

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**LOK SABHA
UNSTARRED QUESTION NO. 3982
TO BE ANSWERED ON 18TH MARCH, 2020**

INTERNET SHUTDOWNS

3982. SHRI KODIKUNNIL SURESH:

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) the number of instances of internet shutdowns imposed in the country during each of the last three years, State/UT-wise along with the reasons therefor;
- (b) whether the Government is aware of the difficulties faced by general public and professionals including journalists and employees of technology companies and beneficiaries of internet enabled services seeking digitally signed documents due to prolonged internet shutdowns in Kashmir;
- (c) if so, the details thereof and the reaction of the Government thereto; and
- (d) the steps taken by the Government to review the conditions enabling the reversing of internet shutdown by the competent authorities?

ANSWER

**MINISTER OF STATE FOR COMMUNICATIONS,
HUMAN RESOURCE DEVELOPMENT AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI SANJAY DHOTRE)**

(a) In order to streamline the process of internet shutdowns in the Country, the Department of Telecommunications (DoT) notified “Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017” on 07.08.2017. As per these rules, the directions for temporary suspension of telecom services, including that of internet services in an area, can either be issued by the Union Home Secretary in case of Central Government or the State Home Secretary in case of State Government, due to public emergency or in the interest of public safety.

Ministry of Home Affairs (MHA) granted permission to Delhi Police for temporary shutdown of telecom services in certain parts of Delhi on 19th and 20th December, 2019, under the provisions of Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017.

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 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 internet shutdowns ordered by State Governments are not maintained by either DoT or MHA.

(b) & (c) Conscious of the requirements and difficulties likely to be faced by the general public and professionals including journalists etc., due to measures taken for safeguarding the sovereignty and integrity of India, the Security of the State, maintaining public order and for prevention of loss of human

life and property, the Government took various steps, which among other things included provision of internet facility at the offices of the all the Deputy Commissioners and other designated places/Dak Bunglows, access to internet through e-kiosks and special counters at prominent hotels/offices of District Srinagar, Anantnag (Pahalgam), Baramulla (Gulmarg) and Ganderbal (Sonamarg), etc.

The banking sector also continued to render the services to their customers. E-banking facilities were provided to designated branches of various banks.

Media Facilitation Centre was established and equipped with all the facilities to provide the uninterrupted internet services to the journalists, facilitating them to provide un-regulated coverage.

At present, the telecom services are being regulated in accordance with the principles laid down in the judgement dated 10.01.2020, passed by the Hon'ble Supreme Court in WP(C) No. 1031/2019 titled Anuradha Bhasin vs. UOI and others and the provisions of the Indian Telegraph Act, 1885 and the Rules made thereunder. Due care is being taken to ensure that the orders are issued only after satisfying the principle of proportionality-after due consideration of the various aspects viz, nature of urgency, goal intended to be achieved, existence of any alternate mechanism, necessity of the measure intending at imposing restrictions, assessment of all the available alternatives for implementation of least restrictive measure.

(d) The orders issued by the competent authority to the effect of regulating the use of telecom services are being reviewed periodically to ascertain that the same are being issued as per the principles laid down in the said judgment dated 10.01.2020 of Hon'ble Supreme court in the WP(C) no. 1031/2019 and 1164/2019 and in terms of the provisions of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017.
