

Chief Justice's Court

In re : Reference to the discontinuation of Internet Services by the State Authorities.

Hon'ble Govind Mathur, Chief Justice

Hon'ble Vivek Varma, J.

A good number of Lawyers led by Sri Ravi Kiran Jain, Senior Advocate, Sri Anurag Khanna, Senior Advocate and Sri Rakesh Pande, Senior Advocate and President of the Allahabad High Court Bar Association have mentioned before us the problem faced by the Lawyers as well as by the public at large due to discontinuation of Internet Services under instructions and orders of the State Government.

It is pointed out that it is not only the judicial functioning, but the banking activities, administrative activities, educational activities, medical activities, traffic movement may that be by Railways, Airways or Road nowadays and several other activities are functional online with the aid of Internet Services. All such services are essential to have smooth day to day life.

So far as working of the judicial system is concerned, it is pointed out that the entire system relating to publication and distribution of Cause List, uploading and downloading of judgments and orders and several other activities are dependent to the Internet Services. The stoppage of Internet Services, as a matter of fact, has paralyzed the entire judicial system. It is emphasized that in absence of Internet all day to day activities stands still. The right to have continuous Internet Service in the present era is an extension of the right to live and, as such, discontinuation of that is in violation of Article 21 of the Constitution of India.

Learned Advocates accepted that there may be certain administrative exigencies for suspending the Internet Services, but that

must be a rarest of rare phenomenon. In present days, where each and every activity of life is dependent to the Internet services, the Administration must adopt some other mode and methods to meet with different eventualities pertaining to the law and order issues.

Having considered all aspects of the matter, we deem it appropriate to direct the Registry to register a writ petition in public interest litigation jurisdiction in the name of **“Reference to the discontinuation of Internet services by the State Authorities”**.

Notice be issued to the State of Uttar Pradesh.

The notice issued is accepted by Sri A.K. Goel, learned Additional Chief Standing Counsel. Sri Goel wants some time to avail necessary instructions in the matter and also to file a counter affidavit, if required.

Time prayed for is allowed.

Let this petition for writ be listed on 03.01.2020.

Order Date : 20.12.2019

Shubham

(Vivek Varma, J.)

(Govind Mathur, C.J.)