



COMPENDIUM

ON

HUMAN RIGHTS

VIOLATIONS IN

DIGITAL SPACE

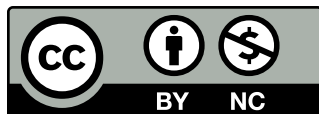
BIJO P. ABRAHAM

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LIST OF ABBREVIATIONS

UDHR	Universal Declaration of Human Rights
CPI (ML)	Communist Party of India (Marxist–Leninist)
BBC	British Broadcasting Corporation
DoT	Department of Telecommunications
ISP	Internet Service Provider
ISIS	Islamic State of Iraq and Syria
URL	Uniform Resource Locator
RSS	Rashtriya Swayamsevak Sangh
SP	Superintendent of Police
IAS	Indian Administrative Service
PM	Prime Minister
IPC	Indian Penal Code
UP	Uttar Pradesh
GSSSB	Gujarat State Subsidiary Selection Board
RTI	Right to Information
FIR	First Information Report
IT Act	The Information Technology Act
BSNL	Bharat Sanchar Nigam Limited
CrPC	The Code of Criminal Procedure
AIB	All India Bakchod
UK	United Kingdom
ATS	Anti-Terrorism Squad
UAPA	Unlawful Activities Prevention Act
MBA	Master of Business Administration
BJP	Bharatiya Janata Party
FoE	Freedom of Expression
FoAA	Freedom of Association and Assembly
RTP	Right to Privacy
ICCPR	The International Covenant on Civil and Political Rights
UN	The United Nations
ICT	Information and Communication Technology

SMS	Short Message Service
OBC	Other Backward Class
LTE	Long Term Evolution
GPRS	General Packet Radio Service
PAAS	Patidar Anamat Andolan Samiti
POCSO	Protection of Children from Sexual Offences Act
CID	Crime Investigation Department
IP	Internet Protocol
CCTV	Closed-circuit television
FB	Facebook
ISRO	The Indian Space Research Organisation

ACKNOWLEDGEMENTS

New security threats have emerged for people, businesses, and States with the advent of new technology. But, as a response to such threats, the State authorities' limitation of citizens' rights exercise have been criticised for their negative impact on human rights. Internet users are increasingly becoming vulnerable to hacking and theft online, abuse and cyber bullying, and data mining tactics by private interest groups.

Since Digital Empowerment Foundation (DEF) stands at the intersection of information exchange and access, it has partnered with Association of Progressive Communication (APC) and started working in the areas of Internet governance and rights. As part of this initiative, we have been exploring incidents of human rights violations in the digital space through media monitoring, which informs the content of this compendium.

This Compendium of Human Rights Violations in the Digital Space is a product of a collective effort by Digital Empowerment Foundation, APC IMPACT team, and many valued external advisors and contributors. The consultation held during the report relied on the generous support of many individuals.

I thank my colleague Bijo P. Abraham for demonstrating genuine and sincere commitment to collecting and compiling cases of human rights violations in the online sphere. I must also acknowledge my entire research and advocacy team Ritu Srivastava, Zothan Mawii, Eshita Mukherji, Sunil Kumar, and Gulshan Banas for supporting Bijo for this report. Many of our DEF ex-colleagues have provided valuable insight into the preparation and final drafting of this report. My gratitude is extended to all stakeholders who shared their valuable opinion on this report.

This report has been made, designed, and printed with much care and focus. However readers may excuse and forgive any errors and mistakes that have occurred unintentionally.

INTRODUCTION

The Internet has changed tremendously since its creation as part of the US Department of Defense's ARPANET system and the creation of the World Wide Web by Tim Berners Lee. Today, the Internet has become an important tool for communication with global financial systems and businesses relying on it, and the majority of the population reliant on it for everyday communications. It has become a part of daily life for most people in the developed world and an increasing number in the developing world. Because of its reach and ubiquity, it has emerged as an enabler of democratic rights like freedom of expression, and freedom of association and assembly in the online space. It must be stated that rights on the online space are not a new set of rights but rather are built upon prevailing human rights and standards of implementation. That is to say, human rights defenders and activists use the Internet and its affordances as a platform to fight for social, economic, and democratic reforms or as an enabler of human rights. Access to the Internet can help users realise fundamental rights on the digital space, giving power to common citizens to voice opinions and coordinate actions. Apart from this, the Internet can increase the opportunities and capabilities of citizens to form associations and peaceful assembly in both online and offline spaces. The Internet has had profound influence on the aforementioned rights, in particular, in the areas of freedom of expression and information, freedom of association and assembly, and right to privacy.

United Nations Human Rights Council passed a resolution condemning countries that deliberately disrupt Internet access. Though Article 12, 19 and 20 of the UDHR and Article 19(1) (a), (b) and (c)¹ of the Indian Constitution guarantee the right to privacy, freedom of speech and expression, and right to freedom of peaceful assembly, regulation of these rights through various laws can easily criminalise protests, assembly, and associations. Indian authorities have used various acts to criminalise free speech and censor content online although it is the responsibility of the government to protect these rights online just as they are protected offline.

This study focuses on online incidents of human rights violations. It emphasises relevant case studies and issues that curb fundamental rights and freedom on the digital space. The report also wanted to understand if and how freedom of expression, of assembly and association, and right to privacy were being curbed in the current framework. It also identifies structural factors such as gender norms, information access, network shutdown, and violence against women and children that impact free expression, assembly, association and privacy.

1. See: [http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock%20Pg.Rom8Fsss\(6\).pdf](http://lawmin.nic.in/olwing/coi/coi-english/Const.Pock%20Pg.Rom8Fsss(6).pdf)

The report identifies 165 cases through news monitoring on a daily basis from Indian national online newspapers in English, of which 70 incidents have been identified as violations of freedom of expression. There were 51 and 44 incidents identified related to violation of freedom of association and assembly, and violation of right to privacy.

OBJECTIVES OF THE STUDY

The main purpose of this compendium is to compile and present incidents of human rights violations on cyberspace in India. It is the first of its kind, dealing with violations online, and can be used as reference material for policy and law makers. The compendium presents different types of violations and crimes, and traces the growing sophistication of cyber crimes. As technologies become more advanced and widespread, users are exposed to myriad dangers that need to be monitored so that solutions can be devised and users be educated about safe use. As most Internet violations in India take the form of blocked webpages and websites, disconnected mobile Internet connections, and online harassment of women and children, this compendium can help policy and law makers identify gaps that need to be filled. It should also help lawyers and human rights defenders create user guidelines for safe Internet use and protect the Internet from state interventions and control.

METHODOLOGY

The close links between human rights and access to the Internet cannot be ignored in today's fast changing digital age. The nature of these links have received greater attention in recent days in growing light of the numerous ways in which technology has come to dictate almost every aspect of life, whether it be socialising, banking, accessing medical help, education, or accessing different livelihoods. As the Internet becomes increasingly crucial to daily life, the number of violations to users' right to access the Internet has increased. This paper provides a compilation of a few key tendencies of human rights violations in the online space around the country that have had an adverse effect on citizens' right to freedom of expression, freedom of association and assembly, and right to privacy. It traces trends of violations of human rights on cyberspace. This compendium was prepared by studying existing literature such as research papers, international and national human rights laws, and secondary research.

This study was based on qualitative content analysis of news discourses regarding human rights violations on freedoms of expression, association and assembly, and right to

privacy and its coverage by Indian national online broadsheets dailies in English. In this work, the author traced incidents of human rights violations on online platforms from February 2015 to January 2017 as reported in news outlets. The study focusses mainly on three break points to identify cases of human rights violations, specifically violations on right to freedom of speech and expression, right to freedom of association and assembly, and right to privacy. The first break point consists of blocking access to information such as website blocks, hate speech, online censorship on the basis of morality and decency, gender sensitisation, and so on. Whereas, the second break point, i.e., right to freedom of assembly and association includes restricting access to the Internet through network shutdowns, censoring and blocking social media pages due to communal violence, etc. Finally the last break point includes data breach, cyber-crimes against women and children, cyber bullying, stalking, defamation, hacking, and so on.

LIMITATION

This study focuses only on secondary data collected from news reports. As a majority of cases go unreported, news reports tend to show only a fraction of cases and may not be an accurate reflection of the state of cyber-crimes in India.

DEFINING HUMAN RIGHTS VIOLATIONS IN THE DIGITAL SPACE

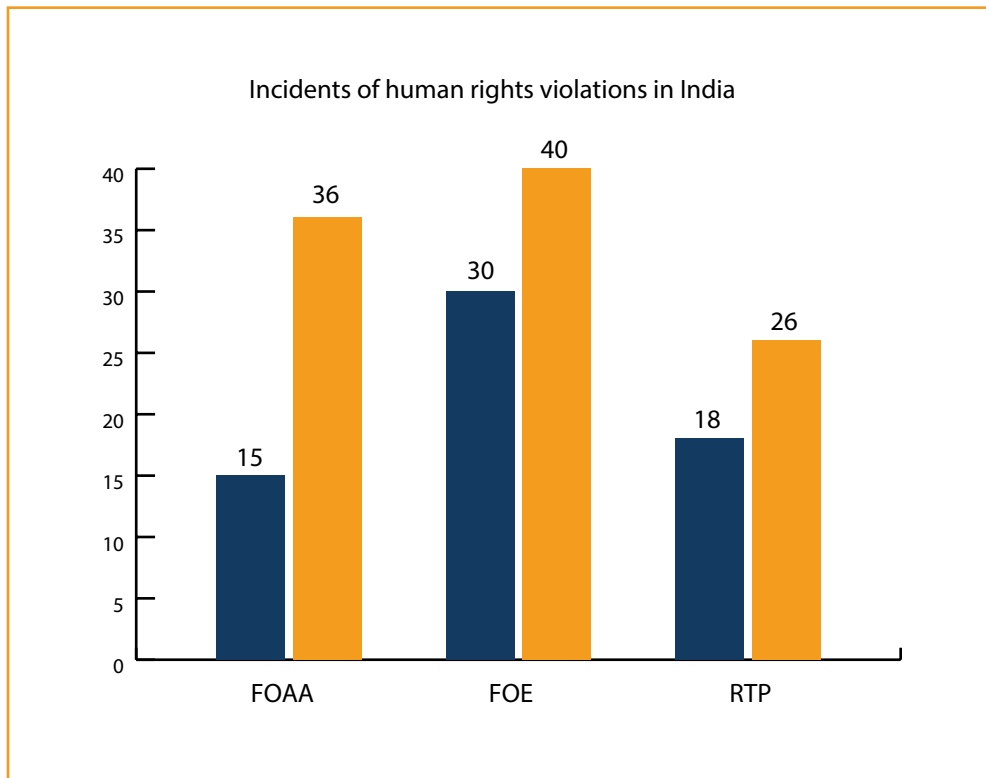
The advent of Internet and communication technologies provided vast opportunities for practicing basic rights to the citizen. According to Article 19 of the Universal Declaration of Human Rights, the freedom of opinion and expression includes the right to seek, receive, and impart information and ideas through any media and regardless of frontiers. As we comprehend freedom of expression, it is crucial to the existence of democracy. It comprises access to information, to information dissemination, to evaluate critically on and against the policies and actions of government and non-state actors, and it has also been the voice of the common citizen. The Universal Declaration of Human Rights (UDHR) states that, “Everyone has the right to freedom of peaceful assembly and association.”² Moreover, the International Covenant on Civil and Political Rights (ICCPR) states that, “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of [her or] his interests.”³ Freedom of information is an integral part of the fundamental right to freedom of expression, as recognised by resolution 59 of the UN General Assembly adopted in 1946, and Article 19 of the Universal Declaration of Human Rights (1948), which states that the fundamental right of freedom of expression encompasses the freedom “to seek, receive and impart information and ideas through any media and regardless of frontiers.” Recently, the apex court in India has declared that right to privacy is a fundamental right. While the right to privacy does not find any mention in the Constitution, however, it has been culled from Articles 19 and 21 which deal with right to life and liberty. Invasion of privacy also includes hackers damaging personal site, accessing confidential data, and stealing trade secrets with the use of Internet. It can also include virus attacks preventing systematic traffic from reaching your site. Violation of right to privacy also includes criminal activities done with the use of computers, i.e., financial crimes, sale of illegal articles, pornography, violation of intellectual property, spoofing, forgery, cyber defamation, cyber stalking, unauthorised access to computer system, theft of information contained in the electronic form, e-mail bombing, physically damaging the computer system, cyber terrorism, etc (Pahuja, 2011).

According various media reports there were 165 incidents of human rights violation reported

2. See: <http://www.un.org/en/universal-declaration-human-rights/index.html>

3. See: The International Covenant on Civil and Political Rights (ICCPR), Article 22 <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>

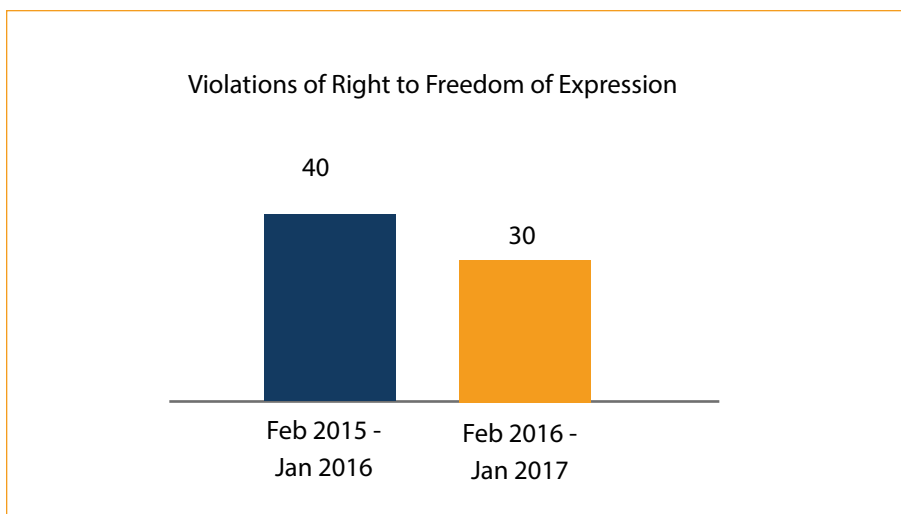
in India from February 2015 to January 2017. The graph given below shows that there is an increase in the violations reported in the second year of reporting with 102 incidents.



VIOLATION OF RIGHT TO FREEDOM OF EXPRESSION

After a month in office, Prime Minister Narendra Modi stated, "Our democracy will not sustain if we cannot guarantee freedom of speech and expression." (Quoted in Alam, 2016). During the case between Shreya Singhal v. Union of India on March 24, 2015, the Supreme Court observed that, "When it comes to democracy, liberty of thought and expression is a cardinal value that is of paramount significance under our constitutional scheme." (Quoted in Bajoria & Lakshir, 2016). India's Constitution protects the right to freedom of speech and expression but also provides restrictions to protect national interest, security, and integrity. However, the central and state governments do not always follow these laws and oftentimes take severe action to criminalise peaceful expressions. Violation of freedom of speech and expression consists of blocking access to information such as website blocks, hate speech, online censorship on the basis of morality and decency, gender sensitisation, and so on

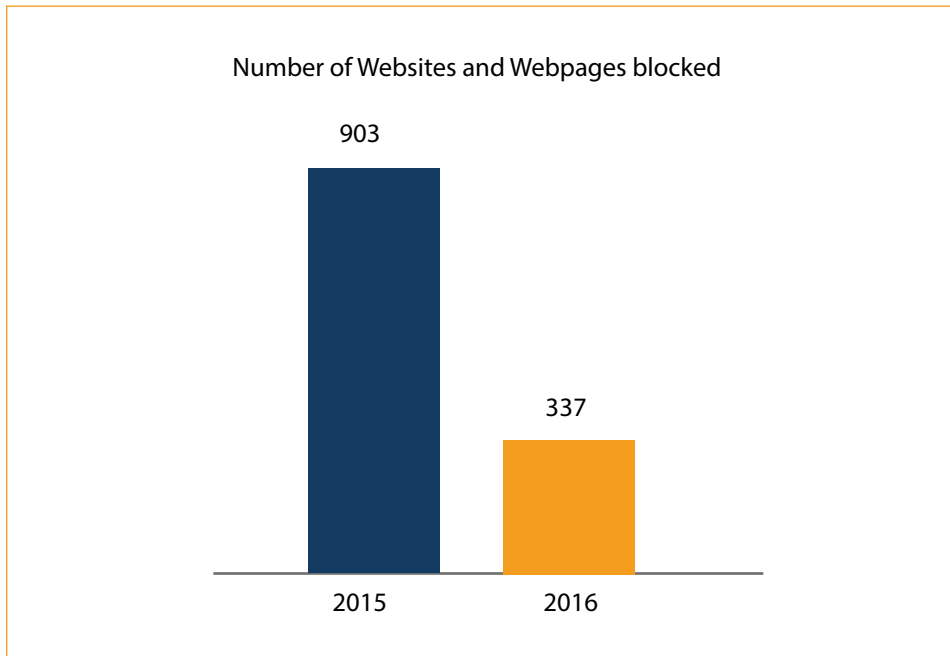
According to various news reports, there were 70 incidents violating freedom of expression from February 2015 to January 2017. Some prominent persons who have been charged with sedition laws include CPI (ML) Polit Bureau member Kavita Krishnan, propagandist folk singer Kovan, Assamese singer Bhrigu Kashyup, a freethinker blogger from Bengal, Tarak Biswas, Malayalam writer Kamal Chavara, etc. The sedition law was once practiced in the colonial period by the then rulers to silence the voice for freedom mainly against nationalist leaders (Dev, 2016). The irony is that it is still used even today in independent India by democratically elected governments to silence dissent. Great Britain abolished the sedition law considering it a threat to democracy in 2009. The then Parliamentary Under-Secretary of State (Britain) at the Ministry of Justice, Claire Ward, said at the time of the act's abolition: "Sedition and seditious and defamatory libel are arcane offences - from a bygone era when freedom of expression wasn't seen as the right it is today." "Freedom of speech is now seen as the touchstone of democracy, and the ability of individuals to criticise the state is crucial to maintaining freedom," she further stated (from Sonwalkar, 2016). It is high time sedition laws are reconsidered in a vibrant democracy like India, when even its originating authority has abolished it.



WEBSITE AND WEBPAGES BLOCKS

The Government of India has blocked thousands of websites and URLs over the years. Reasons for website blocks vary from its content included in the website. According to various sources, reasons for website blocks can be categorised into multiple topics. There were a number of cases of online censorship initiated on the basis of objectionable content, decency, and immoral content hosted on the website of webpages. Yet another reason for websites block is for preventive measures to avoid spreading of rumours during riots, communal violence etc. There were incidents of websites block as precautionary measures which found the presence of Islamic State (IS) content. There had been also incidents of blocking websites to avoid online piracy of certain movies and the copy right issues. Anti-Terrorism Squad (ATS) in India had blocked websites under the blocking rules of IT act 2011 for 'objectionable content' on grounds of national security. In a few occasions, the Department of Telecommunications haven't disclosed the reason for the website blocks. According to a report "Shrinking spaces: Status of freedom of association and assembly in India", 1240 websites and webpages blocked in India. This includes 857 porn websites that blocked on the grounds of morality and decency. Reasons for website blocks vary from its content included in the website. According to various sources there were multiple reasons included for all the incidents of blocking. A few incidents have been taken place due to objectionable content in the website of webpages. 857 porn website was blocked by the court order as morality and to avoid violence against women and children. Concerning pornographic content, the distribution or sale of pornographic content is a crime, whereas viewing or reading such content is not (Kaul Padte, 2014). Department of Telecommunication, with the various

provisions in the IT act and court orders have blocked a few of the websites due to preventive measures and to avoid spreading of rumours during riots, communal violence etc. A few URLs were blocked after violence broke out between Hindus and Muslims in Muzzafarnagar of Uttar Pradesh. According to 'John Doe' orders⁴ some of them had been blocked to avoid online piracy of certain movies and the copyright issues on telecasting certain international tournaments such as FIFA world cup and ICC world cup.



On March 6, 2015 a controversial BBC documentary 'India's Daughter' was blocked in India within hours of its upload. The documentary was removed from video-sharing site YouTube at the same time. This act was a clear instance of violation of the right to freedom of speech and expression and the right to information.

“ The YouTube spokesperson said, “While we believe that access to information is the foundation of free society, and those services like YouTube help people express themselves and share different points of view, we continue to remove content that is illegal or violates our community guidelines, once notified.” (Quoted in Arora, 2015).

In another case, the Government of India ordered the blocking of at least 40 web pages

4. “John Doe” orders or “John Doe” injunctions are “cease and desist” orders passed by a court of law against anonymous entity/entities. The principle is that the person who is a threat is not known as they are veiled being many in number backed by unknown identities. These orders in the recent times have been issued in matters of protecting copyrights. The protection of books before release, prevention of movie piracy, preventing showcase of movies in cable network during the time of theatre release, and even stopping telecast of live sports events have all been achieved through useful utilisation of “John Doe” orders.

with inflammatory content relating to a minority community including posts on social media and popular video sharing platforms. The government issued the order under the Information Technology (Procedure and Safeguards for Blocking Access of Information by Public) Rules, 2009.

The order came on June 29, 2015, and was issued to all Internet Service Providers (ISP) with instructions to block most posts. The DoT issued another order on July 8 directing ISPs to block social media accounts and posts as well as videos posted on popular video sharing platforms, which were found to be carrying content aimed at provoking a particular minority community in the neighbouring country of Myanmar.

The websites purportedly contained material about alleged ISIS members, who were arrested by NIS, and three other individuals suspected to be associated with other terror groups; and were being used to involve Indian youth to join ISIS, and to spread news about the alleged death of certain persons while fighting Allied Forces in countries like Afghanistan and Iraq.

According to Indian laws, the distribution and sale of pornographic content is a crime, however, viewing or reading such content is not (Kaul Padte, 2014). On August 3, 2015, the Government of India banned access to 857 websites that contained pornographic content (IndiaToday.in, 2015). The Department of Electronics and Information Technology had directed Internet service providers to block access to these URLs under the provision of Section 79(3)(b) of the Information Technology Act, 2000⁵. The directive stated that content hosted in the websites related to morality and decency as given in Article 19(2) of the Constitution of India.

GENDER SENSITISATION AND FREEDOM OF EXPRESSION

The 2010 Report of the United Nations Special Rapporteur on the Promotion and Protection of the Rights to Freedom of Opinion and Expression reiterated “the undeniable link between freedom of expression and women’s human rights, which include the right to express their opinions, to have access to their own means of communication and to work in the existing mass media.” (From Joseph, 2014). There were a number of incidents of violation of gender rights on the space of freedom of expression.

On February 18, 2016, a village in the district of Mehsana in Gujarat banned mobile phones for unmarried women. According to a news report, local authorities passed an order to fine women Rs. 2100 (\$33) for using or possessing a mobile phone (Dave, 2016). Informers would get Rs. 200 (\$3) as reward.

5. See: <https://indiankanoon.org/doc/161852741>

The village Sarpanch, Devshi Vankar said,

“Why do girls need cell phones? Internet is a waste of time and money for a middle-class community like them. Girls should better utilise their time for study and other works.”

The only relaxation to the rule is that if a relative wants to talk to a girl, her parents can pass on their phones for conversation. The village heads decided to enforce these rules to regulate women’s lifestyles. Community leaders felt that just like liquor, the use of cell phones by unmarried women creates a nuisance in society. It is a clear case of violation of right to information, freedom of expression, and violation on the grounds of gender discrimination (Article 15 of the Indian Constitution).

DEFAMATION AND FREEDOM OF EXPRESSION

Several incidents were reported against individuals across the country for sharing highly “defamatory and inflammatory” morphed pictures.

In a case that took place on March 18, 2016, two youths were arrested in Madhya Pradesh for sharing morphed images of Rashtriya Swayamsevak Sangh (RSS)⁶ chief Mohan Bhagwat online. They were arrested for sharing an image combining Mohan Bhagwat’s torso with that of a woman’s body clad in brown pants. The image was to make fun of the RSS’ decision to alter their dress code. A first year degree student, Banthia, had shared the image on WhatsApp, while another youth, Shaikh, had posted it on his Facebook account.

The officer in charge of the Gogawa police station said that

“Banthia was neither the group admin nor had he created the image. He had only shared it on a WhatsApp group of which he was a member.”

Additional SP Antra Singh Kamesh said,

“[B]oth were arrested for sharing the same image and that invocation of Section 505(2) (Whoever makes, publishes or circulates any statement, rumour or report) in the case was self-explanatory.”

The youths were charged under Section 67 of the Information Technology Act and 505(2) of the Indian Penal Code. Section 67 relates to publishing obscene material in electronic form, while Section 505(2) pertains to statements creating or promoting enmity, hatred or ill-will between classes. Both charges can lead to a maximum of three years’ jail. They were arrested almost a year after the Supreme Court brought the Internet within the contours of free speech by striking down Section 66A of the Information Technology Act.

6. Rashtriya Swayamsevak Sangh (RSS), also called Rashtriya Seva Sangh, organization founded in 1925 by Keshav Baliram Hedgewar (1889–1940), a physician living in the Maharashtra region in India as part of the movement against British rule and as a response to rioting between Hindus and Muslims

FREEDOM OF EXPRESSION AND ONLINE CRITICISM

Many writers, activists, and bloggers are intimidated into self-censorship for fear of arrest, harassment, or even threat to life. On November 26, 2015, the Facebook profile of a senior journalist from Kerala was deactivated when she wrote about the sexual abuse that her classmates encountered in their younger days in a madrasa on her Facebook page. She came under a fierce attack on social media for daring to speak out. The journalist released a statement in which she said:

“In this case, their intolerance to my opinion is due to the fact that I am a woman from their community. They are scared of more women speaking out. Instead of targeting me they should try to ensure that women from the community get justice. Being silent about issues is not a solution”

On May 30, 2016, the Government of Madhya Pradesh sought an explanation from IAS officer Ajay Gangwar for his Facebook comments against the union government and PM Narendra Modi. He had posted a comment on Facebook criticising PM Narendra Modi and praising India’s first PM, Jawaharlal Nehru. He was asked to provide an explanation from his statements by the state government. He was transferred from his post of collector and was placed at the secretariat due to the statements he made on Facebook. Calling it a serious violation of freedom of expression, a delegation of Congress legislators met state Chief Secretary Anthony de Sa and demanded that the officer be reinstated.

In another example of violation of freedom of expression, folksinger Kovan, of ultra-Left arts and literary outfit ‘Makkal Kalai Ilakkiya Kazhagam’, was arrested in Tiruchirappalli, Tamil Nadu, on October 30, 2015, for alleged sedition upon uploading “defamatory” electronic content against Chief Minister J Jayalalitha and “disturbing” public peace. He was arrested for content created about the liquor vending policy of Tamil Nadu government, which reportedly showed Jayalalitha in bad light. The allegedly defamatory content in the form of videos were uploaded on some Tamil websites and had gone viral on messaging platforms like WhatsApp.

On November 12, 2016, it was reported that a 19 year old student who was an RTI activist was arrested by Madhya Pradesh police for his social media posts which attacked PM Narendra Modi and the state’s Chief Minister Shivraj Singh Chouhan on the issue of demonetisation. According to reports, he was arrested after a couple of days of demonetisation. He was granted bail after the police deleted all his posts. The police filed an FIR against him under the section 469 of the Indian Penal Code (forgery for harming reputation) and 66C of the Information Technology Act, 2000 (identity theft)

“Ravikant Dehariya, a cyber-cell official said, “Abhishek was involved in posting offensive comments and posts against the chief minister and other important dignitaries. He was also running a website. We arrested him, deleted all the posts from his Facebook and also blocked his website.”

PROVOKING COMMUNAL VIOLENCE AND FREEDOM OF EXPRESSION

Two youths from Sultanpur Lodhi area of Kapurthala district in Punjab were booked on October 17, 2015, for allegedly running a website and a social media page on which they uploaded provocative material. One of them was living in Canada. Police accused them of using forged identities to run a website. Sources reported that police officers were worried that information about recent disturbances in Punjab, especially the firing in Kotkapura, were spreading quickly on social media. The police and state government were at the receiving end of violence and they hoped to contain the situation. Police officials started monitoring social media and tracked the provocative material that was being uploaded to 'Fateh Channel'. The channel was being run illegally and police found that forged identity papers had been used. They were booked under sections 420, 465, 467, 468, 471 of the IPC for cheating and forgery.

On October 5, 2015, social media played a role in spreading messages that Mohammad Akhlaq from Dadri had slaughtered a cow. The UP police had to diffuse nearly five incidents of communal tension in various villages in Dadri. Police kept a particularly close eye on WhatsApp groups where most of conversations between village youth had been taking place. It was through social media and messaging apps that word spread about Akhlaq's alleged actions – slaughtering a cow and subsequently storing the meat in his fridge. Pictures of the meat and body parts of the animal were shared many times on various social media platforms. The police reported that a case had been registered with regard to the matter and against those that spread rumours on social media. This is an example of a case where social media and the Internet played a role in escalating a situation leading to a crackdown on Internet services.

VIOLATION OF ACCESS TO INFORMATION

Transparency and access to information are essential for a rights-based democratic system. It envisages good governance and development. Accessing information empowers citizens to practice their rights. There were a number of instances of denial of access to information.

This incident states that the Gujarat government blocked mobile Internet services for four hours across the state on February 28, 2016. The Gujarat Gaun Seva Pasandgi Mandal (Gujarat State Subsidiary Selection Board or GSSSB) conducted Revenue Talatis (Accountants) recruitment exam in the state from 10 AM to 1 PM. The decision to block mobile Internet services had been adopted as a preventive measure to avoid cheating in the examination. Internet service providers were asked to shut down all online social media platforms to prevent the misuse of mobile phones during the exam.

See Annexure for more case stories on Violation of Freedom of Speech and Expression

STATE WISE DATA OF HUMAN RIGHTS VIOLATIONS ONLINE (FEB 2015 - JAN 2016)

STATES	FOE	FOAA	RTP
Gujarat	3	5	0
India[1]	6	0	4
Jammu & Kashmir	4	5	0
Manipur	0	1	0
Meghalaya	0	1	0
Karnataka	2	0	0
Kerala	2	0	1
Maharashtra	5	0	8
Nagaland	1	1	0
New Delhi	1	0	1
Rajasthan	1	2	0
Tamil Nadu	1	0	1
UP	4	0	0
Andhra Pradesh	0	0	0
Haryana	0	0	1
Odisha	0	0	1
Punjab	0	0	0
Telengana	0	0	1
Total	30	15	18

STATE WISE DATA OF HUMAN RIGHTS VIOLATIONS ONLINE (FEB 2016 - JAN 2017)

STATES	FOE	FOAA	RTP
Arunachal Pradesh	0	1	0
Bihar	1	1	0
Haryana	0	6	0
Jammu & Kashmir	4	12	0
Jharkhand	0	1	0
Maharashtra	3	1	6
Manipur	0	1	0
Rajasthan	0	6	0
UP	0	2	2
Telangana	2	0	1
Assam	1	0	1
Gujarat	5	3	1
India[1]	8	0	3
Kerala	6	0	2
Madhya Pradesh	6	0	0
Tamil Nadu	1	0	3
West Bengal	3	0	2
New Delhi	0	0	4
Odisha	0	0	0
Nagaland	0	2	0
Punjab	0	0	1
Total	40	36	26

VIOLATION OF RIGHT TO FREEDOM OF ASSEMBLY AND ASSOCIATION

Freedom of Assembly and Association (FoAA) is fundamental to democracy. The 2012 resolution of the United Nations⁷ emphasised the right to freedom of peaceful assembly and association (FoAA) as a human right. Denying access to Internet to withhold FoAA is a violation of human rights and international law. One of the general recommendations of the UN Special Rapporteur, Maina Kiai, on the right to freedom of peaceful assembly and association is, “to recognize that the rights to freedom of peaceful assembly and of association can be exercised through new technologies, including the Internet”. He has noted that, “The Internet, for example, is not just a means for people to assemble and associate in the real world – it is a place of assembly and association itself.”⁸ He also recognised the role of social media and ICTs, stating that, “the increased use of the Internet, in particular social media and other information and communication technology, as basic tools ... enable individuals to organise peaceful assemblies.”⁹

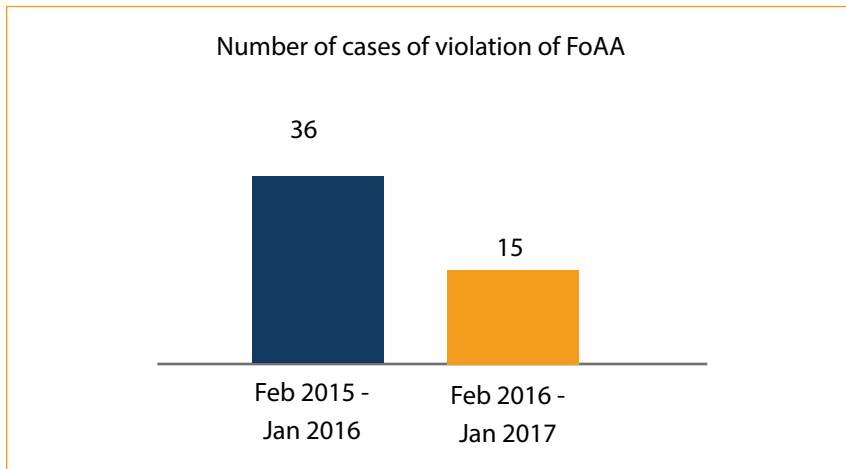
INTERNET SHUTDOWN

Since February 2015, there have been a number of network shutdown incidents that have violated the right to freedom of assembly and association. Fifteen incidents reported between February 2015 and January 2016 were in violation of the right to freedom of assembly and association on the Internet. Similarly, 36 cases were reported by various newspapers between February 2016 and January 2017 that violated FoAA on the Internet.

7. See: <http://freeassembly.net/wp-content/uploads/2013/11/AHRC2116-2012.pdf>

8. See: http://freeassembly.net/news/hrc-resolution_21-16/

9. See: http://freeassembly.net/news/hrc-resolution_21-16/



One cannot overstate the potential of messages on social media to spread fear and panic among the population. However, that is no justification for state-wide ban on Internet services to maintain law and order. State authorities of affected states, especially Gujarat where this is rampant, could have exercised caution and looked to Mumbai police commissioner Rakesh Mari's example. Mari used WhatsApp and SMS services to counter communal tensions. In January 2015, tensions rose in Mumbai's Lalbaug area after traffic police stopped some youths for rash driving (Hafeez, 2015). An argument ensued and there was an alleged assault on a policeman. Local youths joined in and the matter soon escalated. The Mumbai police worked with telecom operators and instructed them to send messages requesting people to ignore rumours and assured them that the city was safe. Social media and digital technologies can be used to prevent and contain volatile situations if used properly. Banning Internet services inconveniences people and prevents them from going about their daily lives, and is an assault on their human rights.

The right to freedom of assembly and association has been violated in a large number of cases reported in India. Haryana state authorities blocked mobile Internet services on February 22, 2016, in the districts of Rohtak, Sonipat, and Jhajjar in Haryana after the Jat community's protest demanding reservations turned violent. Besides mobile Internet, SMS services were also been banned for a while. The police used Section 144 of the Criminal Procedure Code (CrPC) which addresses unlawful assembly to ban mobile Internet services as well as assemblies with over five people.

In another incident on August 25, 2015, the Gujarat police blocked WhatsApp and mobile Internet after a state-wide bandh was called for by Patidar Anamat Andolan Samiti leader Hardik Patel. The ban took effect at a rally led by Hardik Patel, the convenor of the Patidar Anamat Andolan Samiti, to demand Other Backward Class (OBC) status for members of

the Patidar community in order to access higher educational institutions and government jobs. Police arrested Hardik Patel during the rally, in which around 1.5 million Patels had joined. Patel sent out messages via WhatsApp just after his arrest, urging citizens to maintain peace.

“ Hardik Patel said, “I make an appeal to maintain peace and keep calm. I give a call for Gujarat bandh tomorrow (Wednesday). This decision has been taken by Patidar Anamat Andolan Samiti considering widespread violence in the state.”

However, his supporters ignored his advice and there were reports of large scale violence in parts of Gujarat. The police, wary of rumours being spread through the messaging app WhatsApp, got the state government to block all Internet services including 3G and 4G/LTE connectivity in Gujarat.

COMMUNAL VIOLENCE AND FoAA

In recent years, rights to freedom of peaceful assembly and association have come under serious attack in India due to communal violence. After coming to power by a right wing nationalist party at the centre, there communal issues related crackdowns on FoAA have intensified. Peaceful assembly and gathering have been suppressed by the right wing group.

“ Mobile and broadband Internet services were disconnected to prevent misuse of social media platforms due to violent communal clashes in Bihar on October 15, 2016. The shutdown was called following communal clashes that were instigated during the immersion of Durga idols and Tazia processions. Railway services were disrupted, markets and schools were shut, and Internet services were suspended in Bihar. Authorities imposed Section 144 of CrPC in a few districts in the state. A district official stated, “In Gopalganj, communal tension entered second day on Saturday. The administration has imposed Section 144 CrPC and temporarily banned Internet services.”

Bhojpur District Magistrate Birendra Prasad Yadav said,

“Internet services were banned to check rumours on social media since Friday morning. Some people were active on social media sites like WhatsApp and Facebook had spread rumours to incite people.”

Another network shutdown was reported in Haryana on January 30, 2017. The district administration in Jhajjar, Haryana stopped all mobile Internet services including 2G, 3G, 4G, voice calls, GPRS, SMS services and bulk messages. The shutdown was ordered right before the Jat community was to commence their agitation for reservations. The district magistrate directed all telecom service providers to ensure compliance of these orders. A spokesperson for the administration stated, “these decisions have been taken to prevent disturbances of public peace and tranquillity”.

An indefinite curfew was imposed in Bhilwara district in Rajasthan on October 24, 2015, when two communities clashed over loud music being played in the area. Police were deployed to diffuse the situation when the communal clash turned violent and a person was killed. Section 144 of CrPC was imposed and Internet services were suspended due to tensions in the area.

Bhilwara district Collector Tina Kumar told The Hindu, “The situation has been brought under control and Islamuddin’s body will now be sent for a post-mortem. However, Section 144 [of the Criminal Procedure Code] remains imposed [in Bhilwara] and Internet services will remain suspended for 24 hours.”

BLOCKING MEANS OF COMMUNICATION

Information and communication technology gives opportunity and means to freedom of speech and association. Restricting freedom of expression and association by curbing Internet through blocking SMS, data services, calling facilities, etc. have occurred several times in India. For instance, mobile Internet services and bulk SMS were blocked for two days on October 10, 2016, in Nashik district when protests erupted over the alleged rape attempt of a five year old girl by a teenaged boy. The state police ordered the suspension of Internet and bulk messaging services to maintain peace and check the spread of rumours and provocations in the area after the incident came to light. The information officer said that suspension of Internet services and bulk messages was to maintain peace and prevent rumour-mongering on social media during a volatile and sensitive situation.

The government run telephone and Internet service provider, Bharat Sanchar Nigam Limited (BSNL) reduced the bandwidth of broadband in Jammu and Kashmir to prevent the Jamia Masjid chalo march. Sources said that net speed was reduced to thwart the Jamia Masjid chalo march, the call for which was given by the joint resistance leadership.

All access to Internet was blocked in Manipur on July 29, 2016, following a violent protest that left eight people dead. Babloo Loitongbam, a prominent Manipuri activist and Executive Director of Human Rights Alert, said, “It is not something that has been done officially, but Internet access is always a problem in Manipur. Sometimes it is connectivity, but sometimes it’s done deliberately to block information from going out. It’s done quietly and nobody knows. People think that it’s just a technical glitch but [it seems to be] blocked when the government wants to restrict information.”

By banning Internet services, authorities impose severe restrictions on the freedom of assembly and association. ICTs and the Internet have become crucial to organising protests, planning assemblies, and enabling open lines of communications between all stakeholders. What is required in these instances is for authorities to steadfastly protect citizens’ rights and instead find novel ways to contain potentially volatile situations.

Digital tools can be used to do just that within the confines of law and human rights statutes.

There were number of violation of FoAA occurred in Jammu and Kashmir by curbing Internet access in the name of national security. For instance, on April 16, 2016, strict restrictions like suspension of mobile Internet were imposed in Kupwara town, Kralgund, Handwara, Magam, and Langate areas in north Kashmir to maintain law and order. Curfew-like restrictions continue in parts of Kashmir. The restrictions were imposed following death of three persons during protests against alleged molestation of a girl by a soldier in Handwara town. Authorities stated that mobile Internet services were curbed to counter rumour mongering.

Yet another incident of mobile Internet suspension occurred in Jammu and Kashmir on July 26, 2016. All private telecom companies in Jammu and Kashmir were asked to block both Internet and voice services for a day “as a precautionary measure” to curb “anti-national elements from spreading any misinformation”.

See Annexure for more case stories on Violation of Freedom of Association and Assembly

VIOLATION OF RIGHT TO PRIVACY

Due to the push by digital technology, matters pertaining to privacy of data and information shared online have come to the fore. Substantial numbers of women have experienced gender based abuse online—whether it be blackmail, harassment, intimidation, stalking, or dissemination of private content without consent. United Nations Special Rapporteur on the Promotion of Freedom of Expression, David Kaye, pointed out that gender based abuse and violence online are undeniably a scourge, and government and corporations have to take action against it. According to him, censorship and undue restrictions on content could end up undermining the rights of women (India Blooms News Service, 2017). United Nations Special Rapporteur on Violence Against Women, Dubravka Simonovic, said that women victims and survivors need transparent and fast responses and effective remedies which can be achieved if both states and private actors work together and exercise due effort to eliminate online violence against women. Article 21 of the Indian Constitution states that, “No person shall be deprived of his life or personal liberty except according to procedure established by law.” Various international laws enumerate the right to privacy along with Indian constitution.

Article 12 of Universal Declaration of Human Rights (1948) declares,

“No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence and to attack upon his honour and reputation. Everyone has the right to protection of the law against such interference or attacks.”

Article 17 of International Covenant on Civil and Political Rights (1966) states that,

“No one shall be subject to arbitrary or unlawful interference neither with his privacy, family, home and correspondence, nor to unlawful attacks on his honour and reputation; everyone has the right to the protection of the law against such interference or attacks.”

Article 8 of European Convention for the protection of Human Rights and Fundamental Freedoms (1950) states that,

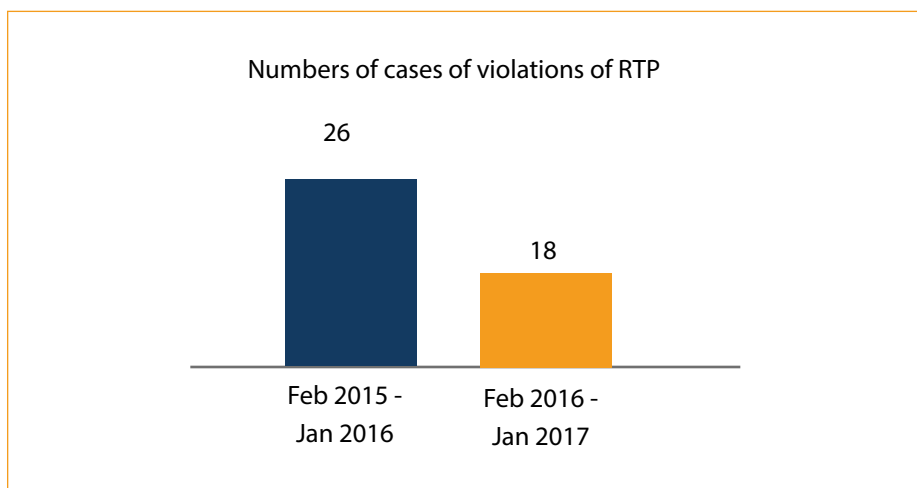
“Everyone has the right to respect for his private and family life, his home and his correspondence; there shall be no interference by a public authority except such as is in accordance with law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the protection of health or morals or for the protection of the rights and freedoms of others.”

The Privacy Bill, 2011 of India states,



“[E]very individual shall have a right to his privacy—confidentiality of communication made to, or, by him—including his personal correspondence, telephone conversations, telegraph messages, postal, electronic mail and other modes of communication; confidentiality of his private or his family life; protection of his honour and good name; protection from search, detention or exposure of lawful communication between and among individuals; privacy from surveillance; confidentiality of his banking and financial transactions, medical and legal information and protection of data relating to individual.” (From Iliyas, 2014).

All these laws affirm that it is the responsibility of the State to protect the privacy of its citizens.



The cases of violation of right to privacy include violence against women and children, hacking, cyber bullying, stalking, defamation, and data breach (as in the case of Aadhaar). Approximately 18 cases of violation of right to privacy were reported between February 2015 to January 2016, and 26 cases were reported between February 2016 and January 2017.

The cybercrime statistics revealed by IT minister Ravi Shankar Prasad furnished to the Parliament on May 5, 2016, indicate that there is a huge increase in the cybercrime in India¹⁰. In 2013, the total numbers of crimes reported were 41,319, whereas in 2015, the figure rose to 49,455 incidents. The first quarter of 2016 witnessed 14,363 cybercrimes. There were more than 28,000 website hacking incidents reported in 2013, and more than 32,000 incidents reported in 2014.

10. Retrieved from: file:///C:/Users/DEF%20INDIA/Downloads/ANUAL-2016-0063%20(1).pdf

DATA BREACH (AADHAAR)

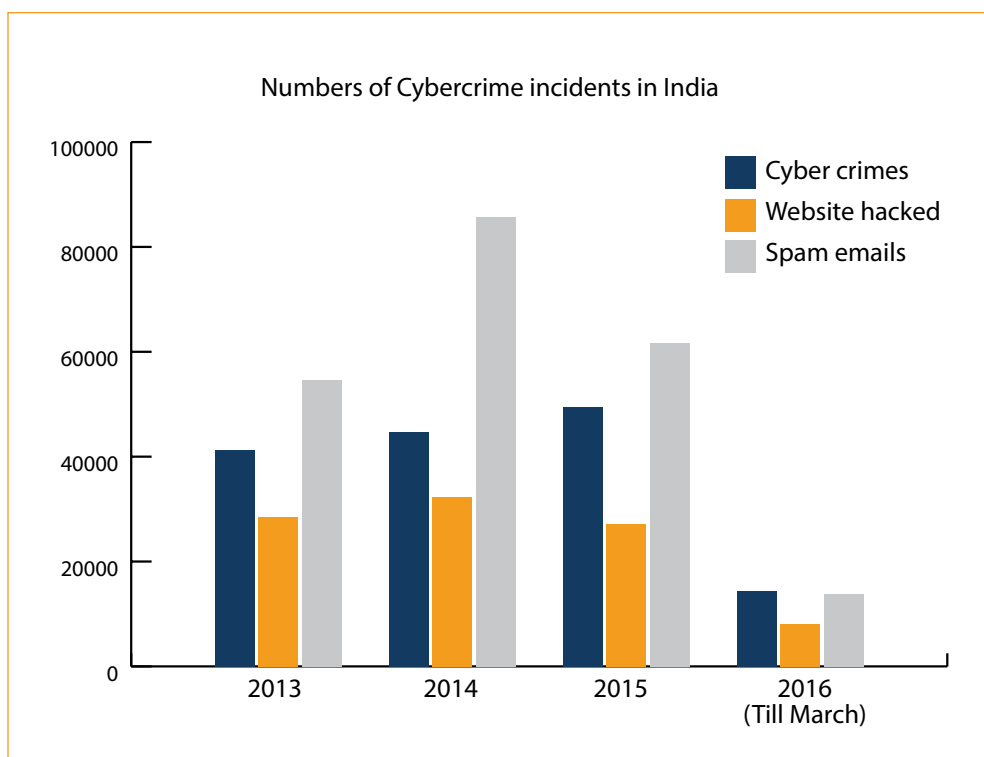
Data privacy is increasingly becoming an area of concern in India. The probability of hacking personal information, biometrics, and data stored in electronic systems has become a serious concern over the years. In the midst of this emerging technological advancement and infrastructure, there is the recent Aadhaar leaks scandal, in which personal information of lakhs of people displayed on various government portals has been under serious threat over the privacy violations. The Government of India, under PM Narendra Modi, has even mentioned in the SC that there is no privacy right in India under the Indian Constitution. But the Supreme Court of India has issued notice to Google and Twitter over privacy concerns. Tech giants like Facebook, WhatsApp, and Monster India also being inspected for sharing user data with third party entities (Mukherjee, 2017).

VIOLENCE AGAINST WOMEN AND CHILDREN

Information and communication technologies, together with social media, have offered various ways to fight against violence against women and children. However, they are also being used to inflict violence against them. A report by the United Nations Broadband Commission revealed that close to three quarter of women online have been exposed to some kind of cyber violence (cited in ocde, 2016). One prominent case that highlights this crime involved women and girls from Hyderabad. Abdul Majid, a third year engineering student from Hyderabad, was arrested for luring teenage girls on Facebook and convincing them to share nude photographs of themselves. He did this by creating fake Facebook accounts in the name of girls and befriending them. He convinced his victims to reveal personal information and their secrets. Majid would then threaten to expose their secrets if they didn't send nude photographs. He then went on to extort money from the girls, threatening to release the photos if they failed to pay up. During the investigation, police found that Majid had used six different Facebook accounts, signing up on the social networking site with four email ids using photos of girls he found online. He lured 200 school girls in this manner (Express News Service, 2015).

In another incident, a class 12 student from South Delhi filed a complaint stating that she was preyed upon by cyber crooks who morphed her photos taken from her Facebook profile with pornographic images and then demanded money. These two incidents demonstrate a clear violation of the right to privacy of women and girls in India. According to cyber-crime experts such cases are on the rise, with organised criminal gangs committing such offences to extract money from victims (Mail Today Bureau, 2017).





ONLINE SEXUAL HARASSMENT AGAINST WOMEN AND CHILDREN

Cyberstalking, online harassment, image manipulation, and privacy violations against women and children are on the rise. However, lack of appropriate legislation makes them more vulnerable in the field of technology. Several incidents of sexual harassment online against women and children have occurred in India. On August 12, 2015, a man was arrested for posting obscene photos of a minor girl on WhatsApp. He was booked by the Cyber Crime wing of the police in Chennai for circulating obscene photos of a minor on a WhatsApp group whose members were his colleagues. Based on complaints from two members of the WhatsApp group, including a woman, the Cyber Crime Cell investigators of Crime Branch CID picked up the accused and seized the phone that had been used to take the obscene photographs and circulate it. The accused, identified as Vetrivel, hailing from Ariyalur district, allegedly confessed to the crime. A case was registered against the man on August 12 under Sections 67, 67A, 67B of the Information Technology Act and Section 14 of the POCSO Act which deals with child sexual offences.

A teenage girl was allegedly gang raped by her friend and three other boys. The crime came to light when the girl's aunt came across a video of the incident that had been circulated on WhatsApp on November 8, 2015. The accused, studying in classes ninth

and 10, allegedly gang raped their 15 year old female friend and recorded the crime. The accused threatened to release the video online if the girl revealed the crime. One of the accused was a friend of the girl. The accused had invited her to his house in Malad on the pretext of studying. On arriving there, he and his three friends attacked her and gang raped her. The accused later posted the video of the incident on social networking sites and the video went viral on WhatsApp. When the survivor's aunt came across the video, she informed her family and a complaint was lodged with the Malad police. The four accused were taken into custody and booked under Section 376(G) of the IPC (that deals with gang rape), as well as relevant sections of the Protection of Children from Sexual Offences (POCSO) Act (Khan, 2015).

In a case from Maharashtra, the Metropolitan Magistrate Court of Mumbai on July 3 convicted Yogesh Prabhu for sending vulgar and obscene images to a woman he had seen on a social networking site in 2009. The incident took place in 2009, when the petitioner, who is an employee of a private firm, met Yogesh Prabhu on the now defunct social networking website, Orkut. Originally she chatted with him, but on one occasion Prabhu sent the woman obscene messages. She removed him from her friend list. A few days later she started receiving emails from unknown persons with foul and objectionable language and vulgar images. Initially she ignored the emails but complained to the police and the Cyber Cell when she was constantly bombarded with emails for an extended period of time. The Cyber Cell traced the IP address of the computer from which the emails were sent and this tipped the authorities to the location of the accused. His computer was seized and the 'sent' folder revealed emails that had been sent to the complainant. Prabhu was arrested and booked under Section 509 (word, gesture or act initiated to insult the modesty of a woman) of the Indian Penal Code, along with Section 67 (publishing or transmitting obscene material in electronic form) and other relevant sections of the Information Technology Act. The Court sentenced him to three years imprisonment and a fine of Rs. 10,000 under relevant sections of the IT Act and Rs. 5000 fine under Indian Penal Code. This is the first conviction under secondary evidence. Due to lack of awareness and technical difficulties assigning guilt and wrongdoing, the conviction rate for these types of cybercrimes remains low.

Day by day, harassment on social media is increasing in India. While many go unreported, a good number do get reported. One of these is the case of a doctor from Gurgaon who lodged a complaint with authorities about unknown persons hacking into her Facebook account, changing her profile photo, and posting objectionable content. She also received calls from various unknown numbers with the caller speaking to her in an inappropriate manner.

Actor Salman Khan filed complaint with the Cyber Crime Cell of the Mumbai Police against a morphed post circulating on WhatsApp, showing the actor making bitter remarks about his Muslim fans. The incident took place on July 9, 2015. He registered a

complaint stating that the morphed post showed an image of him allegedly making comments about his fans that he did not, in fact, make. The post was circulated via WhatsApp before the release of his film Bajrangi Bhaijaan. The screenshot quotes the actor saying, "My movies can become a hit without the support of my Muslim fans."

In another incident reported from Mumbai, a 27 year old man allegedly molested a minor girl and blackmailed her by creating a fake Facebook account to post obscene messages and photos. The accused was a close relative of the victim's father. The incident occurred on May 29, 2016. After creating the fake account he sent obscene pictures and messages to a female friend who was also an acquaintance of the victim. The previous year, the man sent screenshots of certain messages sent from the fake account to the victim on WhatsApp and blackmailed her. Police arrested him under Sections 354 (assault or criminal force to woman with intent to outrage her modesty), 292, 500 (defamation), 504 (intentional insult with intent to provoke breach of the peace) and 506 (criminal intimidation) of the IPC and also relevant sections of the IT Act and Protection of Children from Sexual Offences (POCSO) Act.

A 21-year-old woman from Tamil Nadu committed suicide after her morphed photos surfaced on Facebook. She had faced harassment on Facebook after she was tagged in photographs that had been morphed. Her suicide note suggested that her parents did not believe her when she said that she had not sent nude pictures of herself to whoever posted them on social networking sites. India ranks poorly among countries in the world when it comes safety for women, and the digital space is no different from physical spaces in the country.

See Annexure for more case stories on Violation of Right to Privacy

CONCLUSION

Everyone has the responsibility to respect the rights of all individuals both online and offline. Free speech has come under threats, women and children are facing sexual and mental harassment, and citizens are unable to access information due to website blocks. However, the Internet and communication technologies should be designed and governed in such way that it protects the rights of the people. The findings of this study point towards the need for better and wider network of global, legal, and regulatory frameworks. With the Internet becoming a primary location for social and professional interactions, digital literacy (and not only digital skills) with regard to safe behaviour online, laws that protect users, etc. need to be emphasised for all user groups.

RECOMMENDATIONS

- » Review existing laws governing the Internet in relation to freedom of expression, freedom of assembly and association, and right to privacy with specific relation to cyberspace.
- » The government and political parties should end the practise of targeting activists, bloggers, critics, and citizens who use the Internet to express their beliefs and opinions. More needs to be done to defend the freedom of expression, and freedom of assembly and association online.
- » The government should identify creative measures to protect national security and tensions rather than blocking the Internet and restricting access to information on par with international standards of access and fundamental rights.
- » Access to Internet needs to be identified officially as a human right as recommended by Frank La Rue's framework. Mechanisms should be put in place to create access to the Internet and realise its democratising potential.
- » The government should identify the barriers individuals face when exercising their right to freedom of expression. Legal and regulatory frameworks protecting the same should be initiated to encourage a free and open Internet.
- » Frame strict laws to specifically tackle cyber-crimes to tackle child abuse and pornography, prohibition of unlawful Internet shutdowns, and violations of online assembly and association.
- » Discussions should be opened up to explore the best solutions in addressing violence against women and children.
- » Foster further policy research

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ANNEXURE I

Laws pertaining to violation of Freedom of Expression, Freedom of Association and Assembly, and Right to Privacy.

SL. NO	LAWS	DEFINITIONS
1	Article 15 of the Indian Constitution	Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth
2	Article 19 of the Indian Constitution	Protection of rights regarding Freedom of Speech
3	Article 19 (2) of the Indian Constitution	Restrictions on Freedom of speech based on sovereignty, security of the state, international relations, public order, decency, morality, contempt of court, defamation, and incitement to an offense
4	Article 21 of the Indian Constitution	Protection against deprivation of life and personal liberty
5	Section 144 of the CRPC	Magistrate's power to prohibit an assembly of more than four people in an area
6	Immoral Traffic (Prevention) Act, 1956	Prevention of immoral traffic and sexual exploitation for commercial purpose
7	Section 11 of the POCSO Act 2012	Sexual Harassment of child based on exhibition of sexual gesture or sound towards child, makes the child exhibit his body or make the child see body part, showing pornographic content to the child, stalking the child directly or indirectly on electronic and digital media, threatening and use of content based on child's involvement, enticing pornographic purpose or sexual gratification.
8	Section 13 of the POCSO Act 2012	Child's use for pornographic purpose over vivid media for personal use/distribution for sexual gratification. It includes representation of sexual organs of child, child's engagement in real/stimulated sexual acts, and indecent/obscene representation of child.
9	Section 14(1) of the POCSO Act 2012	Punishment for using child for pornographic purpose- imprisonment extended to five years and liable to fine, in case of second/subsequent conviction with imprisonment of either imprisonment for seven years and liable to fine.

SL. NO	LAWS	DEFINITIONS
10	Section 15 of the POC-SO Act 2012	Punishment for storage of pornographic material involving child- imprisonment of three years, or with fine or with both
11	Section 124A of the IPC	Punishment for sedition (brings or attempts to bring hatred/contempt or excites/attempts to excite disaffection towards the established Government of India by words (spoken/written), by signs, by visual representation or otherwise- imprisonment for life, to which fine with may be added, or imprisonment extend to 3 years to which fine may be added or with fine.
12	Section 153 of the IPC	Punishment for provocation of riots- if committed, imprisonment extent to one year, or fine or both; if not committed imprisonment extend to six months or fine or both.
13	Section 153A of the IPC	Promoting enmity between groups based on social differences, acts harmful for not maintaining social harmony
14	Section 153B of the IPC	Accusation, assertion against national integration based on word (written/spoken), signs or visual representation or otherwise. It includes a) allegation of people belonging to any social group as unfaithful to the state, b) denial of citizen rights based on one's belonging to a social group, c) obligation based on one belonging to a social group to cause disharmony or feelings of enmity or hatred or ill-will between such members and other person. Punishment for assertions, accusation to national integration- imprisonment extends to three years or with fine or both.
16	Sections 290 of the IPC	Punishment for public nuisance- fine extent to two hundred rupees
17	Section 292 of the IPC	Sale of obscene content of sexual nature of abusive content in its affect to corrupt a person
18	Section 292-A	Matter (largely print based) intended for abuse or blackmailing via its circulation.
19	Section 295 A of the IPC	Acts (spoken/written words, visual representation or otherwise) with the intention of insulting religion, religious belief with outraging religious feelings. Punishment for insulting and outraging religious sentiments- Imprisonment extent to one year, or with fine or with both.

SL. NO	LAWS	DEFINITIONS
20	Section 298 of the IPC	Use of words with deliberate intention of hurting religious feelings of the person. Punishment for hurting religious sentiments through words- Imprisonment extent to one year, or with fine, or with both.
21	Section 354 of the IPC	Outraging the modesty of women. Punishment for outraging the modesty of women- imprisonment extends to two years, or with fine, or with both.
22	Section 354 (D) of the IPC	Stalking- done by a man towards a women, where he attempts to foster personal interaction despite the clear indication of disinterest by the women; or monitors the use by a woman of the Internet, email or any other form of electronic communication, commits the offence of stalking.
23	Section 468 of the IPC	Forgery for purpose of cheating.—Whoever commits forgery, intending that [document or electronic record forged] shall be used for the purpose of cheating, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.
24	Section 469 of the IPC	Forgery for purpose of harming reputation.—Whoever commits forgery, [intending that a document or electronic record be forged] shall harm the reputation of any party, or knowing that it is likely to be used for that purpose, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.
25	Section 471 of the IPC	Using as genuine a forged [document or electronic record].—Whoever fraudulently or dishonestly uses as genuine [document or electronic record] which he knows or has reason to believe to be a forged , shall be punished
26	Section 499 of the IPC	Allegation/Publication based on spoken/written words to be read or signs or visible representation intended to defame , harm or cause possible harm
27	Section 500 of the IPC	Punishment for Defamation- imprisonment extends to two years, or with fine, or with both.
28	Section 503 of the IPC	Threaten to injury person, reputation, or property to cause harm, or cause the person to act in an illegal manner.

SL. NO	LAWS	DEFINITIONS
29	Section 504 of the IPC	Intentional insult with intent to provoke breach of peace.—Whoever intentionally insults, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace, or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both
30	Section 505 of the IPC	Whoever makes, publishes or circulates any statement, rumour or report with the intention to cause, or which is likely to cause fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquillity or any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment and fine
31	Section 505 (1) B of the IPC	Criminal intimidation- one commits criminal intimidation when one threatens another of injury-person/ reputation with the intent of cause alarm or to cause alarm which is not legally bound, omission of an act one is entitled to as a way to avoid the act of threat.
32	Section 505 (1) C of the IPC	Punishment in regard of inciting offence against any social group - imprisonment extent to three years, or with fine or with both.
33	Section 505 (2) of the IPC	Publication and circulation of alarming news on ground of social identity of a group to induce feelings of enmity, hatred or ill-will based on identity indicators. Punishment for publication and circulation of alarming news based - imprisonment extend to three years, or with fine, or with both.
34	Section 506 of the IPC	Punishment for criminal intimidation
35	Section 509 of the IPC	Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both
36	Section 66 of the IT Act	Punishment for computer related offences- imprisonment for a term extend to three years or fine (which may extend to five lakh rupees) or with both

SL. NO	LAWS	DEFINITIONS
37	Section 66(A) of the IT Act (The court struck down the law on the grounds that it was unconstitutional.)	<p>Punishment for sending offensive messages through communication service, etc.</p> <p>Any person who sends, by means of a computer resource or a communication device,—</p> <p>(a) any information that is grossly offensive or has menacing character; or</p> <p>(b) any information which he knows to be false, but for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill will, persistently by making use of such computer resource or a communication device,</p> <p>(c) any electronic mail or electronic mail message for the purpose of causing annoyance or inconvenience or to deceive or to mislead the addressee or recipient about the origin of such messages, shall be punishable with imprisonment for a term which may extend to three years and with fine.</p>
38	Section 66(C) of the IT Act	Identity theft- fraudulently or dishonestly make use of the electronic signature, password or any other unique identification feature of any person. Punishment for identity theft- imprisonment extend to three years, shall be liable to fine (extend to rupees one lakh)
39	Section 66(D) of the IT Act	Personation using computer- Whoever, when uses a communication device/computer resource cheats by personating. Punishment for personation using computer- imprisonment extend to three years and shall be liable to fine (extend to rupees one lakh)
40	Section 66(E) of the IT Act	Punishment for violation of privacy- whosoever intentionally/knowingly captures, publishes, send image of private area without the consent of the person. Punishment- imprisonment extend to three years or fine not exceeding two lakhs or with both
41	Section 66(F) of the IT Act	Punishment: Whoever commits or conspires to commit cyber terrorism shall be punishable with imprisonment which may extend to imprisonment for life.
42	Section 67 of the IT Act	Punishment for publishing and transmitting obscene material in electronic form. It includes material of sexual nature intended to corrupt the person. Punishment for publishing and transmitting obscene material in electronic form- imprisonment extent to five years and also fine (extend to ten lakh rupees).

SL. NO	LAWS	DEFINITIONS
43	Section 67A of the IT Act	Punishment for publishing or transmitting of material containing sexually explicit act etc. in electronic form- first conviction, imprisonment extend to five years and with fine (extend to ten lakh rupees); second or subsequent conviction- imprisonment extent to seven years and with fine (extend to ten lakh rupees).
44	Section 67B of the IT Act	About- publishes/transmits material depicting children in sexual act creates content/exchange/distributes children in sexually explicit manner, depicts/entices/induces children to online relationship in a sexually explicit manner, facilitating child abuse online, records pertaining to sexual abuse etc. Punishment- first conviction, imprisonment extent to five years and with a fine (ten lakh); second conviction, imprisonment extent to seven years and also with a fine (extend to ten lakh)
45	Section 69 A of the IT Act	The power in blocking public access of any information through any computer resource includes 1) by central government or by of its officers in interest of sovereignty, integrity, defence, security of state, maintenance of friendly relation with foreign state, or public order or prevention of possible cognizable response. 2) For reasons to be recorded in writing, in order, direct any agency of the Government or intermediary to block access by the public or cause to be blocked for access by the public any generated, transmitted, received, stored or hosted in computer resource.
46	Section 79 of the IT Act (the intermediary liability section)	Cases for exemption from liability of intermediary- doesn't get included in the law in force at that time, also provision to sub-section (2) and (3) an intermediary shall not be liable for any third party information/data/communication link hosted by him
47	Section 79 (3) of the IT Act	Upon receiving actual knowledge, or on being notified by the appropriate Government or its agency that any information, data or communication link residing in or connected to a computer resource, controlled by the intermediary is being used to commit the unlawful act, the intermediary fails to expeditiously remove or disable access to that material on that resource without vitiating the evidence in any manner.
48	Section 16 of the Unlawful Activities Prevention Act (UAPA)	Whoever commits a terrorist act that has resulted in the death of any person, shall be punishable with death or imprisonment for life, and shall also be liable to fine

SL. NO	LAWS	DEFINITIONS
49	Section 18 of the Unlawful Activities Prevention Act (UAPA)	Conspiracy- conspires or commits acts facilitating the commission of terrorist act. Punishment for conspiracy- imprisonment not less than five years, extent to imprisonment for life, shall be liable to fine.
50	Section 20 of the Unlawful Activities Prevention Act (UAPA)	Punishment for being a member of a terrorist gang or organisation- imprisonment extent to imprisonment for life and shall be liable to fine.
51	Section 3 of the Indecent Representation of Women Act, 1986	Prohibition of advertisements containing indecent representation of women- relating to publishing of advertisement largely.
52	Section 4 of the Indecent Representation of Women Act, 1987	Prohibition of publication or sending by post of books, pamphlets containing indecent representation of women- relating to production, selling, hiring distribution/circulation or any such printed content in regard of indecent representation of women.
53	Section 5(1) of the Official Secrets Act 1923	Wrongful communication, etc. of information.- one found of possession/control of any secret official code/password/relating content/information which relates to matter of disclosure which is likely to affect the sovereignty, integrity, security of the state, maintenance of friendly relations with foreign states, or which has been seen as contravention of the act, or which has been entrusted in confidence by the person holding office in government, or one's own access owing to position one hold at office, person employed, or held such an office or contract.
54	Section 5(2) of the Official Secrets Act 1924	If one voluntarily receives any secret official code/pass/sketch or relating content/information is communicated in contravention of this Act, he shall be found guilty of an offence under this section.
55	Section 2(C)(i) of the Contempt of Courts Act	criminal contempt-publication of words- spoken/written, or by signs, or by visible representation, or otherwise in regard of scandalising or lower the authority of any court
56	Section 3(1) (x) in The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act	intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view
57	Information Technology (Procedure And Safeguards For Blocking For Access Of Information By Public) Rules, 2009	These rules authorize the blocking of websites on complaints made by the government to the central government. Under these rules, acting on such complaints the central government may issue a blocking order

ANNEXURE-II

List of incidences that violated Right to Freedom of Expression

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
1	07-Jan-16	http://www.outlookindia.com/news/article/up-WhatsApp-group-admin-member-booked-for-objectionable-content/926213	An admin and a member of a WhatsApp group arrested for allegedly posting objectionable content against a particular community.	Sections 153, 153A and 295A of the IPC	UP	FoE
2	25-Jan-16	http://indianexpress.com/article/india/india-news-india/maharashtra-cops-block-94-sites-used-to-radicalise-youth-about-isis/	Maharashtra Anti-Terrorism Squad blocked access to 94 websites which were linked to IS for counter measures.	Information not available	India	FoE
3	26-Jul-15	http://indianexpress.com/article/india/india-others/salman-khan-tweets-yakub-memon-innocent-apologises-after-father-tells-him-off/	A series of tweets by actor Salman Khan on Yakub Memon sparked protests on social media. Following a protest on social media he had to withdraw his tweets and apologise.	Information not available	Maharashtra	FoE
4	08-Jul-15	http://indianexpress.com/article/cities/pune/cyber-crime-in-pune-communal-amity-family-life-take-the-worst-hit/	Police arrested a group of people along with the group admin of a WhatsApp group for sharing messages which hurt religious sentiments.	Article 19 of Indian Constitution	Maharashtra	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
5	May-07,2015	http://www.dnaindia.com/india/report-first-year-engineering-student-arrested-for-posting-spiteful-message-on-social-network-2083908#comments	A first year civil engineering student from a Pune based collage stated that he would avenge the Godhra riots. The police said that he was inspired after he saw the clips of Godhra riot in the Internet.	Sections 153(a) and 295(a) of the IPC and section 66(f) of the IT Act.	Maharashtra	FoE
6	26-Jul-15	http://timesofindia.indiatimes.com/tech/tech-news/Government-orders-IPs-to-block-websites-with-inflammatory-content/articleshow/48223714.cms	Government ordered blocking of 40 websites with inflammatory content relating to a minority community including post on social media and popular video sharing platforms.	Information Technology (Procedure and Safeguards for Blocking Access of Information by Public) Rules 2009	India	FoE
7	07-Sep-15	http://www.Maharashtra-mirror.com/Maharashtra/cover-story/Nashik-cops-register-case-under-Sec-66A-of-IT-Act-despite-SC-scrapping-it-in-March/articleshow/48851393.cms	Nashik cops registered case under section 66(a) of IT Act, despite Supreme Court scrapping it in March.	Section 66(A) of the IT Act	Maharashtra	FoE
8	08-Oct-15	http://www.dnaindia.com/india/report-WhatsApp-group-admin-arrested-for-objectionable-content-in-latur-2132820	Group admin arrested for posting objectionable content on WhatsApp.	Sections 153, 34 and section 67 of IT Act, 2000	Maharashtra	FoE
9	05-Oct-15	http://www.dnaindia.com/india/report-dadri-lynching-police-keep-tab-on-youth-WhatsApp-groups-for-rumours-2131605	Social media played important role in spreading rumour about alleged cow slaughter.	Information not available	UP	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
10	13-Nov-15	http://timesofindia.indiatimes.com/entertainment/kannada/movies/news/Girish-Karnad-gets-death-threats-on-social-media/articleshow/49764777.cms	Jnanapith awardee received death threats on social media.	Information not available	Karnataka	FoE
11	26-Nov-15	http://zeenews.india.com/news/kerala/online-intolerance-kerala-journalist-no-faces-threats-for-writing-about-madrasa-child-abuse_1826499.html	Kerala journalist faces threats for writing about madrasa child abuse.	Information not available	Kerala	FoE
12	16-Nov-15	http://www.dnaindia.com/india/report-court-grants-bail-to-kovan-who-is-facing-sedition-charge-2145869	A Tamil propagandist Kovan was arrested in Trichy for uploading defamatory electronic content.	Information not available	Tamil Nadu	FoE
13	26-Dec-15	http://indianexpress.com/article/india/india-news-india/kalburgi-hate-message-how-social-media-led-this-24-yr-old-to-murder-and-prison/	Social media led 24 year old Bhuvit Shetty to murder and imprisonment.	Information not available	Karnataka	FoE
14	06-Mar-15	http://timesofindia.indiatimes.com/india/Uploaded-and-blocked-a-daylong-battle-rages-on-the-web-over-BBC-documentary/articleshow/46472422.cms	Delhi High Court has ordered to block video sharing websites where the BBC documentary 'India's Daughter' was uploaded. Officials say that it "appears to encourage and incite violence against women."	Information not available	India	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
15	Aug-04,2015	http://www.deccan-chronicle.com/150803/nation-current-affairs/article/porn-ban-complete-list-857-porn-websites-blocked-india	Department of Telecommunication banned 857 porn website on grounds of morality and decency.	Article 19 (2) of the Constitution and Section 79(3)(b) of the IT Act	India	FoE
16	30-Nov-15	http://trak.in/tags/business/2015/12/01/ringo-app-blocked-indian-telecom-operators-domestic-calling-suspended/	Low cost domestic and international calling app has been blocked by Indian Telecom Operators.	Information not available	India	FoE
17	14-Jul-15	http://www.ibtimes.co.in/kickass-torrents-other-sites-get-blocked-by-google-chrome-warns-users-malware-attacks-639202	Kickass Torrents, other sites get blocked by Google for containing harmful programmes by malware attacks.	Information not available	India	FoE
18	02-Jul-15	http://timesofindia.indiatimes.com/city/allahabad/7-booked-for-objectionable-post-on-FB/articleshow/47910045.cms	Seven youths were booked on Wednesday for allegedly hurting religious sentiments by posting objectionable content on social networking site 'Facebook'.	Sections 153B, 295A, 504 of the IPC and the IT Act	UP	FoE
19	03-Jul-15	http://www.newindianexpress.com/nation/2015/jul/03/Youth-Arrested-for-Objectionable-Facebook-Post-Against-SP-Leader-778517.html	A youth was arrested for sharing "objectionable" post on social networking site Facebook against Samajwadi Party leader Shafiqur Rehman Burq.	Sections 153 A, 505, and 504 of the IPC	UP	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
20	17-May-15	http://indianexpress.com/article/trending/womans-brave-response-to-her-online-harasser-on-facebook-goes-viral/	A woman's Facebook reply to humiliate the man who sent objectionable message.	Information not available	New Delhi	FoE
21	25-Sep-15	http://indianexpress.com/article/india/gujarat/gujarat-internet-services-in-godhra-suspended-for-24-hours/	Mobile Internet services were suspended in Godhra for a period of 24 hours, after a derogatory message against Islam made rounds on the mobile social application WhatsApp.	Information not available	Gujarat	FoE
22	19-Sep-15	http://www.newindianexpress.com/nation/Hardik-Arrested-in-Surat-Mobile-Internet-Banned/2015/09/19/article3036722.ece	The Gujarat state administration banned mobile Internet services to curb spread of rumours.	Information not available	Gujarat	FoE
23	25-Aug-15	http://articles.economictimes.indiatimes.com/2015-09-02/news/66144045_1_state-wide-ban-mobile-Internet-social-media	The state lifted the ban on mobile Internet, social media and SMS services in the wake of violence during the Patel stir in various parts of State. The ban was to prevent anti-social elements from using the social media platforms to spread rumours.	Information not available	Gujarat	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
24	07-Nov-15	http://www.firstpost.com/india/mobile-Internet-services-blocked-in-Jammu & Kashmir-for-pm-modis-rally-in-srinagar-2498760.html	Mobile Internet services were blocked as a precautionary measure of Prime Minister Narendra Modi's rally in Srinagar.	Information not available	Jammu & Kashmir	FoE
25	08-Oct-15	http://www.dnaindia.com/india/report-beef-ban-mobile-Internet-services-cut-in-jammu-after-tension-in-udhampur-2132781	Mobile Internet services were suspended as authorities feared misuse of social media after tension gripped Udhampur district due to beef ban.	Information not available	Jammu & Kashmir	FoE
26	25-Sep-15	http://indianexpress.com/article/india/india-others/to-avoid-tension-during-eid-ul-zuha-govt-ban-Internet-in-jk-for-two-days-from-tomorrow/	To prevent the misuse of social networking sites, all Internet service providers were asked to block mobile Internet services in Jammu & Kashmir Valley to control the beef controversy in view of Eid celebrations.	Information not available	Jammu & Kashmir	FoE
27	15-Aug-15	http://articles.economictimes.indiatimes.com/2015-08-15/news/65525213_1_mobile-Internet-services-independence-day-bakshi-stadium	Mobile phone and mobile Internet services were blocked as a precautionary measure in wake of the spurt in militant activities in the Jammu & Kashmir Valley on Indian independence day.	Information not available	Jammu & Kashmir	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
28	07-Mar-15	http://timesofindia.indiatimes.com/india/Nagaland-blocks-Internet-services-imposes-curfew-in-tense-Dimapur/articleshow/46497164.cms	The Nagaland government blocked all Internet and mobile data services in the state to stop the circulation of videos and images of the lynching of Syed Sarif who allegedly raped his wife's cousin.	Information not available	Nagaland	FoE
29	21-Dec-15	http://timesofindia.indiatimes.com/india/Rajasthan-police-to-ban-Internet-usage-as-per-needs-to-maintain-communal-harmony/articleshow/50258271.cms	Rajasthan police barred the use of mobile Internet following communal clashes in the districts of Nagaur, Dungarpur, Udaipur, Bhilwara and other parts of the state.	Section 144 of CRPC	Rajasthan	FoE
30	05-Jan-16	http://zeenews.india.com/news/india/man-arrested-for-derogatory-facebook-comment-against-pathankot-martyr-lt-col-niranj_1841887.html	A 24 year old man was arrested for posting derogatory comment on Facebook against slain Lt. Col Niranj.	Section 124A of the Indian Penal Code	Kerala	FoE
31	18-Feb-16	http://www.hindustantimes.com/india/gujarat-village-bans-mobile-phones-for-unmarried-women/story-iziKwjY-ckgmOOP8ZRBn3K.html	A village in the district of Mehsana, Gujarat has banned mobile phones for unmarried women.	Information not available	Gujarat	FoE
32	18-Mar-16	http://indianexpress.com/article/india/india-news-india/rss-chief-cyber-crime-2-jailed-in-mp-for-morphed-mohan-bhagwat-image/	Two youths were arrested in Madhya Pradesh for sharing online morphed images of RSS chief Mohan Bhagwat.	Sections 67 of the IT Act and 505(2) of the IPC.	MP	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
33	18-May-16	http://www.hindustantimes.com/india/i-had-free-sex-activist-kavita-krishnan-mother-take-on-fb-troll/story-rG9vAvWfFdcBksZHw9MBuJ.html?utm_source=LI&utm_medium=also-read	Kavita Krishnan shared a quote on her Facebook page and initiated a discussion on what constitutes 'free sex'.	Information not available	India	FoE
34	26-Apr-16	http://timesofindia.indiatimes.com/city/aurangabad/Man-booked-for-attempt-to-defame-gramsevak/article-show/51988706.cms	An unidentified person used social networking sites to defame a woman gramsevak. Case filed for stalking and outraging the modesty of the woman.	Section 354 (D) of Indian Penal Code	Maharashtra	FoE
35	10-May-16	http://zeenews.india.com/entertainment/celebrity/priyamani-from-chennai-express-trolled-labelled-anti-indian-for-speaking-against-jisha-gang-rape_1883733.html	Priyamani from 'Chennai Express' trolled, labelled 'Anti-Indian' for speaking against Jisha gang-rape.	Information not available	Kerala	FoE
36	10-May-16	http://www.telegraphindia.com/1160511/jsp/northeast/story_84893.jsp#.VzL9F4R97IU	Case lodged against Assamese singer Bhrigu Kashyup for posting morphed pictures on WhatsApp and Facebook of another Assamese singer Priyanka Bharali.	Information Technology Act, 2000	Assam	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATE-GORY
37	31-May-16	http://timesofindia.indiatimes.com/city/bhopal/IAS-officer-gets-notice-for-FaceBook-post-on-Modi/articleshow/52512252.cms	The Madhya Pradesh government on Monday sought an explanation from IAS officer Ajay Gangwar for his comments on Facebook against the Union government and PM Narendra Modi. He has a week to reply.	Information not available	MP	FoE
38	01-Jun-16	http://indianexpress.com/article/trending/trending-in-india/amul-new-ad-on-tanmay-bhat-lata-mangeshkar-controversy-is-spot-on-2828874/	Tanmay Bhatt, an Indian comedian and co-founder of AIB was mired in controversy due to a video he made titled 'Sachin vs. Lata Civil Wars'.	Information not available	India	FoE
39	16-Jun-16	http://timesofindia.indiatimes.com/city/bhopal/man-murdered-over-WhatsApp-share-on-sonia-gandhi-in-mp/articleshow/52777147.cms?from=mdr	A man murdered over a caricature of Prime Minister Narendra Modi and Congress president Sonia Gandhi which was shared on a WhatsApp group.	Information not available	MP	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
40	20-Dec-16	http://scroll.in/article/810025/can-escort-websites-be-blocked-in-india-legally	Escort websites were blocked in India	Immoral Traffic (Prevention) Act 1956, the Indecent Representation of Women Act, 1986, and the Information Technology Act, 2000, Sections 67, 69A, 79 of the IT Act (the intermediary liability section)	India	FoE
41	19-Jul-16	https://www.theguardian.com/technology/2016/jul/19/facebook-under-fire-censoring-kashmir-posts-accounts	Kashmir unrest has been met with a complete information blackout both offline and online, Facebook has been actively removing content related to the slain rebel Burhan Wani's funeral or any post that stands in solidarity with his movement.	Information not available	Jammu & Kashmir	FoE
42	29-Jul-16	http://www.mid-day.com/articles/woman-names-shames-facebook-perverts-files-fir/17476166	A woman from Juhu, has filed an FIR against a few men who sent obscene messages to her Facebook profile, she also publically shamed them by posting the screenshots of the messages online that those men had sent her.	Information not available	India	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
43	01-May-16	http://indianexpress.com/article/india/india-news-india/australian-islamic-preachers-website-among-three-more-blocked-by-state-ats-2778562/	Australian Islamic preachers website has been blocked by ATS due to security reasons and propagating the ideology of IS	Section 125 of the and certain sections (16, 18, 20) of the Unlawful Activities Prevention Act (UAPA)	India	FoE
44	14-Jun-16	http://timesofindia.indiatimes.com/tech/tech-news/Government-bans-240-websites-offering-escort-services/articleshow/52747302.cms	Ministry of Home Affairs has recommended ISPs to ban 240 websites offering escort services seeking action against advertisement of prostitution in newspapers and websites	Information not available	India	FoE
45	29-Jul-16	http://www.greaterkashmir.com/news/kashmir/kashmir-unrest-broadband-slow-subscribers-irked/224220.html	The Government has reduced the bandwidth of broadband; due to this Internet speed in Kashmir is very low.	Information not available	Jammu & Kashmir	FoE
46	04-Aug-16	http://timesofindia.indiatimes.com/city/surat/2-held-for-posting-insulting-messages-on-social-media/article-show/53534580.cms	Two youths were arrested in Surat for sharing a message on social media that hurt religious sentiments.	Information not available	Gujarat	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
47	21-Aug-16	http://timesofindia.india-times.com/city/surat/Constable-posts-search-ops-pic-online-faces-probe/articleshow/53791996.cms	An enquiry has been ordered against a police constable, for taking photographs during official investigation and posting it on social media	Information not available	Gujarat	FoE
48	09-Sep-16	http://www.hindustan-times.com/india-news/man-arrested-for-circulating-objectionable-messages-about-bharat-mata/story-pT7L4uOpLDsO-QqN1cSg7gN.html	A man was arrested at Paldi village for allegedly circulating objectionable content on a popular messaging service	Information not available	Gujarat	FoE
49	20-Sep-16	http://www.dnaindia.com/india/report-after-tmc-leader-s-complaint-blogger-tarak-biswas-arrested-in-bengal-for-mocking-islam-2257198	A freethinker blogger from Bengal, Tarak Biswas was arrested for posting updates on the social media criticising Islam.	Section 295 A, 298 of the IPC, and 66, 67 and 67A of the IT Act	West Bengal	FoE
50	Oct-14	http://www.asianage.com/mumbai/man-held-harassing-ex-miss-india-insta-933	The Pune police arrested a man who was allegedly harassing former Miss India International and actress Neha Hinge on a social media site	Information not available	Maharashtra	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
51	04-Aug-16	http://timesofindia.indiatimes.com/city/kozhikode/Cop-suspended-for-FB-post-against-Kerala-CM/articleshow/53540444.cms	A civil police officer was suspended in Alappuzha for criticizing chief minister Pinarayi Vijayan through his Facebook post.	Information not available	Kerala	FoE
52	21-Dec-16	http://echoofindia.com/editorial/gagging-freedom-expression-121160	Kerala police have charged a Malayalam writer with sedition for writing a Facebook comment on the recent arrest of some cine-goers accused of not standing up when the national anthem was being played.	Section 124A of the IPC	Kerala	FoE
53	24-Dec-16	http://timesofindia.indiatimes.com/city/hyderabad/mba-student-held-over-dog-meat-rumour-on-WhatsApp/articleshow/56153136.cms	Cyberabad police arrested a MBA student for posting a damaging WhatsApp message against a city based eatery	Sections 290 and 500 (defamation) of the IPC and section 66 (D) of the IT Act	Andhra Pradesh	FoE
54	19-Oct-16	http://epaperbeta.timesofindia.com/Article.aspx?eid=31808&articlexml=PUJA-ROW-Girl-harassed-for-criticising-Mamata-on-19102016015032	An MTech student of Calcutta University was threatened by Trinamool party supporters after she initiated a discussion on her Facebook wall criticising the decision by the Mamata Banerjee government to declare holidays for Durga Puja	Information not available	West Bengal	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
55	28-Jul-16	http://www.firstpost.com/india/barkha-dutt-arnab-goswami-row-heres-how-people-on-facebook-reacted-2920584.html	Barkha Dutt lashed out at Arnab Goswami for calling other Indian news channels as sympathisers of terrorists and "pro-Pakistan" on his 26 July show. Dutt was, in turn, slammed on social media for reacting the way she did.	Information not available	India	FoE
56	20-Jun-16	http://indianexpress.com/article/entertainment/bollywood/sona-mohapatra-trolled-for-speaking-against-salman-khan-2867511/	Singer Sona Mohapatra is facing backlash from Salman Khan's fans after she tweeted against the superstar's remark on rape.	Information not available	India	FoE
57	29-Nov-16	https://thewire.in/83154/demonetisation-social-media-madya-pradesh/	19 year old student was arrested by Madhya Pradesh police for a social media post on the issue of demonetization.	Section 469 of IPC and 66C of the IT Act, 2000	MP	FoE
58	16-Oct-16	http://timesofindia.indiatimes.com/city/nashik/7-booked-for-cyber-crime-may-get-jail/article-show/54875620.cms	Seven persons from Nasik District arrested for spreading provocative messages for promoting enmity between different groups on the basis of religion on social media	Section 153 of the IPC	Maharashtra	FoE

S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
59	03-Nov-16	http://timesofindia.indiatimes.com/city/kochi/Crime-Youth-arrested-for-cheating/article-show/55216472.cms	A man was arrested for cheating women through fake Facebook and WhatsApp accounts	Information not available	Kerala	FoE
60	28-Dec-16	http://www.thehindu.com/news/national/kerala/BJP-leader-questions-MT-on-demonetisation/article16954447.ece	Malayalam writer MT Vasudevan Nair was criticised by BJP leader for commenting on demonetisation move by the government's demonetisation drive.	Information not available	Kerala	FoE
61	24-Jan-17	http://www.ndtv.com/india-news/social-media-posts-fuel-hysteria-mob-violence-in-west-bengal-1651935	West Bengal police are urging villagers to ignore rumours about dacoits, child lifters and molesters that have spread in the state through social media which resulted in mobs lynching two men and brutally beating up two women.	Information not available	West Bengal	FoE
62	18-Dec-16	http://indianexpress.com/article/cities/thiruvananthapuram/malayalam-writer-kamal-c-chavara-arrested-for-insulting-national-anthem/	Malayalam writer and theatre activist Kamal C Chavara was arrested on the basis of a complaint made by Yuva Morcha, a youth wing of BJP saying that he had insulted the National Anthem in a Facebook post.	Section 124 (A) of IPC (sedition)	Kerala	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
63	22-Jun-16	http://www.greater-kashmir.com/news/pir-panjal/mobile-Internet-services-snapped-in-poonch/221112.html	Over a controversial issue, mobile Internet services were suspended in the Poonch district on 22nd June, 2016 on operational and security grounds and to prevent law and order situations.	Information not available	Jammu & Kashmir	FoE
64	06-Aug-16	http://timesofindia.indiatimes.com/city/patna/Section-144-imposed-Internet-banned-in-Saran-after-deity-desecration-video-goes-viral/articleshow/53571544.cms	Due to communal clashes in the Saran district after a video of the desecration of Hindu deities went viral on social media, all Internet services were shut down in the district to prevent spread of rumours.	Section 144 of the CrPC	Bihar	FoE
65	03-Oct-16	http://www.huffingtonpost.in/2016/10/03/kashmiri-student-who-shared-facebook-post-praising-burhan-wani-b/	A 22 year old college student was booked on the grounds of sedition for sharing a Facebook post that praised slain Hizbul Mujahideen leader Burhan Wani.	IPC sections 153A and 153B	Jammu & Kashmir	FoE
66	28-Feb-16	http://zeenews.india.com/news/india/mobile-Internet-services-blocked-in-gujarat-know-why_1860264.html	Mobile Internet services were blocked for four hours across Gujarat to prevent misuse of cell phones during Revenue Talatis (Accountants) Recruitment Exam in the state.	Information not available	Gujarat	FoE



S. N.	DATE OF INCIDENT	LINK	DESCRIPTION	LAW	STATE	CATEGORY
67	12-Nov-16	http://indiatoday.intoday.in/technology/story/student-arrested-for-posting-offensive-comments-against-mp-cm/1/822090.html	An RTI activist was arrested by Madhya Pradesh police for a social media post on demonetisation	Section 469 of Indian Penal Code (IPC) - forgery of purpose of harming reputation, and section 66C of Information Technology Act, 2000 - identity theft	Madhya Pradesh	FoE
68	26-Nov-16	http://www.hindustantimes.com/india-news/man-arrested-for-circulating-objectionable-picture-of-pm-modi/story-elqXmKTXLjdG-7ccNDpWgVO.html	A member of BJP minority cell in Morena district was arrested for allegedly posting a morphed photograph of Prime Minister Narendra Modi wearing a garland of shoes on a WhatsApp group	Section 505(2) of the Indian Penal Code	Madhya Pradesh	FoE
69	10-Oct-16	http://www.thehindu.com/news/national/tamil-nadu/Two-arrested-for-spreading-rumour-on-Jayalalitha%E2%80%99s-health-through-social-media/article15478957.ece	Two persons were arrested for allegedly posting false statement and rumours about Chief Minister Jayalalitha's health through Facebook and a website	Information not available	Tamil Nadu	FoE
70	15-Dec-16	http://www.hindustantimes.com/india-news/47-minors-caught-watching-porn-at-cyber-cafes-in-hyderabad-police/story-XpUL4DpQLf3YR3L-WBI3ltM.html	Nearly 47 minors were caught for watching porn and other objectionable content and browsing the Internet at cyber cafes without parental supervision	Information not available	Andhra Pradesh	FoE

ANNEXURE-III

List of incidences that violated Right to Freedom of Assembly and Association

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATE-GORY
1	07-Mar-15	http://timesofindia.indiatimes.com/india/Nagaland-blocks-internet-services-imposes-curfew-in-tense-Dimapur/articleshow/46497164.cms	The Nagaland government has blocked all internet and mobile data services in the state to stop the circulation of videos and images of the lynching of Syed Sarif who allegedly raped his wife's cousin.	Information not available	Nagaland	FoAA
2	05-Jun-15	http://zeenews.india.com/news/jammu-and-Kashmir/internet-blocked-temporarily-due-to-sikh-police-clash-in-jammu_1607966.html	In wake of clashes between Sikh community and state police, the Jammu administration had shut down internet services to maintain peace.	Information not available	Jammu & Kashmir	FoAA
3	15-Aug-15	http://articles.economictimes.indiatimes.com/2015-08-15/news/65525213_1_mobile-internet-services-independence-day-bakshi-stadium	Mobile phone and mobile internet services were blocked as a precautionary measure in wake of the spurt in militant activities in the Jammu & Kashmir Valley on India's independence day	Information not available	Jammu & Kashmir	FoAA
4	25-Aug-15	http://articles.economictimes.indiatimes.com/2015-09-02/news/66144045_1_state-wide-ban-mobile-internet-social-media	Police lifted the ban on mobile internet, social media and SMS services in the wake of violence during the Patel stir in various parts of State.	Information not available	Gujarat	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
5	02-Sep-15	http://scroll.in/article/753108/why-a-blanket-ban-on-the-internet-in-troubled-manipur-is-not-a-good-idea	Access to internet has been blocked in Manipur following violent protests	Information not available	Manipur	FoAA
6	12-Sep-15	http://timesofindia.indiatimes.com/city/surat/Internet-banned-in-Navsari-from-midnight/article-show/48935102.cms	Internet services were blocked in Navsari district of south Gujarat as a precautionary action prior to the Reservation Quota Rally organized by Patidar Anamat Andolan Samiti (PAAS).	Information not available	Gujarat	FoAA
7	19-Sep-15	http://www.newindianexpress.com/nation/Hardik-Arrested-in-Surat-Mobile-Internet-Banned/2015/09/19/article3036722.ece	The Gujarat state administration banned mobile internet services to curb spread of rumours.	Violation of Prohibitory orders	Gujarat	FoAA
8	Sept-25,2015	http://indianexpress.com/article/india/india-others/to-avoid-tension-during-eid-ul-zuha-govt-ban-internet-in-jk-for-two-days-from-tomorrow/	To prevent the misuse of social networking sites, all the internet service providers were asked to block mobile internet services in the Jammu & Kashmir valley to control the beef controversy in view of Eid celebrations.	Information not available	Jammu & Kashmir	FoAA



SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
9	28-Sep-15	http://indianexpress.com/article/india/gujarat/gujarat-internet-services-in-godhra-suspended-for-24-hours/	Mobile internet services were suspended in Godhra for a period of 24 hours, after a derogatory message against Islam made rounds on the mobile social application WhatsApp as a precautionary measure.	Information not available	Gujarat	FoAA
10	08-Oct-15	http://www.dnaindia.com/india/report-beef-ban-mobile-internet-services-cut-in-jammu-after-tension-in-udhampur-2132781	Mobile internet services were suspended as authorities feared misuse of social media after tension gripped Udhampur district on beef ban.	Information not available	Jammu & Kashmir	FoAA
11	11-Oct-15	http://www.theshillong-times.com/2015/10/13/admin-justifies-blocking-internet/	Internet services were banned in Meghalaya to ensure the protestors of the polls including pressure groups and the militants do not use internet which is available even in mobiles to send messages through social networking sites to prevent people from voting.	Information not available	Meghalaya	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
12	17-Oct-15	http://indianexpress.com/article/india/india-news-india/mobile-internet-services-banned-in-rajkot-as-patidar-threat-looms/	The Rajkot administration banned mobile internet services in the district, ahead of the third India versus South Africa One-day International, after Patel quota stir leader Hardik Patel threatened to stage a protest at the Khanderi stadium during the match.	Information not available	Gujarat	FoAA
13	24-Oct-15	http://www.thehindu.com/news/national/other-states/communal-tension-in-rajasthan-cities/article7800532.ece	In an incident of communal tension over the alleged killing of a Muslim youth, internet services were suspended in both these areas for 24 hours on 24th October, 2015.	Section 144 of CrPC	Rajasthan	FoAA
14	07-Nov-15	http://www.firstpost.com/india/mobile-internet-services-blocked-in-Jammu & Kashmir-for-pm-modis-rally-in-srinagar-2498760.html	Mobile internet services were blocked as a precautionary measure of Prime Minister Narendra Modi's rally in Srinagar.	Information not available	Jammu & Kashmir	FoAA
15	19-Dec-15	http://timesofindia.indiatimes.com/india/Rajasthan-police-to-ban-internet-usage-as-per-needs-to-maintain-communal-harmony/articleshow/50258271.cms	Mobile Internet services were disrupted in the district of Bhilwara due to communal tensions.	Section 144 of CrPC	Rajasthan	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATE-GORY
16	12-Aug-16	https://www.telegraphindia.com/1160812/jsp/frontpage/story_101982.jsp#.WPRk2PmGPIV	Mobile Internet services were cut off in Arunachal Pradesh since two days after feared law and order situation in the state's capital following the suicide of former chief minister.	Section 144 of the CrPC	Arunachal Pradesh	FoAA
17	19-Feb-16	http://indianexpress.com/article/india/india-news-india/rohtak-jat-reservation-mobile-internet-blocked-haryana/	Mobile internet services were suspended by Rohtak administration in Rohtak and Jhajjar following violent protests by Jats in Haryana demanding reservation in government jobs and educational institutions under OBC category.	Section 144 of the CrPC	Haryana	FoAA
18	26-Feb-16	http://deshgujarat.com/2016/02/26/prohibitory-orders-and-mobile-internet-ban-in-mahesana-on-february-28/	District administration in Mahesana has ordered ban on using mobile internet and social networking sites under section 144 of the IPC and to hold a Patidar Women's conference.	Section 144 of CrPC	Gujarat	FoAA
19	28-Feb-16	http://zeenews.india.com/news/india/mobile-internet-services-blocked-in-gujarat-know-why_1860264.html	The mobile internet services have been blocked for four hours across Gujarat to prevent misuse of cell phones during Revenue Talatis (Accountants) Recruitment Exam in the state.	information not available	Gujarat	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
20	18-Mar-16	http://indianexpress.com/article/india/india-news-india/jat-reservation-agitation-mobile-internet-haryana/	Mobile internet services suspended at many places in Haryana for possible renewal of the Jat quota agitation that had led to widespread violence.	Prohibitory orders banning assembly of five or more persons	Haryana	FoAA
21	14-Apr-16	http://www.hindustantimes.com/india/handwara-firing-mobile-internet-services-suspended-in-Jammu-&Kashmir/story-iPQHs3vdmIWx7w0uCGK8NJ.html	Mobile internet services were suspended and imposed restrictions in parts of Jammu & Kashmir to prevent escalation of protests triggered after security forces fired at a group protesting the alleged molestation of a school girl by an Indian Army soldier.	Information not available	Jammu & Kashmir	FoAA
22	15-Apr-16	http://timesofindia.indiatimes.com/city/ranchi/Internet-services-blocked-in-Bokaro-after-communal-tension/articleshow/51856786.cms	The district administration blocked internet services in industrial town Bokaro, following communal clashes during Ram Navami celebrations.	Prohibitory orders	Jharkhand	FoAA
23	17-Apr-16	http://indianexpress.com/article/india/india-news-india/gujarat-curfew-imposed-in-mehsana-as-patels-rally-turns-violent-lalji-patel-injured-2757681/	Mobile Internet services suspended in Ahmedabad, Mehsana, Surat and Rajkot, after a call to court arrest given by Patidar leaders turned violent.	Information not available	Gujarat	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
24	17-May-16	http://timesofindia.indiatimes.com/city/lucknow/Internet-blocked-in-riot-hit-Azamgarh/article-show/52300964.cms	Internet has been shut down completely in Azamgarh district, UP where communal tension broke out.	Information not available	UP	FoAA
25	04-Jun-16	http://indianexpress.com/article/india/india-news-india/haryana-jat-quota-agitation-sonipat-mobile-internet-service-banned-2835078/	Officials issued order banning mobile internet service in the district in view of Jat agitation.	Section 144 of the Criminal Procedure Code	Haryana	FoAA
26	05-Jun-16	http://indianexpress.com/article/india/india-news-india/jat-reservation-live-updates-protest-haryana-hisar-rohtak-jind-ambala-2835462/	Internet services blocked in some parts of Haryana to check rumours and false publicity on security arrangements to deal with Jat agitation followed by tensions in the state.	Section 144 of the Criminal Procedure Code	Haryana	FoAA
27	18-Jun-16	http://indianexpress.com/article/india/india-news-india/jammu-temple-row-mobile-internet-services-restored-across-state-2861163/	Mobile internet facility was restored across the state after three days as situation in Jammu city and its surrounding areas remained normal.	Information not available	Jammu & Kashmir	FoAA
28	22-Jun-16	http://www.thehindu.com/news/national/other-states/Jammu-goes-offline-ahead-of-controversial-wrestling-event/article14393564.ece	Mobile internet services were suspended in Jammu region ahead of a wrestling match, the venue for which is disputed between two communities, and experienced violence in 2014 as well.	Information not available	Jammu & Kashmir	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
29	22-Jun-16	http://www.greater-kashmir.com/news/pir-panjal/mobile-internet-services-snapped-in-poonch/221112.html	Over a controversial issue, mobile internet services were suspended in the Poonch district on 22nd June, 2016 on operational and security grounds and to prevent law and order situations.	Information not available	Jammu & Kashmir	FoAA
30	30-Jun-16	http://economictimes.indiatimes.com/tech/internet/mobile-internet-blocked-in-jaisalmer-barmer/article-show/52992932.cms	After the death of a person in police firing, mobile internet services were shut down in Barmer and Jaisalmer as calls for a Bandh was announced by the community members of the person who was killed.	Information not available	Rajasthan	FoAA
31	09-Jul-16	http://indianexpress.com/article/india/india-news-india/mobile-internet-services-suspended-in-kashmir-2902579/	Following the killing of Burhan Wani, Kashmir valley experienced a suspension of mobile internet services to check the spread of rumors by anti-social elements.	Information not available	Jammu & Kashmir	FoAA
32	15-Jul-16	http://telecom.economictimes.indiatimes.com/news/private-telecom-firms-bsnl-asked-to-suspend-services-in-jk/53220299	All private telecom operators in Jammu and Kashmir have been asked to suspend their services for a day as a precautionary measure in the wake of widespread violence in the state.	Information not available	Jammu & Kashmir	FoAA



SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
33	19-Jul-16	https://www.theguardian.com/technology/2016/jul/19/facebook-under-fire-censoring-Jammu & Kashmir-posts-accounts	Jammu & Kashmir unrest has been met with a complete blackout of information both offline and online, Facebook has been actively removing any content relating to the slain rebel Burhan Wani's funeral or any post that stands in solidarity with his movement.	Information not available	Jammu & Kashmir	FoAA
34	29-Jul-16	http://www.greaterkashmir.com/news/kashmir/kashmir-unrest-broadband-slow-subscribers-irked/224220.html	The Government has reduced the bandwidth of broadband. Due to this internet in Jammu & Kashmir is working in very low speed.	Information not available	Jammu & Kashmir	FoAA
35	05-Aug-16	http://indianexpress.com/article/india/india-news-india/internet-services-suspended-in-jammu-amid-mounting-tension-in-chenab-valley-2954958/	Due to bandhs being declared in the Chenab valley to show solidarity with protests being undertaken by Jammu & Kashmiris, mobile internet services were suspended in Jammu region on 5th August, 2016.	Information not available	Jammu & Kashmir	FoAA
36	06-Aug-16	http://timesofindia.indiatimes.com/city/patna/Section-144-imposed-in-internet-banned-in-Saran-after-deity-desecration-video-goes-viral/articleshow/53571544.cms	Due to communal clashes in the Saran district after a video of the desecration of Hindu deities went viral on social media, all internet services were shut down in the district to prevent spread of rumors.	Section 144 of CrPC	Bihar	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
37	13-Aug-16	http://www.dnaindia.com/india/report-kashmir-unrest-broadband-internet-services-suspended-2244766	After the disconnect from mobile internet services, the broadband internet services were also suspended in the Jammu & Kashmir as a precautionary measure to prevent rumor mongering due to unrest between the protestors and the security forces.	Information not available	Jammu & Kashmir	FoAA
38	12-Sep-16	http://indianexpress.com/article/india/india-news-india/no-internet-in-jammu-districts-unrest-kashmir-3030006/	Ahead of Eid celebrations, broadband internet services were suspended in Jammu & as a precautionary measure in light of the ongoing violence in the region. However, mobile internet services remain suspended since 9th July, 2016	Information not available	Jammu & Kashmir	FoAA
39	12-Sep-16	http://www.firstpost.com/india/Jammu & Kashmir-govt-orders-shutdown-of-all-internet-services-except-bsnl-for-next-72-hours-3001464.html	The Jammu & Kashmir government ordered to shutdown internet services for all telecom networks and mobile communications except of state-run BSNL as a precautionary measure because of the tense law and order situation in the state.	Information not available	Jammu & Kashmir	FoAA



SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
40	16-Sep-16	http://timesofindia.indiatimes.com/city/jaipur/Internet-blocked-in-Bhilwara-to-curb-spread-of-rumours/article-show/54369844.cms	Internet services were blocked for a day in Bhilwara after the stabbing of a 21 year old Vishwa Hindu Parishad activist as he was returning home from Ganapati Puja.	Information not available	Rajasthan	FoAA
41	18-Sep-16	http://indiatoday.intoday.in/story/internet-curfew-up-bijnor-communal-clashes-harassment/1/766952.html	Internet services were blocked in the Bijnor district after communal clashes ensued in the region, due to alleged sexual harassment of a Muslim girl.	Information not available	UP	FoAA
42	22-Sep-16	http://indianexpress.com/article/india/india-news-india/jat-quota-protests-in-rajasthan-districts-called-off/	Due to the agitations of the Jat community for reservations as OBC, internet services were shut.	Section 144 of CrPC	Rajasthan	FoAA
43	09-Oct-16	http://www.hindustantimes.com/india-news/mobile-internet-services-suspended-in-protest-hit-nashik/story-chyb-NWRPW1j7mH0onDhJON.html	Mobile internet services and bulk SMS were blocked for two days in Nashik district as protests emerged over the alleged rape attempt of a 5 year old girl by a teenage boy.	Protection of Children from Sexual Offences Act (POCSO), IPC section 188	Maharashtra	FoAA
44	15-Oct-16	http://economictimes.indiatimes.com/news/politics-and-nation/communal-tension-grips-6-bihar-districts/article-show/54867746.cms	Mobile and broadband internet services were disconnected to prevent misuse of social media platforms due to violent communal clashes in the area.	Section 144 of CrPC	Bihar	FoAA

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
45	13-Dec-16	http://rajasthanpatrika.patrika.com/story/bhilwara/section-144-imposed-in-bhilwara-ban-on-internet-2404590.html	Internet services were suspended in the district of Bhilwara due to the onslaught of communal tensions coinciding with the preparations of a Muslim religious function.	Section 144 of CrPC	Rajasthan	FoAA
46	18-Dec-16	http://www.firstpost.com/india/manipur-internet-services-shut-down-in-imphal-west-dist-following-three-blasts-3161912.html	Manipur state Cabinet has decided to shut down Internet service in Imphal West district.	Information not available	Manipur	FoAA
47	26-Dec-16	http://www.sabguru.com/internet-services-blocked-in-bhilwara-city-for-72-hours/	Internet services were suspended in the district of Bhilwara to maintain law and order as the Nagrik Suraksha Manch (a citizens' group) called for a city wide Bandh to protest lack of action taken against the accused in the communal riots.	information not available	Rajasthan	FoAA
48	17-Jan-17	http://www.nagalandpost.com/ChannelNews/State/StateNews.aspx?news=T-kVXUzEwMDEwOD-Q5MQ%3D%3D	Section 144 of the CRPC has been invoked in the Phek District after vandalism and violence was witnessed in the wake of coming elections.	Section 144 of CrPC	Nagaland	FoAA



SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	CATEGORY
49	29-Jan-17	http://indianexpress.com/article/india/jat-agitations-mobile-internet-services-blocked-in-jhajjar-4498224/	With groups of the Jat community starting their reservation agitation, the district administration in Jhajjar has stopped all mobile Internet services, including 2G, 3G, 4G, voice calls and GPRS, SMS services and bulk messages provided on mobile networks.	Section 188 of the Indian Penal Code	Haryana	FoAA
50	30-Jan-17	https://www.nagalandpost.com/ChannelNews/State/StateNews.aspx?news=TKVXUzEwMDEwO-TUyNA%3D%3D	Mobile services both SMS and internet/data, in Nagaland remain suspended after the government snapped the services following the public upheaval in order to thwart rumour mongers.	Section 69A of the Information and Technology Act 2000, and the Website Blocking Rules	Nagaland	FoAA
51	31-Jan-17	http://www.ptinews.com/news/8352337_Jat-stir-enters-third-day--remains-peaceful.html	Mobile Internet was suspended in districts of Rohtak, Bhiwani, Hisar, Sonapat, and Panipat due to the ongoing Jat agitations in various parts of the state.	Section 144 of CrPC	Haryana	FoAA

ANNEXURE-IV

List of incidences that violated Right to Privacy

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	KEY WORDS
1	15-Mar-15	http://www.mid-day.com/articles/pune-cook-nabbed-for-morphing-selfies-black-mail/16062181	A cook in Pune black-mailed his employer with selfies and CCTV footage.	Information not available	Maharashtra	RTP
2	30-Mar-15	http://www.hindustantimes.com/india/odisha-man-raped-many-girls-circulated-videos-of-act-on-whatsapp-cbi/story-Uvqnmq61AzVTRn-914WKtfl.html	Odisha based property dealer and builder was arrested for raping many girls with multiple rape videos which are uploaded in social networking sites.	Information not available	Odisha	RTP
3	17-May-15	http://indianexpress.com/article/trending/womans-brave-response-to-her-online-harasser-on-facebook-goes-viral/	A woman's Facebook reply to humiliate the man who sent objectionable message.	Information not available	New Delhi	RTP
4	04-Jul-15	http://www.mid-day.com/articles/first-person-in-maharashtra-convicted-under-it-act/16342199	The metropolitan magistrate of Mumbai has convicted Yogesh Prabhu, a man for sending obscene and vulgar images and messages to a woman he had seen on a social networking site.	Section 509 of the Indian Penal Code, Section 67 and other relevant sections of the Information Technology Act	Maharashtra	RTP

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	KEY WORDS
5	08-Jul-15	http://indianexpress.com/article/cities/pune/cyber-crime-in-pune-communal-amity-family-life-take-the-worst-hit/	A middle aged man shared videos of his private moments with his wife to his friends on the internet following a dispute with his wife. She filed a criminal petition against him.	Information not available	Maharashtra	RTP
6	08-Jul-15	http://indianexpress.com/article/cities/pune/cyber-crime-in-pune-communal-amity-family-life-take-the-worst-hit/	After a dispute, one of the members posted doctored images on a students and teachers WhatsApp group of another man with a girl, from a reputed school for regular interactions and updates.	Section 66 (A) of IT Act	Maharashtra	RTP
7	09-Jul-15	http://indianexpress.com/article/entertainment/bollywood/salman-khan-approaches-police-over-objectionable-whatsapp-messages/	Actor Salman Khan filed a complaint with the cyber cell of the Mumbai Police against a morph post circulating on WhatsApp messenger showing the actor making bitter remarks about his Muslim fans.	Information not available	Maharashtra	RTP
8	12-Jul-15	http://www.newindianexpress.com/cities/bengaluru/ISROs-Commercial-Arm-Website-Hacked/2015/07/12/article2916554.ece	ISRO commercial arm website has been hacked and the website was blocked within minutes after its homepage was found having weird content.	Information not available	India	RTP
9	14-Jul-15	http://www.ibtimes.co.in/kickass-torrents-other-sites-get-blocked-by-google-chrome-warns-users-malware-attacks-639202	Kickass Torrents, Other Sites Get Blocked by Google which contains harmful programmes by malware attacks	Information not available	India	RTP



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10	03-Aug-15	http://indiatoday.intoday.in/story/its%ADofficial%ADgovernment%ADhas%ADbanned%ADthe-se%AD857%AD-porn%ADsites/1/455899.html	The India government has banned access to 857 porn sites.	Section 79(3)(b) of the Information Technology Act, 2000 as the content hosted on these websites relate to morality, decency as given in Article 19(2) of the Constitution of India.	India	RTP
11	13-Aug-15	http://www.mid-day.com/articles/man-held-for-posting-obscene-photos-of-girl-child-in-whatsapp/16452169	A man posts obscene photos of a girl child on WhatsApp.	Information not available	Tamil Nadu	RTP
12	09-Sep-15	http://www.mid-day.com/articles/mumbai-crime-man-uses-morphed-images-to-blackmail-15-yr-old-girl/16520187	Engineering student blackmails 15 year old girl with morphed imaged.	Sections 354 and 385 of the IPC	Maharashtra	RTP
13	09-Sep-15	http://indianexpress.com/article/india/india-others/hyderabad-engineering-student-lures-school-girls-on-facebook-to-share-nude-photos-gets-arrested/	Engineering student was arrested for luring 200 school children through Facebook.	Information not available	Telangana	RTP



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14	08-Oct-15	http://www.dnaindia.com/india/report-whatsapp-group-admin-arrested-for-objectionable-content-in-latur-2132820	Group Admin arrested for posting objectionable content on WhatsApp	Sections 153, 34 and section 67 of IT Act, 2000	Maharashtra	RTP
15	31-Oct-15	http://timesofindia.indiatimes.com/entertainment/malayalam/Anupama-to-go-legal-on-morphed-pictures/articleshow/48745449.cms?utm_source=COLUMBIA&utm_medium=COLUMBIA&utm_campaign=COLUMBIA	Malayalam Film actress Anupama Parameswaran is palling to go legal about morphed pictures of hers which has been doing the rounds on the net.	Information not available	Kerala	RTP
16	17-Nov-15	http://www.dnaindia.com/india/report-four-boys-arrested-for-gang-rape-after-video-goes-viral-on-whatsapp-2149495	A teenage girl was allegedly gang raped by her friend and three other boys, with the crime coming to light after her aunt came across the video of the incident that they had circulated on WhatsApp.	Information not available	Maharashtra	RTP
17	13-Dec-15	http://timesofindia.indiatimes.com/city/gurgaon/2-booked-for-harassment-on-social-media/articleshow/50155981.cms	A doctor lodged a complaint to the police that an unknown person hacking into her Facebook account and posting objectionable photos	Relevant sections of the IT Act	Haryana	RTP
18	06-Jan-16	http://zeenews.india.com/news/uttar-pradesh/video-clip-about-gang-rape-in-up-goes-viral_1842328.html	A video clip has gone viral on WhatsApp showing a few men raping a woman who had gone missing a month back. Police was immediately approached and registered a case.	Information not available	UP	RTP

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	KEY WORDS
19	18-Feb-16	http://indianexpress.com/article/entertainment/bollywood/hrithik-roshan-kangana-ranaut-cyber-crime-cell-find-imposter/	Actor Hritik Roshan has requested Cyber-Crime division of Mumbai Police to trace the person who was allegedly talking to actress Kangana Ranaut on his behalf from an email address.	Information not available	Maharashtra	RTP
20	03-May-16	http://timesofindia.indiatimes.com/city/bhubaneswar/Cyber-criminals-hack-Utkal-University-website/articleshow/52087115.cms	Utkal University website has been hacked by Pakistan hackers and the website has been blocked by the authorities after identifying the issue.	Information not available	India	RTP
21	18-Mar-16	http://www.mid-day.com/articles/pune-based-cyber-stalker-held-for-harassing-mumbai-college-girl-on-facebook/17052179	An 18 year old college girl from Mumbai was stalked by 26 year old man from Pune online and harassed her by posting vulgar comments on her posts and photos on social networks.	Under relevant sections of Information technology Act	Maharashtra	RTP
22	29-May-16	http://www.mid-day.com/articles/minor-girl-molested-by-man-after-obscene-posts-on-facebook-3-booked/17284173	A 27 year old man allegedly molested a minor girl and blackmailed her by creating fake Facebook account in her name to post obscene messages and pictures.	Sections 354, 292, 500, 504 and 506 of the IPC and also relevant sections of the IT Act and Protection of Children from Sexual Offences (POCSO) Act	Maharashtra	RTP

SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	KEY WORDS
23	26-Apr-16	http://timesofindia.indiatimes.com/city/aurangabad/Man-booked-for-attempt-to-defame-gramsevak/articleshow/51988706.cms	An unidentified person used social networking sites to defame a woman Gramsevak. Case filed for stalking and outraging the modesty of the woman.	Section 354 (D) of the IPC	Ma-ha-rash-tra	RTP
24	06-May-16	http://timesofindia.indiatimes.com/city/ludhiana/local-congress-leader-arrested/articleshow/58541983.cms	The Ludhiana police have arrested the Vice-president of rural wing of District Congress Committee for circulating the video of a singer and politician on social networking sites, WhatsApp groups, and on a porn website	Sections 66E, 67, 67-A, of the IT Act, 354-C, 500, 501 of the IPC, Section 6 of Indecent Representation of Women (Prohibition) Act	Pun-jab	RTP
25	10-May-16	http://www.telegraphindia.com/1160511/jsp/northeast/story_84893.jsp#.VzL9F4R97IU	Case lodged against Assamese singer Bhrigu Kashyup for posting morphed pictures on WhatsApp and Facebook of another Assamese singer Priyanka Bharali.	IT Act, 2000	As-sam	RTP
26	07-Jul-16	http://www.ndtv.com/india-news/he-sent-obscene-texts-to-1-500-women-serial-offender-caught-in-delhi-1428613	A man who stalked over 1,500 women with obscene calls and texts arrested in Delhi.	Information not available	New Delhi	RTP
27	15-Jul-16	http://www.huffingtonpost.in/2016/06/28/21-year-old-tamil-nadu_n_10712644.html	21-year-old commits suicide in Tamil Nadu after her morphed photos surface on Facebook.	information not available	Tamil Nadu	RTP

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28	17-Jul-16	http://www.mid-day.com/articles/mumbai-youth-arrested-for-posting-obscene-comments-on-sister-in-laws-facebook-account/17440192	A man from Kerala has posted photos of his sister writing obscene notes below on Facebook, to stop her from wearing western outfits	Information not available	Kerala	RTP
29	27-Jul-16	http://indiatoday.intoday.in/story/chennai-couple-arrested-for-running-child-porn-sites/1/724907.html	Chennai techie couple earned rupees 2 crore from child porn sites, arrested.	IT act and charges of child pornography	Tamil Nadu	RTP
30	29-Jul-16	http://www.mid-day.com/articles/woman-names-shames-facebook-perverts-files-fir/17476166	A woman from Juhu, has filed a FIR against the men who had sent obscene messages to her on her Facebook profile, she also publicly shamed them by posting the screenshots of the messages online that those men had sent her.	Information not available	Maharashtra	RTP
31	05-Aug-16	https://news.vice.com/article/gang-rape-videos-are-being-sold-in-india	Gang rape videos are being sold in northern states of India using cellphone clips via social media.	Information not available	UP	RTP
32	13-Aug-16	http://timesofindia.indiatimes.com/entertainment/tamil/movies/news/Rajendran-files-legal-complaint-about-fake-Twitter-account/article-show/53823564.cms	Tamil actor lodged a complaint regarding his fake twitter account.	Information not available	Tamil Nadu	RTP



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33	14-Aug-16	http://www.nigeriatoday.ng/2016/08/2-nigerians-arrested-in-india-for-cyber-crime/	Two Nigerians were arrested in Ahemadbad for blackmailing two women who registered on a matrimonial website to pay them a huge sum of money.	Information not available	New Delhi	RTP
34	23-Aug-16	http://timesofindia.indiatimes.com/city/delhi/Mishra-Probe-fake-online-accounts/articleshow/53817805.cms?utm_source=COLUMBIA&utm_medium=COLUMBIA&utm_campaign=COLUMBIA	Tourism minister Kapil Mishra has lodged a complaint against a fake social media profile created under his name are being allegedly used to incite communal and caste based tensions.	Information not available	New Delhi	RTP
35	09-Sep-16	http://www.hindustan-times.com/india-news/man-arrested-for-circulating-objectionable-messages-about-bharat-mata-story-pT7L4uOpLDsO-QqN1cSg7gN.html	A man was arrested at Paldi village for allegedly circulating "objectionable" content on a popular messaging service	Information not available	Gujarat	RTP
36	12-Sep-16	http://www.newsx.com/national/40991-teen-commits-suicide-after-obscene-social-media-posts	A 17-year-old girl in West Bengal allegedly committed suicide after facing humiliation when a youth uploaded obscene photographs of her on the social media.	Information not available	West Bengal	RTP
37	12-Oct-16	http://indiatoday.intoday.in/story/delhi-police-social-media-ransom-blackmail/1/785018.html	Two men were arrested for blackmailing women on social media.	Information not available	New Delhi	RTP

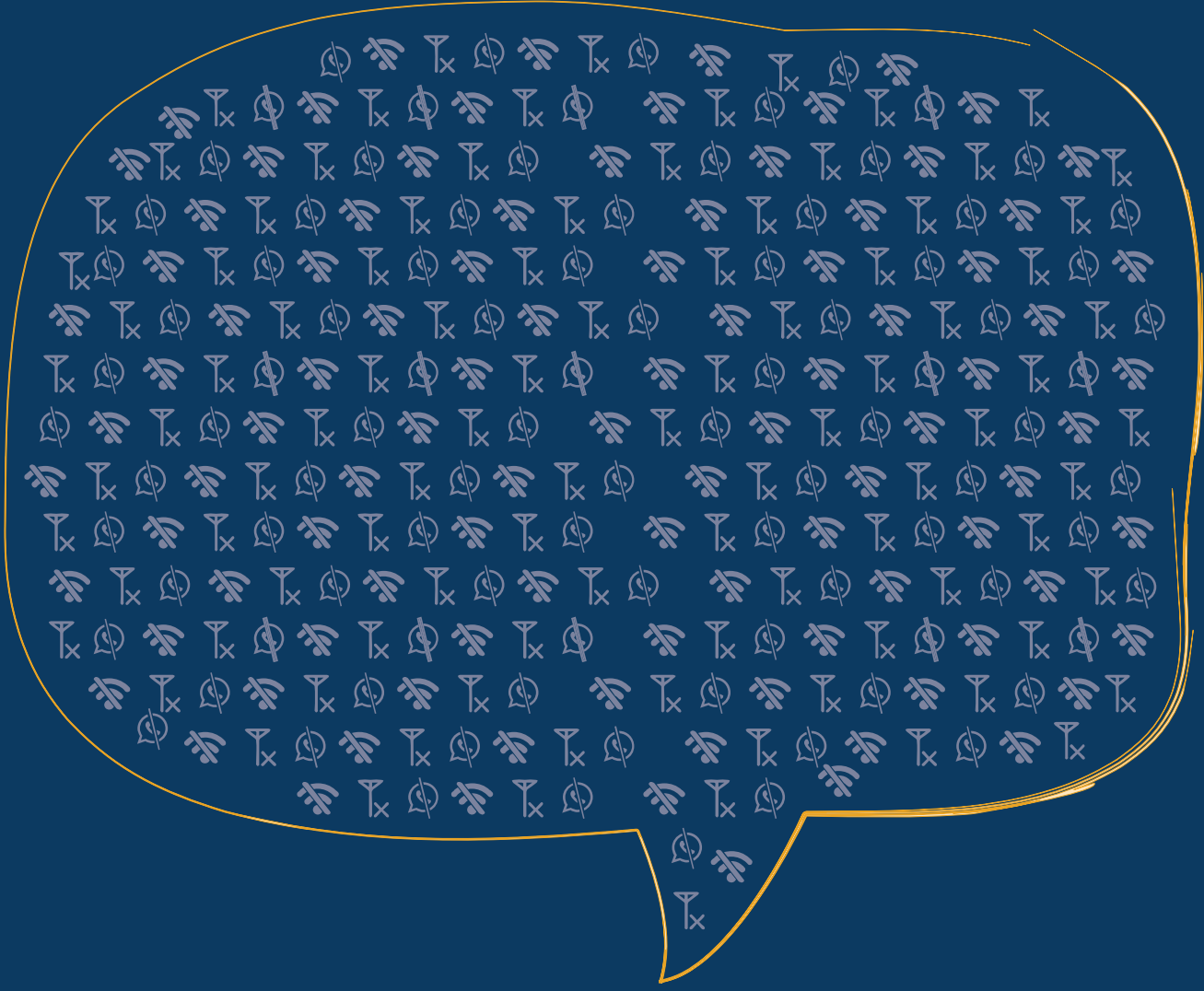
SL. NO.	DATE	LINK	DESCRIPTION	LAW	STATE	KEY WORDS
38	14-Oct-16	http://www.asianage.com/mumbai/man-held-harassing-ex-miss-india-insta-933	The Pune police arrested a man who was allegedly harassing a former Miss India International-cum-actress, Neha Hinge, on a social media site.	Information not available	Maharashtra	RTP
39	03-Nov-16	http://timesofindia.indiatimes.com/city/kochi/Crime-Youth-arrested-for-cheating/article-show/55216472.cms	A man was arrested for cheating women on social media through fake Facebook and WhatsApp accounts.	Information not available	Kerala	RTP
40	20-Dec-16	http://scroll.in/article/810025/can-escort-websites-be-blocked-in-india-legally	The websites offering escort services may potentially be in violation of the law, but they cannot be taken down under the existing provisions of the IT Act.	Immoral Traffic (Prevention) Act, 1956, the Indecent Representation of Women Act, 1986, and the Information Technology Act, 2000.	India	RTP
41	01-Jan-17	http://indiatoday.intoday.in/story/nsg-website-hacked-derogatory-message-pm-narendra-modi/1/847228.html	The official website of National Security Guard was hacked by a group and posted a photograph showing a policeman lathi charging civilians, along with posting derogatory messages against Prime Minister Narendra Modi on the website's home page.	Information not available	India	



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42	18-Jan-17	http://indiatoday.intoday.in/story/us-national-hyderabad-for-sharing-child-porn/1/859992.html	A 42-year-old American citizen was arrested in Hyderabad for uploading thousands of pornography and child pornography video on various social media websites.	Section 67A&B of Information Technology Act, 2000	Telangana	RTP
43	24-Jan-17	http://www.ndtv.com/india-news/social-media-posts-fuel-hysteria-mob-violence-in-west-bengal-1651935	West Bengal police are urging villagers to ignore rumours about dacoits, child lifters and molesters that have spread in the state through social media which resulted in mobs lynching, two men and brutally beating up two women.	Information not available	West Bengal	RTP
44	17-Oct-15	http://timesofindia.indiatimes.com/city/chandigarh/2-arrested-for-uploading-provocative-material-on-social-media/articleshow/49426943.cms	2 people were arrested for uploading provocative messages on social media.	Sections 420, 465, 467, 468 and 471 of the IPC for cheating and forgery	Punjab	RTP







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