Significance of Internet - Internet Shutdowns

What is the issue?

- With rising number of internet bans across the country, the crucial need of internet in day-to-day life is increasingly felt.
- Access to Internet must be recognised as a fundamental right to free speech, basic freedoms and the right to life.

What are the recent instances?

- There have been more than a 100 Internet shutdowns in different parts of India in 2019 alone.
- In Kashmir, the government imposed a complete Internet shutdown on August 4 2019 (scrapping off Art 370), which continues for months.
- The enactment of the Citizenship (Amendment) Act led to protests all over the country.
- State governments responded to this by suspending the Internet.
- Assam witnessed a suspension of mobile and broadband Internet services in many places, including in Guwahati for 10 days.
- There were Internet bans in Mangaluru, Delhi and Uttar Pradesh.
- These bans are being imposed under different provisions of the law.
- These include Section 144 of the Criminal Procedure Code (CrPC), Section 5(2) of the Indian Telegraph Act, 1885.
- Some are imposed without any legal provisions at all.

How significant is internet in people's life?

- Internet broadband and mobile Internet services are a lifeline to people in India from all walks of life.
- Internet is a main source of information and communication and access to social media.
- More than that, people working in the technology-based gig economy depend on the Internet for their livelihoods.
- E.g. delivery workers for Swiggy, Dunzo and Amazon and the cab drivers of Uber and Ola
- Internet is also a mode of access to education for students who do courses and take exams online.
- Access to the Internet is thus important to facilitate the promotion and

enjoyment of the right to education.

- The Internet provides access to transport for millions of urban and rural people.
- It is also a mode of access to health care for those who avail of health services online.
- Internet is a means for business and occupation for thousands of small and individual-owned enterprises selling products and services online.

Should internet be a right then?

- Access to the Internet is thus a right that is very similar to what the Supreme Court held with respect to the right to privacy.
- It is a right that is located through all fundamental rights and freedoms.
- Internationally, the right to access to the Internet is spelt out in Article 19 of the Universal Declaration of Human Rights.
- It 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.
- The Human Rights Council in a UN resolution made important declarations on promotion, protection and enjoyment of human rights on the Internet.
- The resolution affirmed that the same rights that people have offline must also be protected online.
- These include, in particular, freedom of expression, which is applicable regardless of frontiers and through any media of one’s choice.
- The Kerala high court too recently acknowledged this in the case involving Faheema Shirin, an 18-year-old BA student.
- She filed a petition seeking to set aside the rule that denied internet access to women students at night in her hostel.
- It is time that India recognises that the right to access to the Internet is indeed a fundamental right within constitutional guarantees.

Source: The Hindu

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