

5. Internet also poses major challenge in **financial and organized crime** which destabilizes the system. It creates **threat to a company's security** because of what employees might disclose and they are on prime target for cyber criminals.
6. The other national and international users such as the political parties, NGO's, hackers pose a **serious threat using the internet**. For example, during the civil turmoil in the Arab Spring Uprising, the various governments were threatened through the social media.
7. Internet also seems to be playing a significant role in **polarizing different communities** in India and compounding India's Security challenges. The viral videos and false updates of communal clashes, riots and terrorists attack have created a massive impact in the life of public.

SC judgement on internet restrictions in Jammu and Kashmir (Anuradha Bhasin vs Union of India case, 2020)

Petition in this case **challenged the internet restrictions imposed in the UT of J&K** on August 5, 2019, post abrogation of Article 370. Restrictions were ordered **under the Temporary Suspension of Telecom Services (Public Emergency or Public Service) Rules, 2017**.

Court observed following things:

1. Freedom of speech and expression and freedom to carry on trade or profession through internet is a fundamental right under Article 19 of the Constitution.
2. Suspending Internet services indefinitely is impermissible under the rules and is unconstitutional.
3. Orders imposing internet curbs should **indicate the reasons for the necessity of such shutdown specifically stating the "unavoidable circumstance"** requiring such a measure. Such reasons should be in **accordance with restrictions under Article 19(2) and 19(6)**.
 - o Such orders should be published and will be **subject to judicial review**.
4. SC asked government to **consider restoring internet services in J&K to facilitate essential services** such as government websites, localised/limited e-banking facilities, hospitals services etc.

Judgement and the Balanced Constitutionalism:

SC has tried to **balance the question of restrictions on grounds of national security and the freedom and rights of citizens**.

1. **Threat of Terrorism vis a vis right to Internet access**
 - a. Court noted that **modern terrorism heavily relies on the internet** as the operations do not require substantial expenditure, are not traceable easily and **internet is being used to support fallacious proxy wars** by raising money, recruiting, and spreading propaganda/ideologies.