, Sir, my submission would be while we absolutely appreciate the concerns which have been expressed, the Department of Telecommunications would not be the nodal agency to review what State Governments are doing in this regard provided it is happening in the Constitutional framework.”

52. The Committee asked as to how many States/UTs have framed their own Rules and SoP for internet shutdown and the measures taken by the Department to ensure that States strictly adhere to the Suspension Rules. To this, the Department informed that no such information is available with DoT. In 2018, Secretary (T) has written DO letters to all Chief Secretaries/Administrators of States/UTs to sensitize the concerned officials against precipitate actions leading to shutdown to internet services and also to ensure that the provisions of the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 are followed strictly. In 2020, the amendment dated 10.11.2020 to Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 have been forwarded to all Chief Secretaries/Administrators mentioning that Hon'ble Supreme Court has mandated the publication of all future suspension orders so that the affected person can approach the court against such orders; and all orders for suspension of Telecom Services must adhere to the principle of proportionality and must not extend beyond necessary duration.

XII. Safeguards Against misuse of provision for Internet Shutdown

53. When the Committee drew attention of the representative of Bihar to vague expression such as 'objectionable content' as the ground for shut down of internet facilities, the representative of State Government of Bihar, submitted during the evidence as under:

“At the first place, I would like to draw your attention towards the Rules framed by the State Government, that is, the SOP for temporary suspension of internet services that was issued in the month of September, 2017 -- within a period of six weeks after the relevant Rules

were published by the Central Government. These Rules themselves contain enough safeguards going beyond the Government of India Notification to take care of the details. For example, I am reading from the Notification No. 8695 dated 26 September, 2017 under para 3 (i) of those Rules where it is specified that : “The Report must come from the concerned District Magistrate & SP or the Divisional Commissioner & DIG, and at the State-level, Additional DG Police (Law & Order)”. It further states that : “The request for suspension of internet services will be done only in such conditions when undesirable messages have to be stopped by stopping internet and there is no other way of doing so”. It also says that : “The relevant grounds will be rumourmongering leading to possibility or instances of breach of public peace or law and order problem”. It also says that : “The officers will take care of the reasons / grounds / needs and the possibility if not done”. All these things are there. The period also has to be specified and recommended by the State District authorities and the period has to be kept to the minimum so that the public are not put to inconvenience. Finally, it also says that this suspension of internet services will not cover the Government telecom networks to the extent of maintaining Government internet and intranet based public services including Bihar Wide Area Network, NICNET, National Knowledge Network, banking, Railways, etc.”

54. Asked about their views on adequate safeguard and SOP for internet shutdown, MHA submitted that directions for suspension of telecom/internet services are issued as per procedures and safeguards provided in Temporary Suspension of Telecom Services (Amendment) Rules, 2020.

XIII. Efficacy of Internet Shutdown

55. Internet Freedom Foundation, an organization working in the field of free speech, electronic surveillance data protection, net neutrality and innovation made a submission to the Committee highlighting the ill effects of internet shutdown as under:

“Aside from the obvious constitutional and human rights challenges, internet shutdowns cause enormous economic losses. Prior studies by institutions like Brookings Institution and the Indian Council for Research on International Economic Relations(ICRIER) certainly corroborate this. Moreover, a representation by the Cellular Operators Association of India(COAI) states that telecom operators lose INR 24.5 million per hour in every circle area

where there is a shutdown or throttling. This is concerning since the telecom sector is already under considerable financial stress and relies on ensuring steady ARPUs via data packs for internet usage. COAI's former Director General, Mr Rajan Mathews has even stated that other businesses which rely on the internet could lose up to 50% of the aforementioned amount.

Further, the perceived trade-off of internet shutdowns leading to better law and order outcomes with reduced risk of violence or hate speech, is dubious in its assumption. First, many media reports indicate citizens tend to not be convinced about the success of internet suspensions in curbing hateful messaging or disinformation. Second, researchers like Jan Rydzak have empirically studied internet shutdowns and observed that internet shutdowns are ineffective in pacifying protests and often have the unintended consequence of incentivizing violent forms of collective action which require less communication and coordination.

56. Internet connectivity is of much significance in today's context when Government's thrust has been more on digitization, including digital India, promotion of mobile banking, digital payments, financial inclusion through the internet etc. Since suspension of services affect normal citizens in a big way, the Committee desired to know what the Government is doing so that normal citizens' rights and freedom are not affected. To this, the Department informed that in temporary shutdown of internet, Data services are affected. The services of Voice and Text (SMS) are, however, available to the users.

57. Keeping in view the immense hardship faced by general public during internet shutdown which affect services like business, education, health etc., the Committee enquired whether the Department of Telecommunications have explored less restrictive mechanism short of total internet shutdown to deal with civil unrest or other national security issues, the Department replied that suspensions are done by the State Governments and the area of operation and number of days is up to the authority suspending the services. DoT is not in a position to comment on the subject matter.

58. Asked about overall impact of telecom/internet shutdown on common people and whether any assessment has been made in this regard, the Department informed that no such assessment has been made by them. MHA too submitted that no such assessment is available with them.

59. The Committee have also been informed that since the actual shutdown is ordered by either the State Governments or by the Ministry of Home Affairs, the Department of Telecommunications are not assessing whether the objectives have been achieved or not. The responsibility for assessing the effectiveness of internet shutdown lies completely either with the MHA or the concerned State Governments.

60. When asked to comment on the above observations, MHA in a written note have stated that directions for the suspension of telecom/internet services are issued due to public emergency or public safety as per the Temporary Suspension of Telecom Services (Amendment) Rules, 2020. Internet shutdown is done as a preventive measure if the situation arises concerning the interest of the public safety, the sovereignty and integrity of India, the security of the State, friendly relations with foreign States or public order or the prevention of incitement to the commission of an offence. Suspension is revoked as and when the situation comes under control.

61. When the Committee pointed out that riots happened during pre-internet and post-internet phases and if the Department has undertaken any study to establish correlation between internet and communal riots, representatives of both the DoT/MHA submitted that they are not in a position to furnish reply. DoT has not done any such study. MHA, however, submitted that Internet has fast and vast increased capability of spreading rumours and malicious content by the criminals and anti-social elements. Suspension of telecom services / internet shutdown is done in the interest of public emergency and public safety as per safeguards provided in Suspension of Telecom Services (Amendment) Rules, 2020.

62. Asked to furnish their comments on the assumption that internet shutdown leads to better law and order outcomes with reduced risk of violence or hate speech assumption, the Department have stated that the matter does not pertain to DoT. To the same query, MHA submitted that directions for the suspension of telecom/internet services are issued only due to public emergency or public safety as per the Temporary Suspension of Telecom Services (Amendment) Rules, 2020.

63. On the issue of internet shutdown affecting the lives of people, Secretary, DoT, submitted during evidence as under:

“Sir, while we are implementing the Indian Telegraph Act and the DoT administers this Act and makes rules thereunder, the actual shutdown is ordered either by the State Governments or by the Ministry of Home Affairs. The Department of Telecommunications does not order a shutdown. So, we are not actually gauging or assessing the efficacy of the objectives which were sought to be achieved and whether these were achieved or not, but having said that, I would hasten to add that certainly, the Government, the Executive would take such a decision only in the interest of public order or safety and security as per the provisions of the rules and the Act. All such decisions are justiciable. The aggrieved persons can go to the court and if the Executive has exceeded its mandate, it can certainly be challenged not only before the hon. representatives, but also in the courts of law. My experience otherwise, over the years, has been that social media, in particular, can be a medium to propagate issues or things which can lead to escalation of problems. So, it would be necessary and appropriate to take recourse of the existing provisions of the law and rules in the interest of security, public safety etc. As I said, the caveat which I made in the beginning, this is not the mandate of DoT.”

64. On being asked to be specific on parameters/metrics, the representative of MHA during evidence further added:

“Sir, for instance, in a riot situation which we witnessed in Delhi a few months back, the very evident metric would be the number of incendiary and provocative messages which are meant to disrupt public peace and order which are going around on social media. Definitely, we can get together some kind of an estimate which may not be extremely accurate, but an estimate nevertheless of how we could stop that messaging through these internet or mobile shutdowns. While the shutdown is, of course, a drastic measure to stop that kind of dissemination of provocative messages, but in such times, the estimation of the law enforcement

agencies is that it is well worth the trouble that is caused to some members of the society because it prevents a larger harm. That is the estimation. It may not be an objective estimation. It may be a slightly subjective estimation, but it is based on experience, it is based on prior sort of view on these things and it is done in the rarest of rare cases.”

XIV. International Scenario: Telecom/Internet Shutdown Rules in Other Countries

65. Regarding rules/laws governing telecom/internet shutdown in other democratic countries of the world, the Committee asked whether any attempt has been made by the Department to study the telecom/internet shutdown rules adopted in other democratic countries like USA, UK and other European countries. To this, the Department have replied that no such study has been conducted by DoT.

66. As per media report India had maximum number of internet shutdowns and has emerged as the internet shutdown capital of the world. When asked to react on these reports DoT submitted that no such information is available with them. Sufficient safeguards are inbuilt in the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017. Internet shutdowns can only be ordered by the competent authority on the grounds of Public Emergency and Public Safety. MHA have stated that suspension of telecom services/ internet shutdown is done in the interest of public emergency and public safety as per safeguards provided in Suspension of Telecom Services (Amendment) Rules, 2020.

XV. Time period for suspension orders and Consultation with the Stakeholders

67. In the light of the Hon'ble Supreme Court judgment and in consultation with all stakeholders, Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 has been amended *vide* Gazette Notification dated 10.11.2020 and has been issued by DoT *vide* O.M dated 10.11.2020. It is envisaged that any suspension order issued under these rules shall not be in operation for more than fifteen days, all such orders be published to enable the affected persons to challenge it before the High Court or appropriate forum and the

order must adhere to the principle of proportionality. When the Committee desired to know how the Government have arrived at the suspension order to be in operation for a maximum period of 15 days and what factors have been taken into consideration for this, the Department informed that the maximum Period of 15 days has been arrived after general consensus with the relevant stakeholders. Factors of Public Safety and Public Emergency have been taken into consideration.

68. On being asked further details on the number of stakeholders consulted by DoT before issuing this amendment and mechanisms laid down for regular consultations with various stakeholders including civil societies and public. DoT submitted that they have consulted Ministry of Law & Justice and Ministry of Home Affairs before issuing the said amendment dated 10.11.2020. No mechanism, as yet, has been laid down for regular consultation with various stakeholders including civil societies and public.

69. On this issue, Secretary, DoT, submitted before the Committee during evidence as under:

“Telecom operators and the internet service providers, certainly are important stakeholders also. We have not formally consulted them yet, but we take your point. We can have a meeting with them and get their viewpoint also; certainly.”

70. To a related query on whether the public have been consulted as they are directly affected by suspension of telecom services, he further added:

“Sir, we have not envisaged the situation of consultation with the general public I do not know how pragmatic it would be, and then we have the benefit of the hon. representatives like yourself and other Members, who are representing the public. So, we do get feedback from you. Whatever the hon. Committee says, we will duly factor in what we are processing without doubt.”

71. Media had reported about many complaints from students who have lost one year because they are unable to upload examination registrations on the internet during the shutdown period. Interruptions in telecom services also impacts the

business and services such as hospital administration, etc. In this background, the Committee enquired as to whether any suggestions have been received from various stakeholders/public for review of the telecom/internet suspension rules and if so the main suggestions received from them. To this, the Department through their written submission informed the Committee that suggestions have been received from various non-Governmental organisations on the subject of Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017. These are as under:

- a) As directed by the Hon'ble Supreme Court in *Anuradha Bhasin v UoI*, Government of India should commence to review the extant Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 under Section 5(2) of the Telegraph Act. Such a reform requires a public consultation.
- b) As per the directions of Hon'ble Supreme Court an advisory must be urgently issued to all state governments on the legal standards and limitations articulated by the Supreme Court. This must specifically include the necessity for proactive publication of all orders passed under the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017.
- c) The Government of India should commence a dialogue to develop a system to centralized record keeping of all internet shutdown orders.
- d) In order to sensitize authorities on the financial losses and injury to the right of trade and profession under Article 19(1)(g) caused by internet shutdowns, the Government of India should commence periodic economic impact assessment which compute the exact losses stemming from internet suspensions. This should become an intrinsic part of the national economic survey.

XVI. Access to Internet and Constitutional Position

72. The Hon'ble Supreme court *vide* its order dated 10 January 2020 has made following observations:

“None of the counsels have argued for declaring the right to access the internet as a fundamental right and therefore we are not expressing any view

on the same. We are confining ourselves to declaring that the right to freedom of speech and expression under Article 19(1)(a), and the right to carry on any trade or business under 19(1)(g), using the medium of internet is constitutionally protected.”

73. On being enquired about the status accorded by international bodies like UN and other democratic countries with regard to the right of the citizens to access internet, it is stated that no such information is available with DoT.

74. On judicial pronouncement made by the courts in the country on the right of the citizens to access internet, the Department replied that Hon’ble Supreme Court in the cases of WP(C) No.1031/2019 and WP(C) No.1164/2019 has made observations on the right of the citizens to access internet.

75. Regarding the present legal status of citizens’ right to access internet and whether citizens have any right to approach the courts in case of any violation or shutting down of telecom/internet services by the Government, MHA have replied that citizens have always the right to approach the Courts. MHA has already made available copies of directions issued by the Competent Authority in public domain.

76. Internet Connectivity is of importance due to policy initiative of the Government to promote mobile banking, digital payments, financial inclusions, etc. The Government has embarked upon a program to take services to citizen through mobiles and internet apart from promoting a cashless economy. In absence of telecom connectivity, banking transactions using credit/debit card/UPI and internet banking get affected.

77. Secretary, DoT, submitted during evidence as under:

“The Government places the utmost importance on the need for a very vibrant ecosystem of internet services, of mobile services, of digital communication. The hon. Members would be extremely happy to know that even in remote locations, like Andaman Islands and Lakshadweep Islands, this Government has been putting up sub-marine cables etc. to ensure that the people of these very remote areas, for the first time in the

history, have access to free and unfettered internet services. Having said that, while the provision of these services which are citizen-centric – internet and mobile services – is very essential for the growth of an economy, it is also important to keep in mind that some of these services may be misused. I do not have with me to be pointedly answering your question, whether any specific study has been done, that I can show you right now, but there is umpteen evidence available with law enforcement agencies, both in the Centre and in the States, that these services are also misused especially in times of stress.”

XVII. Principle of Proportionality and Procedure for Lifting of Internet Shutdown

78. Any order suspending internet issued under the suspension rules, must adhere to the principle of proportionality and must not extend beyond necessary duration. However, in the absence of any study to assess the effectiveness of internet shutdown, the Committee asked how the Government will decide on the principle of proportionality and whether any parameters have been laid down in this regard, the Department replied that parameters can be furnished from the competent authority imposing Telecom shutdowns.

79. The Suspension Rules do not mention the procedure for lifting of the shutdown. Subsequent to notification dated 10.11.2020, any suspension order shall not be in operation for more than 15 days.

80. On the considerations taken in the past for lifting of the shutdown, MHA have informed the Committee that directions for the suspension of telecom / internet services are issued due to public emergency or public safety as per the Temporary Suspension of Telecom Services (Amendment) Rules, 2020 for the specified period only as mentioned in the particular order and services are automatically restored by the service providers after the expiry of the suspension period.

XVIII. Selective Banning of Services and continuation of services over Government Telecom Network

81. Bihar Government had issued in their order that the suspension of internet services will not cover the Government telecom network to the extent of maintaining Government interest and intranet based public services including Bihar Vide Area Network, NICNET, National Knowledge Networks, Banking, Railways, etc. In this background, the Committee desired to know whether it is technically feasible to shutdown only those services likely to be used by terrorist/anti-social elements rather than shutting down internet as a whole. The Committee were informed that the Department need more time to study the question.

82. The Department informed the Committee in a written reply that services hosted on cloud are difficult to selectively ban since they operate from multiple locations in multiple countries and continuously shift from one server to the other. However, websites operating through fixed URLs can be banned.

83. On this issue, representative of DoT submitted during evidence as under:
 “Sir, you all are much knowledgeable. You all are aware that the services which you are talking about – Facebook, WhatsApp, Telegram etc.–they are basically categorised as over the top telecom services, OTT services in short. These OTT services are riding over the existing telecom service provider’s network. Now, Department of Telecom has categorically requested that recommendations on the state of OTT services being made available in the country to TRAI. It is body which provides the recommendation on the technology which is to be inducted into the network plus a lot of other things related to the telecom technologies. Recently, Department of Telecom has received a recommendation from TRAI on the OTT services and one of the major recommendations of the TRAI is that currently the OTT services are not required to be regulated. So, once the recommendation has been given to DoT, DoT is examining the recommendation and will take an appropriate decision on the recommendations. We certainly would be in a position to provide the Committee once the decision is taken whether we would be able to block the OTT service or not. That is what the hon. Members of the Committee are looking for.”

Part-II

Observations/Recommendations

Regulatory Powers vested in Government to Restrict the Telecom Services

1. The Central Government grants licenses under the provisions of Section 4 of Indian Telegraph Act, 1885 for various types of telecom services including Access Services, Internet Services, etc. Section 5 of Indian Telegraph Act, 1885 empowers Government to take possession of licensed telegraphs, to order interception of messages and issue instructions for not transmitting the message. The “message” means any communication sent by telegraph, or given to a telegraph officer or to be delivered. Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 and its amendment dated 10.11.2020 have been issued in accordance with section 5(2) of the Indian Telegraph Act, 1885. Under clause 10.1(ii) of Unified License Agreement, the Licensor reserves the right to suspend the operation of License/Service Authorization in whole or in part, at any time, if, in the opinion of the Licensor, it is necessary or expedient to do so in the public interest or in the interest of the security of the State or for the proper conduct of the Telegraph. Section 7 of Indian Telegraph Act, 1885 empowers the Central Government to make rules for the conduct of telegraphs. Under this Act *“The Central Government may, from time to time, by notification in the Official Gazette, make rules consistent with this Act for the conduct of all or any telegraphs established, maintained or worked by the Government or by persons licensed under this Act.”*

In order to streamline the process of Telecom shutdowns in the Country and in pursuance to the provisions contained in Section 5 of the Indian Telegraph Act 1885, the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 were notified on 07th August, 2017. Some of the Salient features of these Rules are: (i) orders of temporary suspension of telecom services are to be issued by Union/State Home Secretary only. For emergent cases, Joint Secretary Level officer can issue order subject to confirmation from Competent Authority within 24 hours. If no confirmation is received from Competent Authority within 24 hours, then such orders cease to exist. (ii) Orders contain reasons for such directions and are to be forwarded to Review Committee latest by next working day. (iii) Directions of suspension to Telecom Service Provider have to be conveyed by an officer not below the rank of Superintendent of Police or equivalent rank. (iv) Review Committee has to meet within five days of issue of directions for suspension of services due to public emergency or public safety and record its findings whether the directions of suspension issued under the Rules are in accordance with the provisions of sub-section (2) of Section 5 of the Indian Telegraph Act, 1885.

Hon'ble Supreme court in its judgment dated 10.01.2020 in the said petitions apropos to the internet restrictions, inter alia, directed that (i) The Respondent State/competent authorities are directed to publish all orders in force and any future orders under Section 144, Cr.P.C and for suspension of telecom services, including internet, to enable the affected persons to

challenge it before the High Court or appropriate forum. (ii) Declare that the freedom of speech and expression and the freedom to practice any profession or carry on any trade, business or occupation over the medium of internet enjoys constitutional protection under Article 19(1)(a) and Article 19(1)(g). The restriction upon such fundamental rights should be in consonance with the mandate under Article 19 (2) and (6) of the Constitution, inclusive of the test of proportionality. (iii) An order suspending internet services indefinitely is impermissible under the Temporary Suspension of Telecom Services (Public Emergency or Public Service) Rules, 2017. Suspension can be utilized for temporary duration only. (iv) Any order suspending internet issued under the Suspension Rules, must adhere to the principle of proportionality and must not extend beyond necessary duration. (v) Any order suspending internet under the Suspension Rules is subject to judicial review based on the parameters set out herein. (vi) The existing Suspension Rules neither provide for a periodic review nor a time limitation for an order issued under the Suspension Rules. Till this gap is filled, Supreme Court direct that the Review Committee constituted under Rule 2(5) of the Suspension Rules must conduct a periodic review within seven working days of the previous review, in terms of the requirements under Rule 2(6). (vii) Direct the respondent State/competent authorities to review all orders suspending internet services forthwith. (viii) Orders not in accordance with the law laid down above, must be revoked. Further, in future, if there is a necessity to pass fresh orders, the law laid down herein must be followed. (ix) In any case, the State/concerned

authorities are directed to consider forthwith allowing government websites, localized/limited e-banking facilities, hospital services and other essential services, in those regions, wherein the internet services are not likely to be restored immediately.

In the light of the Hon'ble Supreme Court judgment and in consultation with all stakeholders, Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 has been amended *vide* Gazette Notification dated 10.11.2020. It is envisaged that any suspension order issued under these rules shall not be in operation for more than fifteen days, all such orders be published to enable the affected persons to challenge it before the High Court or appropriate forum and the order must adhere to the principle of proportionality.

The Committee note that internet is of immense importance in the present digital era. It is the lifeline which is propelling businesses and services, permitting students to enroll for important examination, and enabling home delivery of essentials. The Government are also taking several policy initiatives to promote digitisation in governance to take more and more Government services to the people at their doorsteps. Covid-19 pandemic has significantly accelerated the adoption of digital technologies with far reaching implications across the sectors and services. Growing mobile and internet penetration and its effective use for ensuring unhindered business and services has become the new normal. In such a scenario, it is but essential that any interruption to these services should be avoided and where

unavoidable, the power to interrupt needs to be exercised with abundant caution. Even the Supreme Court in its verdict had clearly declared that freedom of speech and expression and the freedom to practice any profession or carry on any trade or occupation over the medium of internet enjoys constitutional protection under Article 19(2) and (6) of the Constitution. Considering the growing importance of internet on the one hand, and frequent shutting down of telecom services/internet by the authorities affecting the life and liberty of people, on the other, the Committee took up the subject for a detailed examination. Observations and Recommendations of the Committee are given in subsequent paragraphs.

Delay in framing of Suspension Rules and inadequacy of subsequent amendments

2. The Committee are disappointed to note that though the regulatory powers of the Government to restrict the telecom services were outlined under various provisions of the Indian Telegraph Act, the Department gave a serious thought to streamlining the process only in the year 2017. It was only in 2017 that the Department came out with the Suspension Rules for regulating internet shutdown in the country. The Committee are given to understand that before the Suspension Rules came into force, telecom/internet shutdowns were largely being done under Section 144 of Cr.P.C. in an arbitrary manner without an adequate safety valve. Further, though the Department came out with Suspension Rules, these were sketchy and far too inadequate, lacking in several aspects which needed clarity and precision. This is clear from the fact that the Hon'ble Supreme Court took cognizance of this problem in

Anuradha Bhasin vs. Uol and Ghulam Nabi Azad vs. Uol and Anuradha Bhasin case wherein it was pointed out that no adequate safeguards have been provided in the Rules. The Committee are disturbed to note that the Suspension Rules, 2017 had been haphazardly formulated and it required the intervention of the apex Court to lay down various safeguards in the provisions. It is only after the Supreme Court observed and pin pointed the loopholes in the existing provisions that the Government came out with amendments to the Suspension Rules, 2017. What is all the more disheartening to note is that when there was a second chance for the Department to ensure adequate safeguards in these Rules, then also the Rules have not been strengthened and many of the provisions have been left open-ended (as discussed in subsequent paras), restricting the amendments only to those provisions pointed out by the Hon'ble Supreme Court. The Committee feel that the amendments made in the Suspension Rules are still inadequate. While on the one hand, the Department/MHA need to ensure adherence to the orders of Supreme Court in letter and spirit, on the other hand, there is a need to review/revisit all the provisions so as to make the Rules/amendments all inclusive and plug the deficiencies. The Committee recommend the Department to review the relevant Sections in co-ordination with the Ministry of Home Affairs and the Ministry of Law and Justice to address all aspects of telecom/internet shutdown in the country. If required, the views of State/UT Governments may also be sought. The Rules/amendments should also take into account the technological developments taking place in the area of

telecom/internet so as to bring the Rules/regulations in tune with changing times and technology so that Government is able to achieve its objective with bare minimum disturbance to the public.

Grounds for Temporary Suspension of Telecom/Internet Services

3. The Committee note that police and public order are State subjects as per the Constitution and States are responsible for prevention, detection and investigation of crimes through their law enforcement machinery. Concerned State Governments are empowered to issue orders for temporary suspension of internet services in the State or part thereof under the provisions contained in the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017. The Committee have been informed that any suspension which is done, is for public order or for reasons of law and order and public safety. 'Public Emergency' and 'Public Safety' are the two grounds on which internet shutdown can be ordered. On being asked what constitute 'Public Emergency' and 'Public Safety', the Department have stated that parameters have been laid down in section 5(2) of the Indian Telegraph Act, 1885. Section 5(2) of the Indian Telegraph Act, 1885 which states "On the occurrence of any public emergency, or in the interest of the public safety, the Central Government or a State Government or any officer specially authorised in this behalf by the Central Government or a State Government may, if satisfied that it is necessary or expedient so to do in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or for preventing incitement to the

commission of an offence, for reasons to be recorded in writing, by order, direct that any message or class of messages to or from any person or class of persons, or relating to any particular subject, brought for transmission by or transmitted or received by any telegraph, shall not be transmitted, or shall be intercepted or detained, or shall be disclosed to the Government making the order or an officer thereof mentioned in the order: Provided that the press messages intended to be published in India of correspondents accredited to the Central Government or a State Government shall not be intercepted or detained, unless their transmission has been prohibited under this subsection.” Ministry of Home Affairs have replied that the expression public emergency, has not been defined in the statute, but contours broadly delineating its scope and features are discernible from the section which has to be read as a whole. Appropriate authority has to form an opinion with regard to the occurrence of a public emergency with a view to taking further action under this section.

The Committee note that under the present mechanism/dispensation no parameters have been laid down to decide the merit or justice of the telecom/internet shutdowns. In the absence of any such laid down parameters, internet shutdowns have been ordered purely on the basis of subjective assessment and reading of the ground situations by District level officer and is largely based on executive decisions. The Committee also note that even though Public Emergency and Public Safety are the only grounds on which internet shutdowns can be imposed, as of now, there is no clear cut definition

of what constitute Public Emergency and Public safety. State Governments are exercising their own judgment to decide the merits of the situation to impose internet shutdown. The result is that even though internet shutdown can be ordered strictly on grounds of 'Public Emergency' and 'Public Safety', it is reported that Governments have resorted to telecom/internet shutdown on grounds not so pressing and have been regularly using this as a tool for routine policing and even administrative purposes, such as preventing cheating in exams to defusing local crime, which do not amount to large scale public safety concerns and certainly do not amount to a 'Public Emergency'. What is all the more disturbing is that the data relating to the number of shutdowns are not codified, leaving the procedure open ended for misinterpretation, subjective assessment and misuse, (the absence of data on shutdown is dealt in subsequent pages). Suspension Rules have been grossly misused leading to huge economic loss and also causing untold suffering to the public, as well as severe reputational damage to the country. The Committee are of the view that when the Government's thrust is on digitization and knowledge economy with free and open access to internet at its core, frequent suspension of internet on flimsy grounds is uncalled for and must be avoided. There is a need to monitor the exercise of this provision so that these are not misused to the disadvantage of people at large. The Committee, therefore, recommend that a proper mechanism is put in place at the earliest to decide on the merit or appropriateness of telecom/internet shutdowns. Defined parameters of what constitutes public emergency and

public safety may also be adopted and codified so as to ensure that there is no ambiguity in deciding the ground by different States while implementing the Suspension Rules.

Maintenance of Official Data on Internet Shutdown

4. The Committee note that records relating to telecom services/internet shutdowns ordered by State Governments are neither maintained by the Department of Telecommunications nor the Ministry of Home Affairs. As of now, the Department have no mechanism to review how many States have issued internet suspension orders, including their details, reasons etc. The Ministry of Home Affairs informed the Committee that National Crime Records Bureau (NCRB) collects information on certain aspects of crime. Communal riots is one of them. The information is collected on a regular basis. The Ministry have further informed the Committee that the suspension of internet for the purpose of public order, etc. does not actually come in the ambit of crimes and is not within the purview of the NCRB. At the moment, there is also no proposal in MHA to collect this information at Central level.

The Committee received written submissions from the State of Bihar, UT of NCT of Delhi, UT of J&K and State of Kerala. The State Government of Bihar have informed the Committee that between August, 2018 to August, 2020, internet shutdowns have been issued six times. UT of J&K have informed the Committee that since issuance of directions by the Hon'ble Supreme Court, a total of 93 orders, including 76 orders issued by the competent authority to the effect of confirming the directions by the

authorized officers, have been issued. Government of NCT of Delhi have informed the Committee that no decisions have been taken by Govt. of NCT of Delhi in the last two years on shutting down internet and telecom services in Delhi. The Ministry of Home Affairs have ordered suspension of internet twice in December, 2019. The Committee have also been informed that no temporary suspension of telecom/internet services under Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 was done by the State of Kerala, since 2017. The Committee also note that various agencies have compiled the number of internet shutdowns in the country. As per one Media Report, between January 2012 and March 2021, there were 518 Government imposed internet shutdown across India resulting in the highest number of internet blockings in the world by far. However, there is no mechanism to verify this claim/assertion as both DoT and MHA do not maintain any record of internet shutdown orders by the States. It is surprising to note that records related to internet shutdowns ordered by State Governments are not maintained by either DoT or MHA and both the Ministries/Departments are not aware of the number of internet shutdowns imposed by the States. They have made the plea that police and public order are essentially State subjects and suspension of Internet does not actually come under the ambit of crimes. This has resulted in the absence of any appropriate mechanism to verify the number of internet shutdowns in the country and the reasons for imposing such shutdowns. The Committee observe that in the absence of such a verifiable mechanism, the

Department/MHA do not have any means to ascertain whether internet shutdowns have been clamped strictly as per the Suspension Rules or the order given by the Supreme Court. The Committee are not satisfied with such a reply and draw attention of the Department to the Standard Operating Procedure for interception laid down in the Notification No. G.S.R. 780 (E) dated 27th October, 2009 under Section 69(2) of the IT Act, 2000 which provides for maintenance of records by designated officer, review of directions of competent authority, etc. The Committee strongly recommend that both the Department of Telecommunications and the Ministry of Home Affairs should establish a mechanism at the earliest to maintain a centralised database of all internet shutdown orders in the country, which will contain various types of information on internet shutdowns, such as the number of times suspension has been imposed, reasons, duration, decision of the competent authority, decision of the Review Committees and also whether any internet shutdown has been ordered by resorting to Section 144 of Cr. PC. etc. Such information should also be made available in the public domain which will not only help in transparency but also course correction in case of deviation from Rules/procedures and to gauge its impact on the economy.

Rules Governing Internet Shutdown in the Country: Temporary Suspension of Telecom Services Rules, 2017 vs. Section 144, Cr. P.C.

5. The Committee note that telecom shutdown is governed as per Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017. Amendment to the said Rules have been notified on 10.11.2020 which envisaged that any suspension order issued under these

rules shall not be in operation for more than fifteen days etc. Hon'ble Supreme Court in its order dated 10th January, 2020 had observed that the Respondent State/competent authorities are directed to publish all orders in force and any future orders under Section 144, Cr.P.C and for suspension of telecom services, including internet, to enable the affected persons to challenge it before the High Court or appropriate forum. This has raised the issue whether internet shutdown can be ordered under Section 144, Cr.P.C and if so what are the safety measures. When asked, Secretary, DoT, during the evidence stated that his understating is that prior to these Rules, recourse was taken to Section 144 to do the suspension. However, once the Rules have come into force, then the suspension is done under these Rules. Asked as to whether SDM under the rules, or under the 144 Cr.P.C., has an authority to order an internet shutdown, the Department have clarified that under such situation a Joint Secretary level officer can order a shutdown and within 24 hours the appropriate authority has to approve it. Telecom shutdown is governed as per Temporary Suspension of Telecom Services (Public Emergency & Public Safety) Rules, 2017 and it cannot be ordered under Section 144 Cr.P.C. under any circumstances. The Committee have been informed that as per Suspension Rules, orders of temporary suspension of telecom services are to be issued by Union/State Home Secretary only. At the same time, asked as to whether DoT/MHA have any information on States resorting to Section 144 Cr.P.C. for telecom/internet suspension, the Department have submitted that they do not maintain any records related to the procedure followed in the

internet shutdown and hence are not aware of any order issued by officers other than those permitted under the Rules.

It is surprising to note that the Department of Telecommunications/MHA are not aware whether States have so far ordered shutting down of internet under section 144 of Cr.P.C. The Committee feel that there is an urgent need to sensitize the States/UTs about the new position that they no longer can suspend internet under Section 144 of Cr.P.C. and internet shutdowns can be ordered only under the Suspension Rules, 2017. The Committee desire that a robust monitoring mechanism be put in place by the Department so that States/UTs do not resort to section 144 of Cr.P.C. to shutdown internet in their territory. Appropriate action may also be taken against the States/UTs which deviate from the Rules to maintain sanctity of these Rules. While the Committee expressed concern about the prolonged internet shutdown in Jammu and Kashmir, Government indicated that this was undertaken for reasons of national security.

Composition, Powers and functions of Review Committees to review the decision on Telecom Suspension

6. The Committee note that the Review Committee constituted for the purpose has to meet within five days of issue of directions for suspension of services due to public emergency or public safety and record its findings whether the directions of suspension issued under the Rules are in accordance with the provisions of sub-section (2) of Section 5 of the Indian Telegraph Act, 1885. So far as the composition of the Review Committee is concerned, the Committee note that at the Central level Cabinet Secretary is

the Chairman, Secretary, In-charge, Legal Affairs and Secretary, Department of Telecommunications are the Members of the Review Committee. At the State levels, Chief Secretary is the Chairman, Secretary Law or Legal Remembrancer, In-Charge, Legal Affairs, and Secretary to the State Government (other than the Home Secretary) are the Members. The Committee have been informed that normally, the Law Secretaries in States are the judicial officers; in many cases, they are judges. The persons with a judicial background who come as Law Secretary, certainly put forth their view points on law issues quite firmly. The Committee observe that even though the Law Secretary is a judicial officer and not a bureaucrat, as maintained by the Department, the Committee feel that the composition of the Review Committees is largely confined to the executive side of the Government and there is a need to make the Review Committees more broadbased by including more non-official Members such as retired Judges, Members of the public, etc. so as to enable them to gauge the situation in the right broadest possible perspective and provide a critical and objective assessment of the ground situation.

The Committee further note that the Department have no record of information on the number of decisions on orders of suspension countermanded by the Review Committee. This is vital piece of information which need to be maintained by the Department for course correction. Considering the fact that Review Committees are intended to act as an important instrument to ensure checks and balances, the Committee

recommend that the composition of the Review Committee should be expanded so as to include non-official Members, such as retired Judges, eminent citizens, heads of Public organizations, TSPs etc. To this end, the Committee also desire the Department to explore the possibility of including the local MP and MLA in the Review Committee, as they know the ground reality. The Committee further recommend that DoT/MHA should take necessary steps so that authentic data on the decisions taken by the Review Committee are maintained. This will help in understanding whether all telecom/internet shutdowns have been issued by the competent authority as per established procedure and whether due process of law have been followed while issuing the orders for telecom/internet shutdown.

Constitution of Review Committees in all States

7. The Committee note that as per the Suspension Rules, 2017, a Review Committee has to be constituted in all States to review the directions for suspension of services due to public emergency or public safety and record its findings whether the directions of suspension issued under the Rules are in accordance with the provisions of Sub-Section (2) of Section 5 of the Indian Telegraph Act, 1885. The Committee have been informed that Review Committee is yet to be constituted in Delhi. When the Committee desired to know the status of constitution of Review Committees in all the States, the Department replied that constitution of the Review Committee is the responsibility of the State Governments and the status of formation of Review

Committee or otherwise is not monitored by DoT. MHA have also replied that this has to be replied by DoT.

The Committee feel that constitution of Review Committee by all States/UTs is an essential pre-requisite to ensure adequate checks and balances in exercising the Suspension Rules. It is, therefore, absolutely necessary that the Review Committees are constituted in all the states. Considering this, the Committee find it strange that the Department do not have information whether Review Committees have been constituted in all States/UTs. The Department have simply replied that it is the responsibility of the State Governments and there is no mechanism to ascertain whether Review Committees have been constituted in all States/UTs. The Committee feel that being the nodal Department for the Telecom Suspension Rules, it is the duty of the Department to see and ensure that Review Committees are constituted in all the States. The role of the Department is not limited to mere issue of Rules and Guidelines but also to ensure that these Rules or Guidelines are followed and implemented in letter and spirit. The Committee recommend the Department to take necessary action to ensure that Review Committees are constituted in all the States in a time bound manner. The Committee also recommend that the data regarding constitution of Review Committee by all States/UTs are obtained and record maintained by the Department with periodic monitoring.

Safeguards against misuse of Internet Shutdown

8. The Committee are unhappy to note that neither the Department of Telecommunications nor the Ministry of Home Affairs have any information on the Standard Operating Procedures (SOPs) being followed by the State Governments while invoking the Temporary Suspension of Telecom Services (Public Emergency and Public Safety) Rules, 2017. The State Government of Bihar submitted that they had issued SOP for temporary suspension of Internet services in the month of September, 2017, within a period of six weeks after the relevant Rules were published by the Central Government. The Committee are given to understand that as per the notification issued by the State Government of Bihar, report for internet shutdown at District level must come from the concerned District Magistrate and SP or the Divisional Commissioner and DIG, and at the State-level, Additional DG Police (Law and Order). The request for suspension of Internet services will be done only in such conditions when undesirable messages have to be stopped by blocking the internet and there is no other way of doing so. The period also has to be specified and recommended by the State/District authorities and the period has to be kept to the minimum so that public are not put to inconvenience. Finally, it also says that this suspension of Internet services will not cover the Government telecom networks to the extent of maintaining Government internet and intranet based public services including Bihar Wide Area Networks, NICNET, National Knowledge Network, Banking, Railways, etc. Asked as to whether any other State/UT have taken similar initiative, the

Department have informed the Committee that no such information is available with the Department. The Committee were also informed that in the year 2018, Secretary (T) had written D.O. letters to all Chief Secretaries/Administrators of State/UTs to sensitize the concerned officials against precipitate actions leading to shutdown of internet services and also to ensure that provisions of Suspension Rules, 2017 are followed strictly. Amended Rules have been forwarded to all Chief Secretaries/Administrators mentioning that Hon'ble Supreme Court has mandated the publication of all future suspension orders so that the affected person can approach the Court against such orders; and all orders for suspension of telecom services must adhere to the principles of proportionality and must not extend beyond necessary duration.

From the above stated facts, the Committee observe that while Hon'ble Supreme Court laid down the broad contours of safeguards against telecom shutdown, the Department/MHA, on their part have not taken any initiative for devising/outlining SOP on telecom shutdown except merely conveying the decision of the Supreme Court to States/UTs through routine orders. The Committee are of the view that lack of stipulated guidelines and safety measures gives a lever to State Governments to resort to telecom shutdown on the slightest pretext of maintaining law and order and there is a need to follow the laid-down procedure by States/UTs to avoid internet shutdowns in unwarranted situations. The Committee appreciate the measures/SOP put in place by the State Government of Bihar which has also helped in ensuring

transparency with regard to invoking of these Rules. The Department, besides routinely issuing letters and communications to State/UT Governments, should also see to it that the directions issued by them are adhered to and implemented in right earnest. The Committee also feel that leaving the job of formulating safeguards with the States/UTs will only give rise to confusion leading to misuse of these provisions. The Committee, therefore, recommend that the Department in coordination with the Ministry of Home Affairs should take proactive measures and issue a uniform set of SOP and guidelines to be followed by all States/UTs. Some of these guidelines *viz.* an order suspending internet services indefinitely is impermissible but can be utilized for temporary duration only, must adhere to the principle of proportionality, conducting a periodic review within seven working days of the previous review, etc. have already been identified by the Supreme Court. The Committee find that these guidelines have not been followed by all States/UTs uniformly, thus giving rise to scope for ambiguity and non-compliance. The Committee, therefore, urge the Government to ensure that proper SOP/guidelines are devised and Supreme Court mandated guidelines are strictly adhered to in the future. The Committee desire the set of SOP and guidelines so devised are shared with them.

Effectiveness of Suspension of Telecom Services/Internet Shutdown

9. The Committee note that as per Cellular Operators Association of India (COAI), telecom operators reportedly lose INR 24.5 million per hour in every Circle Area where there is a shutdown or throttling. Other businesses which

rely on the internet could lose up to 50 per cent of the afore-mentioned amount. As per newspaper reports, India lost 2.8 billion US dollars in 2020 to internet shutdowns. The Committee note that the suspension of telecom services/ internet greatly affect the local economy, healthcare services, freedom of press and education, etc. From the information provided by the Department, the Committee note that no impact assessment study has been done by the Department. As per the Department of Telecommunications, since the actual shutdown is ordered either by the State Governments or by the Ministry of Home Affairs, the Department are not assessing whether the objectives have been achieved or not, and the responsibility for assessing the effectiveness of Internet Shutdown lies completely with the Ministry of Home Affairs or the concerned State Government. The Committee have also been informed that no assessment is available with MHA. According to them, internet shutdown is done as a preventive measure if the situation arises concerning the interest of the public safety, the sovereignty and integrity of India, the security of the State, friendly relations with foreign states or public order or the prevention of incitement to the commission of an offence. Suspension is revoked when the situation comes under control. When the Committee pointed out that communal riots took place during pre-internet era also and enquired if any study has been conducted by DoT/MHA to establish the correlation between internet and riots, both DoT and MHA have informed the Committee that they have not conducted any study to establish the link between internet shutdown and communal riots.

The Committee also received submission from organizations stating that the perceived trade-off of Internet shutdowns leading to better law and order outcomes with reduced risk of violence or hate speech is dubious in its assumption. Many media reports indicated citizens tend to not be convinced about the success of internet suspensions in curbing hateful messaging or disinformation. These submissions also suggested that as per empirical study internet shutdowns are ineffective in pacifying protests and often have the unintended consequences of incentivising violent forms of collective action which require less communication and coordination.

While the veracity of above submissions would necessitate greater insight into situations which is beyond the scope of present subject, there is no second opinion about the fact that shutting down of telecom/internet services cause great inconvenience to thousands of people in the process. Frequent shutdown of Internet services is an indication to the fact that the State/UT Governments are resorting to this method as a convenient way to deal with any restive situations without properly assessing the effectiveness of such drastic measure in controlling such situations. So far, it is purely based on the assumptions of law enforcement agencies and there is no empirical proof to suggest that internet shutdowns have been effective in controlling law and order, civic unrest, etc. The Committee further note that while a number of studies on the impact of internet shutdowns have been conducted by different agencies/entities which are in the public domain, no such study has been conducted by either DoT or MHA. The Committee are of

the view that absence of such study is a clear omission on the part of both DoT and MHA while taking recourse to measures such as telecom/internet shutdown which has massive implications for national economy, constitutional rights of the citizens to freedom of speech and expression, right to carry on any trade or business, etc. It has affected and disrupted healthcare services, freedom of press and education etc. The Committee recommend that a thorough study should be commissioned by the Government of India so as to assess the impact of internet shutdown on the economy and also find out its effectiveness in dealing with Public Emergency and Public Safety. In the opinion of the Committee shutting down of internet in this digital era is both anachronistic and acting as a bulwark against economic development and democratic rights of the people. The Committee desire that internet shutdowns should not be taken too frequently as matter of recourse since internet is indispensable to ordinary citizens in their daily lives, and vital for such matters as examination enrolment, tourism, and online enterprise. While national security is undoubtedly a prime concern, it is nevertheless desirable that internet shutdowns are resorted to as rarely as possible only as last resort given their disproportionate impact on innocent citizens.

International Practice: Telecom/Internet Shutdown Rules in Other Countries

10. The Committee find that no study has been conducted by the Department to understand or analyse the telecom/internet shutdown rules adopted in other democratic countries like USA, UK and other European countries. They have also submitted that no information is available with them regarding States/UTs frequently resorting to internet shutdowns on

grounds of 'Public Emergency' and 'Public Safety' in the country. The Department have simply stated that sufficient safeguards are inbuilt in the Suspension Rules, 2017 and internet shutdowns can only be ordered by the competent authority on grounds of 'Public Emergency' and 'Public Safety'.

The Committee are not in agreement with the Department and MHA that sufficient safeguards have been built in the Suspension Rules and internet shutdowns in the interest of public emergency and public safety, particularly since these measures are resorted to more frequently than any other country in the world. So far, there is no proof to indicate that internet shutdown have been effective in addressing public emergency and ensuring public safety. The Committee are of the view that using internet shutdowns to deal with Public Emergency and Public Safety reflects poorly on the part of the law and order machinery of the State to deal with such issues. Riots, protests, and various other forms of civil unrests take place in various other democratic and non-democratic countries. However, not all of them have resorted to shutting down of internet to deal with such situations, especially in democratic countries. Shutting down of internet to deal with such situation in countries like USA or European countries is unheard of and reflects poorly on India. The Committee, therefore, feel that a study needs to be undertaken by the Department to gather knowledge about telecom/internet shutdown rules adopted by other democratic countries of the world. The Committee desire that our country needs to learn from those standards that are internationally accepted as the best practices globally keeping also the specifics of this

country in mind and the country should not adopt policies not in tune with the international best practices in this regard. With regard to Jammu and Kashmir, the Committee hope that the Government can devise less sweeping methods to intercept terrorist communications in order to avoid recourse to methods that have a disproportionate impact on innocent citizens.

Need for Consultation with Stakeholders

11. The Committee note that in the light of the Hon'ble Supreme Court judgement and in consultation with all stakeholders, Temporary Suspension of Telecom Services (Public Emergency and Public Safety) Rules, 2017 has been amended *vide* Gazette Notification dated 10.11.2020. It is envisaged that any suspension order issued under these Rules shall not be in operation for more than fifteen days, all such orders be published to enable the affected persons to challenge it before the High Court or appropriate forum and the order must adhere to the principle of proportionality. The Department have informed that they have consulted the Ministry of Law and Justice and Ministry of Home Affairs before issuing the said amendments. However, no mechanism has been laid down yet for regular consultation with other stakeholders including civil societies and public. The Department have also informed the Committee that suggestions have been received from various non-Governmental organisations. Some of these suggestions include public consultation of Suspension Rules, issuing of advisory to all State Governments on the legal standards and limitations articulated by the Supreme Court, to develop a centralized record keeping of all internet

shutdowns, and periodic economic impact assessment to compute losses from internet suspensions.

The Committee feel that there is definitely a need for wider consultation with various stakeholders including non-Governmental Organisations working in the field of internet freedom, Telecom Service Providers, commercial bodies, public organisations, etc. The Committee are disappointed to note that the Department have consulted only Ministry of Law and Justice and Ministry of Home Affairs before coming out with the amendment to Suspension Rules, 2017. Keeping in view the wider ramification of internet shutdown, the Department/MHA should have done wider consultations before finalizing the Suspension Rules. The Committee strongly sense that without involving all stakeholders and affected parties in the consultation process, the Department will not be able to get the larger picture on the issue and hence will not be able to formulate a holistic policy in this regard. The Committee, therefore, recommend the Department to lay down a mechanism through which regular consultation can be held with multiple stakeholders viz. TSPs, elected representatives, peoples organizations, commercial/industry bodies, civil society, etc. so as to formulate a holistic policy relating to internet shutdown. The policy *inter-alia* should address the concerns of these stakeholders as it is they who are directly affected by telecom/internet shutdowns. The Committee would like to be apprised of the action taken in the above direction and also the steps taken by the Department to incorporate

the suggestions received from various stakeholders into the existing Rules/guidelines.

Access to Internet and Constitutional position

12. The Committee note that the Hon'ble Supreme Court *vide* its order dated 10 January, 2020 had declared that freedom of speech and expression under Article 19(1)(a), and the right to carry on trade or business under Article 19 (1) (g), using the internet is constitutionally protected. The Committee further note that information regarding the status accorded by international bodies like UN and other democratic countries with regard to the right of the citizens to access internet is not available with the Department. Supreme Court in its judgement dated 10 January, 2020 had directed that any order suspending internet under the Suspension Rules is subject to judicial review based on parameters set out therein, which implies that the affected person can approach the Court against such orders. Elaborating on the importance of internet, the Department have informed the Committee that the internet connectivity is of importance due to policy initiative of the Government to promote mobile banking, digital payments, financial inclusions, etc. The Government have embarked upon a programme to take services to citizens through mobiles and internet apart from providing a cashless economy. In the absence of telecom connectivity, banking transactions using credit/debit card/UPI and internet banking get affected.

From the above observations, the Committee note that today internet has become extremely important in day to day activities of the common man.

Though Hon'ble Supreme Court has not declared the citizens right to access to internet as fundamental right, it has categorically stated that the right to freedom of speech and expression under Article 19 (1) (a) and the right to carry on any trade or business under Article 19 (1) (g), using the internet, is constitutionally protected. The importance of the internet can hardly be overemphasized; more so in the backdrop of the Supreme Court judgement that any internet shutdown is subjected to judicial review and all orders of internet shutdown can be challenged by the aggrieved citizens in the court of law. The Committee are of the view that there is a need to maintain a delicate balance between the citizens' right to access internet to exercise their rights and the duty of the State to deal with Public Emergency and Public Safety. The Committee recommend that while making efforts to maintain Public Emergency and Public Safety, the Department/MHA need to ensure that rights of the citizens to freedom of speech and expression under Article 19 (1) (a), and the right to carry on any trade or business under Article 19 (1) (g), using the medium of internet are not violated on grounds of Public Emergency and Public Safety. The Department should make sincere efforts to sensitize the State/UT Governments of this new interpretation of bringing the medium of internet into the ambit of Article 19 (1) (g). Considering the fact that more and more people are using internet for their livelihood, it is important that appropriate legal framework needs to be put in place so that individual's right to access internet is protected.

Principle of Proportionality and Procedure for Lifting of Internet Shutdown

13. Hon'ble Supreme Court had ordered that any order suspending internet issued under the Suspension Rules must adhere to the principle of proportionality and must not extend beyond necessary duration. In this background, the Committee desired to know from DoT/MHA as to how they are deciding on the principle of proportionality and whether any parameters have been laid down in this regard. The Committee also asked about the laid down procedure for lifting of internet shutdown. Whereas the Department have informed that parameters can be obtained from the competent authority who is imposing telecom shutdowns, MHA have informed that directions for the suspension of telecom/internet services are issued due to Public Emergency or Public Safety as per the Temporary Suspension of Telecom Services (Amendment) Rules, 2020 for the specified period only as mentioned in the particular order and services are automatically restored by the service providers after the expiry of the suspension period.

The Committee feel that the replies furnished by DoT and MHA on the principle of proportionality and procedure for lifting the shutdown are vague and lack clarity. The Committee note that internet shutdowns are ordered by the State Governments mainly for the purpose of maintaining Public Order and Public Safety and no proper procedure has been laid down for lifting of internet shutdown. The Committee are of the view that one of the best mechanisms to deal with any law and order situation is the ability of the law enforcement agency to quickly respond to the crisis. Internet shutdown

cannot be a substitute for enforcing law and order. Recourse to internet shutdown should ideally be avoided and be taken sparingly only when it is absolutely necessary and expedient and that too only for a limited period of time which need to be clearly defined. The Committee are of the view that the current provision that any internet suspension order can be extended by subsequent order leaves enough scope for State/UT Governments to misuse the Suspension Rules. The Committee, therefore, recommend the Department in co-ordination with Ministry of Home Affairs should lay down a clear cut principle of proportionality and procedure for lifting of shutdown so that these are not extended indefinitely even when the situation comes under control affecting the life and liberty of people.

Selective Banning of Services

14. Keeping in view the fact that complete shutdown of telecom services/internet affects the people in many ways, the Committee desired to know if it was technically possible to shutdown only those services in areas likely to be used by terrorist/anti-social elements rather than shutting down internet as a whole. The Department have informed that services hosted on cloud are difficult to ban selectively since they operate from multiple locations in multiple countries and continuously shift from one service to the other. However, websites operating through fixed URLs can be banned. The Department have also informed the Committee that Facebook, WhatsApp, Telegram etc. are basically categorised as over the top telecom services, OTT services in short. These OTT services are riding over the existing telecom

service provider's network. The Committee note that recently, Department of Telecom have received a recommendation from TRAI on the OTT services and one of the major recommendations of the TRAI is that currently these OTT services are not required to be regulated. DoT are examining the recommendation and will take an appropriate decision on the recommendations. DoT would be in a position to provide answer to the Committee once the decision is taken whether they would be able to block the OTT services selectively or not.

The Committee feel that it will be of great relief if the Department can explore the option of banning of selective services, such as Facebook, WhatsApp, Telegram, etc. instead of banning the internet as a whole. This will allow financial services, health, education and various other services to continue to operate for business as usual thereby minimizing inconvenience and suffering to the general public and also help in controlling spreading of misinformation during unrest. Adoption of such less restrictive mechanisms will be a welcome initiative. The Committee strongly recommend that the Department urgently examine the recommendation of TRAI and come out with a policy which will enable the selective banning of OTT services with suitable technological intervention, such as Facebook, WhatsApp, Telegram services during period of unrest/crisis that are liable to be used by the terrorists or anti-national element/forces to ferment trouble in the specified regions. The Committee look forward to positive development in this regard. Till such time every effort should be made to ensure that uninterrupted services are

provided through the State broadband network which can be monitored easily for possible misuse.

New Delhi;

29 November, 2021

8 Agrahayana, 1943 (Saka)

DR. SHASHI THAROOR,
Chairperson,

Standing Committee on Communications and
Information Technology.

Appendix-I**STANDING COMMITTEE ON INFORMATION TECHNOLOGY
(2019-20)****MINUTES OF THE TWENTY-FIRST SITTING OF THE COMMITTEE**

The Committee sat on Tuesday, the 11 August, 2020 from 1100 hours to 1345 hours in Main Committee Room, Parliament House Annexe, New Delhi.

PRESENT

Dr. Shashi Tharoor - Chairperson

MEMBERS***Lok Sabha***

2. Smt. Locket Chatterjee
3. Dr. Nishikant Dubey
4. Smt. Raksha Nikhil Khadse
5. Ms. Mahua Moitra
6. Shri Santosh Pandey
7. Col. Rajyavardhan Singh Rathore
8. Shri L.S. Tejasvi Surya

Rajya Sabha

9. Dr. Anil Agrawal
10. Shri Syed Nasir Hussain
11. Shri Shaktisinh Gohil

Secretariat

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Shri Y. M. Kandpal | - | Director |
| 2. | Dr. Sagarika Dash | - | Additional Director |
| 3. | Shri Shangreiso Zimik | - | Deputy Secretary |

List of Witnesses
Department of Telecommunications

Suspension of Telecom Services/Internet and its impact

Sl. No.	Name	Designation
1.	Anshu Prakash	Secretary
2.	K. Ramchand	Advisor (equivalent to Additional Secretary)
3.	Tushar Kanti Paul	Director General Telecom
4.	S. B. Singh	DDG
5.	P. K. Singh	DDG

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened for briefing by the representatives of the Department of Telecommunications on the subjects 'Suspension of Telecom Services/Internet and its impact' and.....xxxxx.....xxxxx.....

(The representatives of the Department of Telecommunications were then called in)

3. The Chairperson welcomed the representatives of the DoT to the sitting of the Committee. The Committee decided to take up the subject 'Suspension of Telecom Services/Internet and its impact' first. Accordingly, the representatives of the Department made a power-point presentation on the subject which included issues, such as Regulatory Framework for suspension of telecom services, Temporary Suspension of Telecom Services (Public Emergency & Public Safety, Rules, 2017, Judgment of Hon'ble Supreme Court with regard to non-permissible indefinite shut down of internet, principle of proportionality and non-extension of order beyond necessary duration, etc.

4. Thereafter, Members raised queries on issues, such as reasons for suspension of telecom services, mechanism to review the number of suspension issued by States, time limit for extension of shut down by the States, measures to protect citizens' rights and freedom, etc. The Committee also deliberated on

timeline for review of Suspension Rules based on Supreme Court orders, stakeholders consulted by the Department, status of Section 144 of Cr.P.C., power of the Review Committee and the number of orders countermanded by them, non-inclusion of non-executive Members in the composition of the Review Committee, etc.

5. The Committee were informed that Police and Public order are State subjects and States are responsible for prevention, detention and investigation of crimes through their law enforcement machinery. The concerned State Governments are empowered to issue orders for temporary suspension of telecom services. The representative of the Department also informed the Committee that the nodal Ministry for law and order and for police and issues relating to such suspension is the Ministry of Home Affairs. The Committee decided to hear the views of the representatives of some of the State Governments/U.T. Administrations.

6.XXXXXX.....XXXXXX.....

7.XXXXXX.....XXXXXX.....

8. The Chairperson, then, thanked the representatives of the Department of Telecommunications for deposing before the Committee.

9.XXXXXX.....XXXXXX.....

10.XXXXXX.....XXXXXX.....

11.XXXXXX.....XXXXXX.....

The witnesses then withdrew

Verbatim proceedings of the sitting have been kept on record.

The Committee, then, adjourned.

xxxxxMatters not related to the Report.

Appendix-II

**MINUTES OF THE THIRD SITTING OF THE STANDING COMMITTEE ON
INFORMATION TECHNOLOGY (2020-21) HELD ON 16th OCTOBER, 2020**

The Committee sat on Friday, the 16th October, 2020 from 1100 hours to 1300 hours in Committee Room 'B', Parliament House Annexe, New Delhi.

PRESENT

Dr. Shashi Tharoor – Chairperson

MEMBERS***Lok Sabha***

2. Shri Karti P. Chidambaram
3. Shri Santosh Pandey
4. Sanjay Seth
5. Shri L.S. Tejasvi Surya
6. Shri Bhanu Pratap Singh Verma

Rajya Sabha

7. Dr. Anil Agrawal
8. Shri Y.S. Chowdary
9. Shri Syed Zafar Islam
10. Shri Nabam Rebia

SECRETARIAT

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Shri Y.M. Kandpal | - | Joint Secretary |
| 2. | Dr. Sagarika Dash | - | Additional Director |
| 3. | Smt. Geeta Parmar | - | Additional Director |
| 4. | Shri Shangreiso Zimik | - | Deputy Secretary |

List of Witnesses

Department of Telecommunications (DoT)

Sl. No.	Names	Designation
1.	Shri Anshu Prakash	Secretary
2.	Shri K. Ramchand	Advisor
3.	Shri S.B. Singh	Dy. Director General
4.	Shri P.K. Singh	Dy. Director General

Ministry of Home Affairs (MHA)

1.	Shri Govind Mohan	Additional Secretary (UT)
2.	Shri Ashutosh Agnihotri	Joint Secretary (CIS)
3.	Shri Shailendra Vikram Singh	Deputy Secretary (CIS)

State Government of Bihar

1.	Shri Amir Subhani	Additional Chief Secretary, Home Department, Bihar
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Government of NCT of Delhi

1.	Shri Ajay Kumar Gupta	Special Secretary (Home)
2.	Shri P.S. Kushwaha	DCP Special Cell, Delhi Police

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened.....xxxx.....xxxx.....to hear the views of the representatives of Department of Telecommunications, Ministry of Home Affairs, State Governments of Bihar and UT of NCT of Delhi on the subject 'Suspension of Telecom Services/Internet and its impact'.

3.XXXX....XXXX.....

4.XXXX....XXXX.....

5.XXXX....XXXX.....

(The representatives of DoT, MHA, State Government of Bihar and Government of NCT of Delhi were then called in)

6. The Chairperson welcomed the representatives of the Department of Telecommunications, Ministry of Home Affairs, State Government of Bihar and

Government of NCT of Delhi to the sitting of the Committee. Thereafter, the Committee discussed policy issues and practices regarding suspension of telecom and internet services, Supreme Court direction on orders issued under Section 144 CrPC for suspension of telecom services, Supreme Court observation that the existing Suspension Rules neither provide for a periodic review nor for a time limitation for an order issued under the Suspension Rules and its direction that until that gap is filled, the review Committee should conduct periodic reviews. Issues such as the reasonableness and proportionality of internet shutdowns, balancing the inconvenience to the public, lack of access to the governance and so on versus law and order were discussed in detail.

7. Members also raised pertinent issues such as powers of State Governments to issue orders for temporary suspension of telecom services, grounds on which internet shut downs are/can be ordered, subjectivity involved in decision making regarding imposition of internet shutdowns, misuse of internet shutdown for trivial purposes like prevention of cheating in exams or defusing local crimes which do not qualify under public emergency and public safety, tendency of State Governments to order frequent suspension of internet access amounting to intrusion in basic rights of the citizens etc. to which the representatives of the Ministries/State Governments responded. The representatives of State Governments shared their experiences with internet shutdowns in their respective States.

8. The Committee, then, deliberated on issues such as constitution of review committees by the States and Union Territories and their composition, powers of review committees to revoke the suspension orders, any other inbuilt safeguards being contemplated to prevent misuse of the Suspension Provisions, internet shutdown rules in other democratic countries and international practices in this regard, lack of any study or empirical data to gauge the effectiveness of internet shutdowns in India etc. While being surprised to find that no record whatsoever of telecom and internet shutdowns is maintained either by DoT or the MHA, the Committee desired that a nodal Ministry should maintain a record of all internet shutdowns in the country. The Committee also observed that India has not only

obtained the dubious distinction of being number one in the world in internet shutdowns but has more internet shutdowns every year than the rest of the world combined.

9. The Committee further desired to know the end-objective in ordering the internet shutdown and whether those objectives are actually fulfilled, the effectiveness of internet shutdown as a tool for maintaining law and order and whether any study can be conducted to gauge the effectiveness of internet shutdowns in India etc. The representatives of the Ministries/State Governments responded to the queries raised by the Members. The Chairperson directed that written replies to points on which information was not readily available may be furnished to the Committee.

10. The Chairperson, then, thanked the representatives of the Department of Telecommunications, Ministry of Home Affairs, State Government of Bihar and UT of NCT of Delhi for deposing before the Committee.

The witnesses then withdrew

Verbatim proceedings of the sitting have been kept on record.

The Committee, then, adjourned.

xxxxxMatters not related to the Report.

Appendix-III

**MINUTES OF THE SEVENTH SITTING OF THE STANDING COMMITTEE ON
INFORMATION TECHNOLOGY (2020-21) HELD ON 25TH NOVEMBER 2020**

The Committee sat on Wednesday, the 25th November, 2020 from 1600 hours to 1812 hours in Committee Room 'B', Parliament House Annexe, New Delhi.

PRESENT

Dr. Shashi Tharoor – Chairperson

MEMBERS***Lok Sabha***

2. Shri Karti P. Chidambaram
3. Dr. Nishikant Dubey
4. Ms. Mahua Moitra
5. Col. Rajyavardhan Singh Rathore
6. Shri Jayadev Galla
7. Shri Sanjay Seth
8. Shri Bhanu Pratap Singh Verma

Rajya Sabha

9. Dr. Anil Agrawal
10. Shri Md. Nadimul Haque
11. Shri Syed Nasir Hussain

SECRETARIAT

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Dr. Sagarika Dash | - | Additional Director |
| 2. | Smt. Geeta Parmar | - | Additional Director |
| 3. | Shri Shangreiso Zimik | - | Deputy Secretary |

List of Witnesses**Department of Telecommunications (DoT)**

Sl. No.	Names	Designation
1.	Shri K. Ramchand	Member (T)
2.	Shri Ranjan Ghosh	DDG (AS-I)
3.	Shri P.K. Singh	DDG (SA)
4.	Shri Robin Adaval	Director (AS-II)

Ministry of Home Affairs

- | | | |
|----|-------------------------|---------------------------|
| 1. | Shri Govind Mohan | Additional Secretary (UT) |
| 2. | Shri Ashutosh Agnihotri | Joint Secretary |
2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened.....xxxxx.....xxxxx.....to take final evidence of the representatives of Department of Telecommunications and Ministry of Home Affairs on the subject 'Suspension of Telecom Services/Internet and its impact'.
 3.xxxxx.....xxxxx.....
 4.xxxxx.....xxxxx.....
 5. Thereafter, the Chairperson directed that the representatives of the Ministry of Communications (Department of Telecommunications) and Ministry of Home Affairs may be called in for a conclusive evidence on the subject 'Suspension of telecom services/internet and its impact. As some Members raised objection to discussing the subject due to its sensitive nature, he assured the Members that the Committee were not dealing with any issues relating, in any way, to the direct problems and sensitivities of nation's national security apparatus and not going into questions that need to cause any concern. He also informed the Members that Secretaries of DoT and MHA have sought exemption from attending the sitting as they had to attend meeting chaired by Hon'ble Prime Minister. He informed the

Members that he had an interaction over phone with Home Secretary on two questions that remain pending *i.e.* compliance with the Supreme Court directive on review of internet shutdown in the UT of Jammu and Kashmir and maintenance of records on the number of internet shutdown by all the States. Home Secretary had agreed that the questions did not involve national security and hence decided to send Additional Secretary for the sitting.

6. Before the witnesses could be called, the same Members again raised objection on the ground that under Rule 331E of the Rules of Procedure and Conduct of Business, the subject cannot be taken up by the Committee since it relates to day-to-day activity of the Ministry. They drew attention of the chair to Rule 270 which provides that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Hon'ble Speaker whose decision shall be final. Hon'ble Chairperson informed the Members that the subject is a continuing subject from previous term of the Committee and the present Committee have re-selected the subject by consensus at their first sitting and subsequently the subject has also been bulletinized on 8th October, 2020.

7. The dissenting Members, thereafter, invited attention of Chairperson to Rule 261 which states that all queries in any sitting of a Committee shall be determined by a majority of votes of Members present in voting. They demanded that the questions whether the Committee can examine the subject should be put to vote under Rule 261 of Rules and Procedure and Conduct of Business in Lok Sabha. They also pointed out that the subject is sub-judice and any matter that is being discussed in the Court should not be taken up.

8. Chairperson informed the dissenting Members that the Committee are not contradicting the judiciary in any way, nor are the Committee arriving at a decision which could be at variance with the decision taken by the judiciary. The Committee are simply seeking information which is very much the prerogative of the Committee. Two sittings of the Committee have already been held on the subject

and the sitting has been convened for a final deliberation on the subject. In one of the sittings, after getting the approval of Hon'ble Speaker under Director 60 (1), the Committee have heard the views of the representatives of the State of Bihar and U.T. of NCT of Delhi alongwith the representatives of the Department of Telecommunications and Ministry of Home Affairs. In the above sitting, the Department of Telecommunications & Ministry of Home Affairs had assured to come back on many queries that remained unresolved on that day. As Members continued to demand a voting, Chairperson invoked Direction 54 of 'Directions by the Speaker Lok Sabha' which states as under:

"If a member desires to reopen a question on which a Committee has already taken a decision the member shall, in the first instance, obtain the permission of the Chairperson to do so."

He informed the House that some Members are trying to reopen a question i.e. not to discuss the subject and in the instant case Committee have already decided to examine the subject and he is not allowing them to reopen the question under Direction 54. Thereafter, he directed that the witness be called in.

(The witnesses were, then, called in)

9. The Chairperson welcomed the representatives of the DoT and MHA to the sitting of the Committee and informed them that the sitting has been convened mainly to hear answers on some of the issues that remained unanswered during the previous sitting of the Committee on the subject. He also made it clear that the Committee's interest is to understand issues at policy level and the question of principle of accountability to the Parliament and not to encroach upon matters of national security or day-to-day activities of the Ministries/Department.

10. Members then raised queries on issues, such as status of internet shutdown in the UT of Jammu and Kashmir post Gazette Notification of 10th November, 2020 on Suspension Rules, study conducted to assess the effectiveness of internet shutdowns, telecom or internet shutdown rules as prevailing in other countries, possibility of selective blocking of services, co-relation between internet shutdown and law and order, information regarding number of internet shut down by States,

definition of Public Emergency and Public Safety, safeguards measures, etc. The representatives of MHA and DoT responded to the queries raised by the Members. Chairperson directed that written replies to points on which information was not readily available may be furnished to the Committee.

11. The Chairperson, then, thanked the representatives of the Department of Telecommunications and Ministry of Home Affairs for deposing before the Committee.

The witnesses then withdrew

Verbatim proceedings of the sitting have been kept on record.

The Committee, then, adjourned.

Appendix IV**STANDING COMMITTEE ON INFORMATION TECHNOLOGY
(2021-22)****MINUTES OF THE SECOND SITTING OF THE COMMITTEE**

The Committee sat on Tuesday, 16 November, 2021 from 1600 hours to 1820 hours in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Dr. Shashi Tharoor- Chairperson

MEMBERS**Lok Sabha**

2. Smt. Sunita Duggal
3. Ms. Mahua Moitra
4. Shri P. R. Natarajan
5. Shri Santosh Pandey
6. Shri Jayadev Galla
7. Smt. Sumalatha Ambareesh

Rajya Sabha

8. Dr. Anil Agrawal
9. Shri John Brittas
10. Shri Jawhar Sircar

Secretariat

- | | | |
|--------------------------|---|---------------------|
| 1. Shri Y. M. Kandpal | - | Joint Secretary |
| 2. Dr. Sagarika Dash | - | Additional Director |
| 3. Shri Shangreiso Zimik | - | Deputy Secretary |

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened to consider and adopt Draft Report on the subject 'Suspension of Telecom Services/Internet and its impact' relating to the Ministry of Communications (Department of Telecommunications) and xxxxx.....xxxxx.....xxxxx

3. Thereafter, the Committee took up the following draft Reports for consideration and adoption. The Chairperson, then, gave a broad overview of the important Observations/Recommendations contained in the Reports.

- (i) 'Suspension of Telecom Services/Internet and its impact' relating to the Ministry of Communications (Department of Telecommunications); and
- (ii) 'xxxxx..... xxxxxx..... xxxxxx'

4. After due deliberations, the Committee adopted the Reports with slight modifications.

5. The Committee, then, authorized the Chairperson to present the above Reports to the House during the next Session of Parliament.

(.....xxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....)

- 6.xxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....*
- 7.xxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....
- 8.xxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....
- 9.xxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....
- 10.xxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....

.....xxxxx..... xxxxxx..... xxxxxx..... xxxxxx.....

Verbatim Proceedings of the sitting have been kept on record.

The Committee, then, adjourned.

*Matters not related to the Report.

GAHC010310492019



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL 78/2019

1: BANASHREE GOGOI
D/O- LT. GOLAP CH. GOGOI, R/O- 1B DISHA ENCLAVE, MANIK NAGAR, P.S.
DISPUR, GHY, PIN- 781005
VERSUS
1: UNION OF INDIA AND 7 ORS.
TO BE REP. BY THE SECY. TO THE GOVT. OF INDIA, MINISTRY OF HOME
AND POLITICAL, NEW DELHI-01
2: SECRETARY TO THE GOVT. OF INDIA
MINISTRY OF INFORMATION AND TECHNOLOGY
GOVT. OF INDIA
NEW DELHI-01
3: SECRETARY TO THE GOVT. OF INDIA
MINISTRY OF TELECOMMUNICATION
NEW DELHI-01
4: THE STATE OF ASSAM
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM
ASSAM SECRETARIAT
DISPUR
GHY-06
5: THE ADDL. CHIEF SECY. TO THE GOVT. OF ASSAM
HOME AND POLITICAL DEPTT.
ASSAM SECRETARIAT
DISPUR
GHY-06
6: THE DIRECTOR GENERAL OF POLICE
ASSAM
POLICE HEAD QUARTER
ULUBARI
GHY-07
7: THE COMMISSIONER OF POLICE
GUWAHATI CITY PANBAZAR
GHY-01
8: THE DY. COMMISSIONER
KAMRUP (M)

GHY-01

ASSA

Advocate for the Petitioner : MR K K MAHANTA

Advocate for the Respondent : ASSTT.S.G.I.

Linked Case : PIL 77/2019

1:DEVA KANYA DOLEY
D/O- MAHESH DOLEY
R/O- GOGAMUKH
P.O. KHURACHUK
PIN- 787034
DIST.- DHEMAJI
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
(REP. BY THE CHIEF SECY.) TO THE GOVT. OF ASSAM
DISPUR
GHY-6
DIST.- KAMRUP (M)
ASSAM

2:THE ADDL. CHIEF SECY. TO THE GOVT. OF ASSAM
DEPTT. OF HOME AND POLITICAL (A)
DISPUR
GHY-6
DIST.- KAMRUP (M)
ASSAM

3:THE UNION OF INDIA
REP. BY THE SECY. TO THE GOVT. OF INDIA
MINISTRY OF HOME AFFAIRS
NEW DELHI

Advocate for the Petitioner : SWATI. B. BARUAH (TG)
Advocate for the Respondent : GA
ASSAM

Linked Case : PIL 79/2019

1:AJIT KR. BHUYAN
S/O- LT. J. N. BHUYAN
R/O- 505
AKANKHYA MANSION
SHIV MANDIR PATH
P.O. KHANAPARA
GHY.- 781022.

VERSUS

1:THE STATE OF ASSAM AND 3 ORS.
REP. BY ITS ADDL. CHIEF SECY.
GOVT. OF ASSAM (HOME AND POLITICAL)
DISPUR
GHY.-781006.

2:THE DY. SECY.
GOVT. OF ASSAM (HOME AND POLITICAL)
DISPUR
GHY.-06.

3:THE UNION OF INDIA
REP. BY THE SECY.
MINISTRY OF COMMUNICATIONS (DEPTT. OF TELECOMMUNICATIONS)
SANCHAR BHAWAN
20 ASHOKA ROAD
NEW DELHI- 110001.

4:THE SR. DY. DIRECTOR GENERAL (AS)
MINISTRY OF COMMUNICATIONS (DEPTT. OF TELECOMMUNICATIONS)
SANCHAR BHAWAN
20 ASHOKA ROAD
NEW DELHI- 110001.

Advocate for the Petitioner : MR A C BORBORA
Advocate for the Respondent : GA
ASSAM

Linked Case : PIL 76/2019

1:RANDEEP SHARMA
ADVOCATE
GAUHATI HIGH COURT

S/O- LT. BHUPEN SHARMA
R/O- AMAYAPUR HOUSE
H.NO. 2
NEW SARANIA
GHY-03

DIST.- KAMRUP (M)
ASSAM

VERSUS

1:THE STATE OF ASSAM AND 2 ORS.
REP. BY THE CHIEF SECY.
GOVT. OF ASSAM
DISPUR
GHY-06

2:THE STATE OF ASSAM
REP. BY THE ADDL. CHIEF SECY.
HOME AND POLITICAL DEPTT.
GOVT. OF ASSAM
DISPUR
GHY-06

3:THE DGP
ASSAM POLICE HEADQUARTERS
DR. B.K.KAKATI ROAD
ULUBARI
GHY-07

Advocate for the Petitioner : MR. P PHUKAN
Advocate for the Respondent : GA
ASSAM

BEFORE
HONOURABLE MR. JUSTICE MANOJIT BHUYAN
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

19.12.2019

(Manojit Bhuyan, J)

1. These four Public Interest Litigations (PILs) are listed today in view of the orders of this Court dated 17.12.2019. The State respondents were required to place on record the materials which

weighed with them in continuing with the suspension of Internet/Mobile Data services. An affidavit has been filed on behalf of the respondent no.5 this morning i.e. 19.12.2019, which is available in the records of the case.

2. We take up these matters today for consideration of the interim prayers in the PILs, having regard to the affidavit of the respondent no.5 as well as with regard to the attendant circumstances.

3. Briefly stated, the four PILs have put challenge to the promulgation of Notifications, starting with the one issued on 11.12.2019 and the subsequent Notifications of the Government of Assam in the Political (A) Department, whereby in view of the then prevailing protests in different parts of State of Assam and amid apprehensions that such protests would intensify and snow-ball to adverse law and order situation in the State threatening public safety, the provisions of section 5(2) of the *Indian Telegraph Act, 1885*, read with the *Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017* was invoked prohibiting Mobile Internet/Data Service of all Mobile Service Providers for the next 24 hours in the 10 (ten) districts of Assam, as specified therein. In the subsequent Notifications the prohibition was extended to cover the entire State of Assam. Although in course of time and by the subsequent Notifications relaxation was made with regard to Broadband Internet Services, however, the suspension on Mobile Internet Service was not recalled, rather allowed to continue.

4. This Court had passed order on 17.12.2019 in one of the cases i.e. PIL 78/2019 by making observations to the following effect :

“2. Mr. K.K. Mahanta and Mr. U.K. Nair have impressed on the Court that although in the last three days it is absolutely visible that the conditions are normal, only demonstrations are being held in peaceful manner, there has not been any untoward incident in Guwahati which might be of violent nature, traffic has not been disrupted, working in the public offices has not been disrupted and yet the situation has not been pragmatically reviewed by the respondents. The suspension of internet and mobile data services continues. This is causing freeze in the entire functioning in the city, and in the State.

3. It has been impressed on the Court that even electricity supply has been snapped to certain houses of the lawyers because pre-paid meters have been installed, which can only be charged through internet. It has been impressed on the Court that the functioning of the Court has been seriously interfered with in so much as the cause list cannot be accessed without provision of internet/mobile data services. It has been pointed out that all the business establishments are only relying on data that flows through internet. Under the circumstances, none of the business establishments is able to transact business causing serious disruption in normal living of the citizens in the area. It has been pleaded that although curfew has been

relaxed in a phased manner, so much so today there is no curfew, however, no due consideration has been given to lift the suspension of internet and mobile data services. It has been impressed on the Court that the credit card and debit cards cannot be used. Even household essentials cannot be purchased. There are long queues outside ATM Kiosks. It has been pleaded that on account of such unreasonable action of the respondents, lives of all the residents of the area have been seriously affected. Even children are not able to fill forms for admission to the next course.

4. Mr. D. Mozumder and Mr. Keyal have informed the Court that broadband services has been restored today. It has been stated that review of the situation has been done. Mr. Mozumder contends that the order passed subsequent to passing of Annexure-I would be brought to the notice of the Court.

5. Having considered all the aspects of the case and in particular the dependence of the citizens on internet services which on suspension has virtually resulted in serious disruption of the lives of the residents, we deem it just and proper to observe that the respondents on considering inputs from various sources, may take a considered decision for restoration of mobile data and internet services etc. during the afternoon hours of the day beyond 3 o'clock. In case there is no disruption or untoward incident, the respondents may consider longer period of continuance of internet/mobile data services so that normalcy is returned in all walks of life.

6. We make it clear that maintenance of law and order shall remain the predominant factor. This provision is being made considering the improvement in the situation as observed in the last 3-4 days.

7. We hereby direct the respondents to place on record the entire material that weighed with the respondents in continuing suspension of internet/mobile data service“

5. Mr. D. Saikia, learned senior counsel representing the respondent no.5 have taken us through the affidavit dated 19.12.2019 to say that the Notifications enclosed thereto itself provides justification for suspension of Mobile Internet Service and continuation thereof, save and except, Broadband Internet Service. Reference is made to paragraph 15 thereof to say that a Review Meeting of the State authorities had taken place during the evening hours of 18.12.2019 and considering the inputs received from various intelligence agencies, a decision was taken to continue with the suspension of the Mobile Internet Service and bulk SMS for another 24 hours w.e.f. 9 a.m. of 19.12.2019 in the interest of public safety. In this regard Mr. Saikia have also produced a message received from the Director, IB, New Delhi for perusal of the Court only. The said message is in the nature of an advisory to alert the officers and to marshal their resources and ensure maintenance of law and order in their areas as intensification of protests is anticipated and the scale of protest programmes may increase in the days to come. This is what the affidavit dated 19.12.2019 and the message, aforesaid, primarily discloses. Mr. S.C. Keyal, learned Assistant Solicitor General of India submits that instructions are awaited and he would require time to file affidavit-in-opposition.

6. On behalf of the respective petitioners, submissions and arguments are made by Mr. K.K. Mahanta, learned senior counsel; Mr. A.C. Borbora, learned senior counsel and Ms. J. Kothari, Advocate. Legal points are raised as regards power and jurisdiction of the State authority in issuing the promulgation order, inasmuch as, section 5(2) of the *Indian Telegraph Act, 1885* do not provide for power to prohibit/suspend internet services. The usage of the term "law and order" is also alien to section 5(2). The decision of the Supreme Court of India in the case of *Shreya Singhal vs Union of India*, reported in (2015) 5 SCC 1 is also referred for the proposition that the expressions "public order" and "law and order" connote different meanings. Argument is also placed that there is no justification to continue with the suspension of mobile internet services when Broadband services have already been restored and there are no inputs of misuse of such service. Further, the curfew which was clamped during the height of disturbance has also been lifted, meaning thereby that the then adverse law and order situation have significantly waned. It is also argued that the Notifications are similarly worded and does not reflect due application of mind while issuing the same. Also, no review has been done for assessing the present situation to gauge whether there is any necessity to continue with the suspension of mobile internet services. In our view the arguments with regard to power and jurisdiction of the State authorities in issuing the Notifications under section 5(2) of the *Indian Telegraph Act, 1885* as well as the other legal points raised will require deeper consideration when the PILs are heard exclusively on its merits. For the moment, we would confine ourselves as to whether there is any justification to allow continuance of the suspension of mobile internet services.

7. Very importantly, no material is placed by the State to demonstrate and satisfy this Court that there exists, as on date, disruptions on the life of the citizens of the State with incidents of violence or deteriorating law and order situation which would not permit relaxation of mobile internet services.

8. Indeed, mobile internet services have its uses and misuses. Incidents of violence and vandalism that prevailed on the date of promulgation of the initial Notification, with apprehensions of misuse of the services that would stoke violent activities affecting public safety, indeed, justify the initial action of promulgation. But now no material is placed to show that there is no palpable shift of the situation and things have remained constant. In fact, over the last few days, and as brought to the notice of this Court by the counsels representing the petitioners, there is an obvious shift of situation to a better state of affairs. It is shown that although there are reports of sit-in demonstrations taking place even today, however, such protests are not reported to have yielded

disruptive and violent results. To say the least, with the advancement of science and technology, mobile internet services now plays a major role in the daily walks of life, so much so, shut-down of the mobile internet service virtually amounts to bringing life to a grinding halt. This is not to say that shut-down or suspension of service has to be viewed as an anathema. In given and specific situations, law permits suspension. But, would it be allowed to continue when the present situation do not justify its continuance; when the situation that prevailed on the date of issuance of the initial Notification is not shown to subsist as on date; when there has been an apparent shift to a state of normalcy on the lives of the citizens; when the period of acute public emergency which had necessitated suspension of mobile internet services have largely diminished, we would answer by observing that it is about time to make an interim direction for restoration of mobile internet services of all Mobile Service Providers, pending consideration and disposal of the present PILs on individuals merits.

9. In the above view of the matter, let Notice be issued returnable by 4 (four) weeks. Petitioners to serve extra copies of the petitions upon the counsels representing the State respondents.

10. As an interim measure, we make a direction to the State respondents, particularly the respondent no.5 i.e. the Additional Chief Secretary to the Government of Assam, Home and Political Department, to restore the mobile internet services of all Mobile Service Providers in the State of Assam, commencing 1700 Hrs (5 P.M.) today i.e. 19.12.2019. Needless to say, it would be open to the State authority to take steps to curb and stop dissemination of explosive messages, videos on various social media platforms which may have a tendency to incite violence and disruptions affecting public safety on cogent and justifiable grounds and materials.

JUDGE

JUDGE

Comparing Assistant

Internet services were suspended in India's northeastern States to control the ongoing protests against the controversial Citizenship Amendment Act. Delhi has suffered a comparatively milder clampdown with the suspension of telecom services. The Internet shutdown in Kashmir post the dilution of Article 370 has now exceeded 100 days. While public safety, national security and spread of misinformation are the most commonly stated reasons, there have been instances such as the one in Rajasthan in 2018 wherein Internet services were suspended to prevent cheating in examinations.

India now ranks at the top among countries with the most Internet shutdowns, accounting for 134 of the 196 documented shutdowns in 2018, as reported by Access Now (<https://www.accessnow.org/the-state-of-internet-shutdowns-in-2018>). We are followed by our neighbours Pakistan with 12 reported shutdowns, and Yemen, Iraq, Ethiopia & Bangladesh, each with greater than five shutdowns. A tracker (<https://internetshutdowns.in/>) maintained by the Delhi-based Software Freedom Law Centre reports 91 shutdowns in 2019. The most protracted Internet shutdown in India, lasting 133 days, was enforced in Kashmir in 2016 after the killing of Burhan Wani. The current communications blockade in Kashmir, since August 4 2019, is well poised to break this dubious record.

HIGH SOCIAL AND ECONOMIC COSTS AND QUESTIONABLE EFFECTIVENESS

Arbitrary Internet shutdowns are not only an attack on the civil liberties and the constitutional rights of the citizens, by the

State, but they have grave economic consequences too, with businesses and working professionals losing out on sales and job days. Moreover, it is suspect whether these shutdowns help in achieving the stated goals of maintaining law and order.

Internet and communications shutdowns, when in place, violate the fundamental freedom of expression. Access to the Internet brings to the fore voices from across the political spectrum, significantly increasing agency — perhaps the reason governments are wary of the Internet. People depend on the Internet to communicate with friends and family, share news and knowledge, and to hold public institutions accountable. So, it is certainly morally questionable to strip people of a fundamental right by indiscriminately disabling communications. Internet shutdowns not only curb dissent, but they give governments excessive control over the dissemination of information and a dominance over the narrative. Regular and indiscriminate shutdowns can have chilling effects on free speech in the long run.

The United Nations declared the Internet as a fundamental right in 2016. From Uber drivers to restaurants to garments shop owners, everyone depends on the Internet to facilitate their businesses. Unavailability of Internet leads to tangible monetary losses for these professionals. Students also increasingly rely on online resources for their education. Many government programmes and schemes such as food distribution & management through ration shops, Direct Benefit Transfers (DBTs), digital payments through the United Payments Interface (UPI) are built on the backbone of Internet and Communications Technology. A report by Deloitte (<https://internetsociety.org>

[org/policybriefs/internet-shutdowns](https://www.pewresearch.org/policybriefs/internet-shutdowns)) estimates losses of 0.4%-2% of daily Gross Domestic Product for each day of Internet shutdown. Arbitrary disruptions in these services lead to productivity losses and continued low investments in the economy.

Democratic governments must be accountable to the public and provide a rationale for disrupting Internet services in a timely manner. This is the way civil society can hold governments to the high standards of transparency and accountability that befits a democracy.

There is no conclusive evidence showing that Internet shutdowns lead to maintenance or restoration of public order. Jan Rydzak of *Stanford Global Digital Policy Incubator* notes in a **2019 study** (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3330413) that, ‘information blackouts compel participants in collective action in India to substitute non-violent tactics for violent ones that are less reliant on effective communication and coordination.’ Thus it becomes incumbent to ask, when, if at all, Internet shutdowns are a valid response to protests.

THE WAY FORWARD

Before completing blocking the Internet, it is essential to conduct a proportionality and necessity test. It is crucial to consider whether the same objective can be achieved by a less intrusive and more effective solution. It is also essential to conduct a cost-benefit analysis and choose a measure that minimises the short-term and long-term social and economic costs incurred.

For example, in the Rajasthan cheating case, the objective could have been met by restricting the entry of mobile phones into the examination halls, better invigilation, or even using signal-jammers in the halls. On December 28, 2014, an explosion occurred in Church Street, Bengaluru. Misinformation began to spread on social media, sometimes giving the blast a communal tinge. Bengaluru police quickly dismissed rumours by effectively engaging on its Facebook and Twitter pages thus preventing an escalation.

Democratic governments must be accountable to the public and provide a rationale for disrupting Internet services in a timely manner. In the interest of transparency, all governments should document the reasons, time, alternatives considered, decision-making authorities and the rules under which the shutdowns were imposed and release the documents for public scrutiny. This is the way civil society can hold governments to the high standards of transparency and accountability that befits a democracy.

Indiscriminate Internet blockades are not likely to safeguard public order in today's time and age. Indiscriminate shutdowns have high social and economic costs and are often ineffective. A proportionality and necessity test and cost-benefit analysis to determine the right course of action are essential at this juncture. Indian Civil society needs to push for a transparent and accountable system which ensure better internet Governance.