

## Situation of Internet Filtration in India

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### ABSTRACT

Internet Filtration is to have power of controlling what can be accessed, published, or viewed on the Internet. Blocking and filtering can be based on static blacklist or can be determined dynamically based on real-time inspection of the information being exchanged.

This paper provides overview of Internet Filtration in India. This paper presents reports from different organizations on Internet Filtration in India. This paper also presents outcome of a simple questionnaire collected from a sample size of 50 persons in the age group of 20 to 50 years.

**Keywords** :— Internet Filtration, Internet Censorship, Blocking Websites, Filtering Websites.

### I. INTRODUCTION

Internet Filtration in India is selectively practised by both central and state governments. While there is no determined policy or approach to block access to Internet content on a large scale, events of removing content have become more common in recent years.

In India websites can be filtered or blocked through court order as per Information Technology Act 2000. The Information Technology Act provides legal framework to regulate Internet use and commerce, including digital signatures, security, and hacking [1]. The act criminalizes the publishing of obscene information electronically and grants police powers to search any premises without a warrant and arrest individuals in violation of the act. A 2008 amendment to the Information Technology act reinforced government's power to block Internet sites and content and criminalized sending messages deemed inflammatory and offensive [2].

Mostly these bans are initiated under copyright and trademark violation through the list provided by film studios, without proper security measures and without proper research or professional technical service. Apart from this Internet control mechanisms including technical, legal, political, and social tools have been imposed by governments due to a perception that self regulation is no longer

sufficient to deal with challenges posed by the Internet.

### II. REPORTS

Internet Filtration at varying levels is occurring in various countries. Comprehensive country based censorship is revealed in studies by OpenNet Initiative, Reporters Without Borders, and Freedom House Report.

#### A. OpenNet Initiative

The OpenNet Initiative classified India as engaged in "selective" Internet filtering in the political, conflict/security, social, and Internet tools areas in 2011 [3]. ONI describes India as:

- A stable democracy with a strong tradition of press freedom that nevertheless continues its regime of Internet filtering. However, India's selective censorship of blogs and other content, often under the guise of security, have also been met with significant opposition.
- Indian ISPs continue to selectively filter Web sites identified by authorities. However, government attempts at filtering have not been entirely effective because blocked content has quickly migrated to other Web sites and users have found ways to circumvent filtering. The government has also been criticized for a

poor understanding of the technical feasibility of censorship and for haphazardly choosing which Web sites to block.

#### **B. Reporters Without Borders**

In March 2012, Reporters Without Borders added India to its list of "countries under surveillance", [4] stating that:

- Since the Mumbai bombings of 2008, the Indian authorities have stepped up Internet surveillance and pressure on technical service providers, while publicly rejecting accusations of censorship. The national security policy of the world's biggest democracy is undermining freedom of expression and the protection of Internet users' personal data.

#### **C. Freedom House Report**

Freedom House's *Freedom on the Net 2014* report gives India a Freedom on the Net Status of "Partly Free" with a rating of 42 (scale from 0 to 100, lower is better). Its Obstacles to Access was rated 13 (0-25 scale), Limits on Content was rated 10 (0-35 scale) and Violations of User Rights was rated 19 (0-40 scale) [5].

The *Freedom on the Net 2012* report, says: [6]

- India's overall Internet Freedom Status is "Partly Free", unchanged from 2009.
- India has a score of 39 on a scale from 0 (most free) to 100 (least free), which places India among 20 out of the 47 countries worldwide that were included in the 2012 report. India ranked 14 out of 37 countries in the 2011 report.
- India ranks third out of the eleven countries in Asia included in the 2012 report.
- Prior to 2008, censorship of Internet content by the Indian government was relatively rare and sporadic.
- Following the November 2008 terrorist attacks in Mumbai, which killed 171 people, the Indian Parliament passed amendments to the Information Technology Act (ITA) that expanded the government's censorship and monitoring capabilities.

- While there is no sustained government policy or strategy to block access to Internet content on a large scale, measures for removing certain content from the web, sometimes for fear they could incite violence, have become more common.
- Pressure on private companies to remove information that is perceived to endanger public order or national security has increased since late 2009, with the implementation of the amended ITA. Companies are required to have designated employees to receive government blocking requests, and assigns up to seven years' imprisonment private service providers—including ISPs, search engines, and cybercafés—that do not comply with the government's blocking requests.
- Internet users have sporadically faced prosecution for online postings, and private companies hosting the content are obliged by law to hand over user information to the authorities.
- In 2009, the Supreme Court ruled that bloggers and moderators can face libel suits and even criminal prosecution for comments posted on their websites.
- Prior judicial approval for communications interception is not required and both central and state governments have the power to issue directives on interception, monitoring, and decryption. All licensed ISPs are obliged by law to sign an agreement that allows Indian government authorities to access user data.

### **III. QUESTIONNAIRE**

The team prepared a questionnaire containing three questions each with three options for choice and collected data from 50 persons in the age group of 20 to 50 years. Following are the details

- 1) *Situation of Internet Filtration in India is*
  - a) *Light*
  - b) *Moderate*
  - c) *Severe*
- 2) *The reason for Internet Filtration in India is*
  - a) *Political*

- b) Social
- c) Technical

- 3) **Who should control what information to access and share on Internet**
- a) Government
  - b) Self
  - c) Others

TABLE I  
DATA COLLECTED FROM QUESTIONNAIRE

No	Que	a)	b)	c)
1)	Situation of Internet Filtration in India is a) Light b) Moderate c) Severe	31	12	7
2)	The reason for Internet Filtration in India is a) Political b) Social c) Technical	27	2	21
3)	Who should control what information to access and share on Internet a) Government b) Self c) Others	9	40	1

#### IV. CONCLUSIONS

People have widely varying views about the legality or illegality of Internet Filtration. There are many individuals, organizations and governments who see the Internet as a source of dangerous information that must be controlled; on the other

hand there are many individuals and groups who are working hard to make sure that the Internet, and the information on it, is freely available to everyone who wants it.

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- [5] <https://freedomhouse.org/report/freedomnet/2014/india>.
- [6] "India Country Report" (<http://www.freedomhouse.org/sites/default/files/India%202012.pdf>).