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Supreme Court upholds Internet ban by States

Supreme Court on Friday upheld the power of district and state authorities all over the country to impose a limited ban on mobile Internet.

Samanwaya Rautray | ET Bureau | February 12, 2016, 08:53 IST

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The [Supreme Court](#) on Friday upheld the power of district and state authorities all over the country to impose a limited ban on mobile [Internet](#) to prevent any law and order



problems, in a far-reaching decision which is likely to draw the ire of Internet freedom activists and social media regulars.

The Gujarat [government](#) had imposed a limited ban on accessing data services through the mobile in different cities during the recent Patidar agitation led by Hardik Patel to check unfounded rumours from adding fuel to the fire.

The state had invoked Section 144 of the CrPC, which allows the local administration to take steps to check law and order, to justify these short bans. That was first challenged by a student-social media activist in the high court by way of a PIL but the high court rejected his plea to set aside the ban.

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Law student Gaurav Sureshbhai Vyas then challenged it in the top court. Today, a bench, comprising Chief Justice of India TS Thakur and Justice R Banumathi, dismissed it. "It becomes very necessary sometimes for law and order," CJI Thakur observed while dismissing his appeal.

Lawyer Apar Gupta, arguing for the PIL petitioner, contended that the ban could not have been imposed under Section 144, a provision under the general law, when a special law specifically dealing with existed on the statute book. In this context, he referred to the Indian Telegraph Act which allows the central government to block specific sites. But the CJI wouldn't hear of it.

"There can be concurrent powers," the CJI remarked. Vyas' petition had argued that the state government's ban on Internet was irrational as it had left out broadband services out of its ambit. It also contended that a complete ban was arbitrary as it restricted the citizen's fundamental right to free speech.

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