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EDITORIAL ANALYSIS

Jantar Mantar Protests: A Model of What's Wrong With India's Internet Governance

 INDIAN EXPRESS

14 August 2026

POLITY

SOCIAL ISSUES

GS2

CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

 linkedin.com/in/epicbharat

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Jantar Mantar Protests: A Model of What's Wrong With India's Internet Governance

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INTERVIEW ANGLE

"The editorial argues internet shutdowns during protests lack adequate procedural safeguards. If the state believes a shutdown is genuinely necessary to prevent violence, should that judgment alone be sufficient, or does the fundamental-rights impact demand independent, real-time judicial review before implementation?"

 Every fact web-verified against primary sources

THE LIFT LINE

A shutdown that can be imposed without transparent justification or independent review is not a proportionate restriction, it is an unchecked discretion wearing the language of proportionality.

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

This editorial ties a specific, dated protest event to India's internet-shutdown legal framework, exactly the kind of concrete case study a GS2 answer on fundamental rights and governance transparency needs. The precise statutory citation, Telecommunications Act 2023 and 2024 Suspension Rules, upgrades a generic "internet shutdowns are concerning" answer into a specific, testable one.

GS Paper 2: Government policies and interventions; issues arising from their design and implementation; fundamental rights, freedom of speech and assembly.

CONCEPT	MEANING	WHY IT IS TESTABLE
Telecommunications Act, 2023	The statute governing telecom regulation, including shutdown authority	The specific legal basis for internet suspension orders
2024 Suspension Rules	Rules operationalising shutdown procedures under the 2023 Act	The specific procedural framework under scrutiny
Article 19(1)(a) and (b)	Freedom of speech and freedom of assembly	The fundamental rights directly restricted by shutdowns
Proportionality standard	Restrictions on fundamental rights must be necessary and proportionate	The Supreme Court-established test for evaluating shutdown legality

BACKGROUND AND CONTEXT

India's telecom regulatory framework transitioned to the **Telecommunications Act, 2023**, which, alongside its associated **2024 Suspension Rules**, governs the legal basis for internet and telecom service suspension orders, superseding the earlier framework under the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017. India has been repeatedly noted internationally for having among the highest frequencies of localised internet shutdowns globally, frequently imposed during protests, examinations and periods of civil unrest.

THE ANALYSIS

- 1. The procedural-transparency gap is the editorial's central, specific concern.** The argument is not that shutdowns can never be justified, but that current practice permits them without adequate transparency about specific justification or independent review before implementation, a due-process concern distinct from questioning whether any shutdown could ever be warranted.
- 2. The proportionality standard gives this a precise constitutional anchor.** The Supreme Court has held that restrictions on Article 19(1)(a) and (b) rights must meet a proportionality test, meaning shutdowns should be the least restrictive means necessary to address a specific, demonstrated threat, not a blanket precautionary measure.
- 3. The "first resort rather than last resort" characterisation is the editorial's sharpest empirical claim.** If shutdowns are being deployed early in a protest situation rather than after less restrictive alternatives are shown to be insufficient, this directly undermines the proportionality standard's requirement that restrictions be genuinely necessary, not merely convenient.
- 4. The law-and-order counter-argument is genuine but does not resolve the procedural-safeguard question.** Even accepting that authorities may face real time-sensitive concerns, this justifies expedited review mechanisms, not the absence of independent review altogether; the two are different

institutional designs with very different accountability implications.

5. This connects to India's broader position in global internet-governance and digital-rights discourse. India's shutdown frequency has drawn sustained international attention, making domestic procedural reform relevant not only to constitutional rights protection but to India's standing in global digital-governance conversations.

DATA AND INSTITUTIONS VAULT

PRELIMS-GRADE FACTS:

Telecommunications Act, 2023: current statutory basis for telecom suspension authority

2024 Suspension Rules: procedural framework under the 2023 Act

Article 19(1)(a): freedom of speech; Article 19(1)(b): freedom of assembly

Proportionality standard: Supreme Court-established test for restrictions on fundamental rights

WATCH THE TRAP: DO NOT CITE THE OLDER 2017 SUSPENSION RULES AS THE CURRENT GOVERNING FRAMEWORK. THE TELECOMMUNICATIONS ACT, 2023 AND ITS 2024 SUSPENSION RULES HAVE SUPERSEDED THE EARLIER FRAMEWORK.

THE DEBATE

Argument FOR stronger procedural safeguards. Fundamental rights restrictions of this magnitude require transparent, specific justification and independent review to meet the proportionality standard; current practice, as illustrated by the Jantar Mantar case, falls short of this bar.

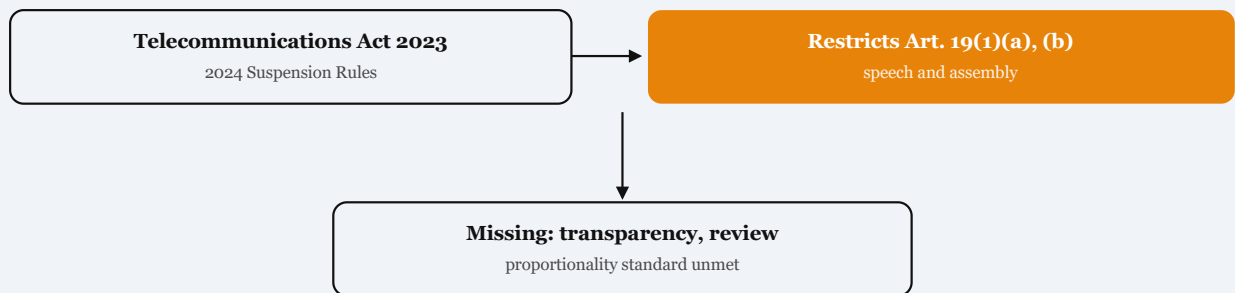
Argument AGAINST extensive prior review requirements. Genuine, time-sensitive public-safety concerns during volatile protest situations may require rapid response that extensive prior judicial review could undermine, particularly where misinformation or coordination risks escalating violence quickly.

Balanced verdict. Expedited but genuine independent review, rather than either extensive prior judicial process or no review at all, offers a workable middle path: authorities retain the ability to act quickly on demonstrated threats while shutdown orders remain subject to meaningful, if rapid, accountability.

HOW TO THINK ABOUT THIS

The transferable pattern: **when evaluating any restriction on fundamental rights justified by public-order concerns, check whether the restriction is accompanied by transparent, specific justification and genuine independent review, not merely a general appeal to necessity.** This distinction, procedural safeguard versus unchecked discretion, applies across preventive detention, assembly restrictions and censorship contexts generally, not internet shutdowns alone.

DIAGRAM-IN-WORDS



Internet shutdown orders restrict core Article 19 rights, but the editorial argues current practice lacks the transparency and independent review the proportionality standard requires.

TAKEAWAY BOX

A shutdown that can be imposed without transparent justification or independent review is not a proportionate restriction, it is an unchecked discretion wearing the language of proportionality.

Telecommunications Act, 2023; 2024 Suspension Rules; Article 19(1)(a), (b); proportionality standard.

how should the state balance the genuine, time-sensitive need to prevent violence during protests against the fundamental-rights cost of restricting speech and assembly for an entire locality, including those with no involvement in any unlawful activity?

UPSC has tested internet shutdowns and fundamental-rights restrictions during public order situations (GS2); this editorial's specific statutory citation strengthens any such answer.

"Internet shutdowns during protests raise serious procedural and proportionality concerns under India's fundamental-rights framework." Examine this claim with reference to the legal framework governing suspension orders.

Sources: *Indian Express, Department of Telecommunications*

Source: Jantar Mantar Protests: A Model of What's Wrong With India's Internet Governance — Ujjyari.com | Free
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• KEY ARGUMENTS AT A GLANCE

The Indian Express uses the mobile-internet suspension imposed around Jantar Mantar during the 2026 NEET-paper-leak protests as a case study of India's opaque, disproportionate internet-shutdown practice, arguing it reflects a broader governance failure of restricting fundamental rights, speech and assembly, without adequate procedural safeguards or judicial oversight.



SUPPORTING

- The suspension was imposed under the Telecommunications Act 2023 and its associated 2024 Suspension Rules, a framework the editorial argues permits shutdowns with insufficient transparency about the specific justification and insufficient independent review before implementation.
- Internet shutdowns during protests directly restrict the exercise of fundamental rights, freedom of speech under Article 19(1)(a) and freedom of assembly under Article 19(1)(b), rights that require a high bar of justification and proportionality for any restriction.
- The Jantar Mantar shutdown, imposed during protests over the NEET paper-leak controversy, illustrates a broader, recurring pattern in Indian internet-governance practice where localised shutdowns are used as a first-resort tool against protest activity rather than a last-resort measure after less restrictive alternatives are exhausted.



COUNTER

Authorities may face genuine, time-sensitive law-and-order concerns during volatile protest situations where misinformation or coordination via social media could escalate violence, and requiring extensive prior judicial review before every localised shutdown could undermine the state's ability to respond quickly to a genuine, imminent public-safety threat.



WAY FORWARD

The editorial implicitly calls for strengthened procedural safeguards around internet-shutdown orders, greater transparency about specific justification, independent review, and proportionality assessment, so that shutdowns function as a genuinely last-resort tool rather than a routine first response to protest activity.


MAINS ANSWER FRAMEWORK
QUESTION

Examine the procedural and constitutional concerns raised by localised internet shutdowns during protests, with reference to the legal framework governing suspension orders in India. (250 words)

INTRODUCTION

The Indian Express uses the mobile-internet suspension imposed around Jantar Mantar during the 2026 NEET-paper-leak protests as a case study of what it characterises as India's opaque and disproportionate internet-shutdown practice.

BODY

The suspension was imposed under the framework established by the Telecommunications Act, 2023 and its associated 2024 Suspension Rules, which the editorial argues permit localised internet shutdowns with insufficient transparency about specific justification and insufficient independent review before implementation. Internet shutdowns during protests directly restrict fundamental rights, freedom of speech under Article 19(1)(a) and freedom of assembly under Article 19(1)(b), both of which the Supreme Court has held require restrictions to meet a proportionality standard, not merely a general public-order justification.

The Jantar Mantar case, arising from protests over the NEET paper-leak controversy, illustrates what the editorial characterises as a broader, recurring pattern: localised shutdowns deployed as an early, rather than last-resort, response to protest activity, without the procedural safeguards, transparent specific justification, independent review, proportionality assessment, that the fundamental-rights impact would warrant. The counter-consideration, that authorities may face genuine time-sensitive law-and-order concerns during volatile situations, is a real constraint, but does not by itself justify bypassing meaningful procedural safeguards.

CONCLUSION

A complete answer should engage both the fundamental-rights framework (Articles 19(1)(a) and (b), proportionality standard) and the specific statutory mechanism (Telecommunications Act 2023, 2024 Suspension Rules) governing shutdown orders, treating the Jantar Mantar case as illustrative of a structural governance gap rather than an isolated incident.

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