

Government of Jammu and Kashmir
Home Department
Civil Secretariat, Jammu

Subject: Temporary suspension of Telecom Services-directions reg;

Reference: Letter Nos. JZ/Internet/2020/21 dated 13.01.2020 and KZ/CS/Misc/2020/606 dated 13.01.2020 from IGP, Jammu & IGP, Kashmir, respectively.

Government Order No: Home -03 (TSTS) of 2020

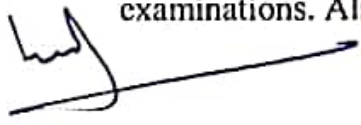
Dated: 14.01.2020

Whereas, the police authorities have brought to notice material relating to the terror modules operating in the UT of J&K, including handlers from across the border, and activities of separatists/ anti-national elements within who are attempting to aid and incite people by transmission of fake news and targeted messages through use of internet to propagate terrorism, indulge in rumour-mongering, support fallacious proxy wars, spread propaganda/ideologies, and cause disaffection and discontent; and

2. Whereas, based on the intelligence inputs and assessment of the law and order situation obtaining on ground, the law enforcement agencies, while detailing the present situation, have inter-alia reported about the sustained efforts being made by the terrorists to infiltrate from across the border, re-activate their cadres and scale up anti-national activities in Kashmir Division as well as terrorism affected areas of the Jammu Division, by communicating effectively with their operatives within the UT of J&K through Voice on Internet Protocol (VOIP) and encrypted mobile communication through various social media applications to co-ordinate & plan terror acts; and

3. Whereas, the misuse of data services by anti-national elements has the potential to cause large scale violence and disturb public order which has till now been maintained due to various pre-emptive measures, including restrictions on access to internet with relaxations in a calibrated and gradual manner, after due consideration of the ground situation; and

4. Whereas, as on date, mobile internet activity of all kinds has been suspended in the UT of J&K. However, internet through fixed line broadband facility exists in Jammu Division while in the Kashmir Division, to facilitate the general public, students, etc., 844 e-terminals have been established besides 69 special counters for tourists, apart from separate terminals for filing of GST returns and application forms for various examinations. Also, among others, a number of Government departments including those

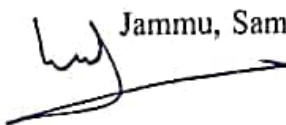


related to essential services and Government hospitals have also been provided access to internet; and

5. Whereas, the Hon'ble Supreme Court of India has, in Writ Petition (Civil) No. 1031 of 2019 titled Anuradha Bhasin Union of India and Ors. vide its judgment dated 10.01.2020, directed to review all orders suspending internet services forthwith and while taking decisions regarding restrictions, adhere to the principle of proportionality.

6. Now, therefore, taking into account the ground situation and after considering the available alternative measures, in light of the reports of the authorized officers, subject to detailed review that is being undertaken, I, Principal Secretary to the Government, Home Department, being satisfied that, it is absolutely necessary to do so in the interest of the sovereignty and integrity of India, the Security of the State and for maintaining public order, in exercise of the powers conferred by sub-section (2) of section 5 of the Indian Telegraph Act, 1885 and the sub-rule (1) of rule 2 of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 hereby direct as under:

- a) The existing access/ communication facilities indicated in the para 4 above shall continue and the Divisional Administration Kashmir shall additionally establish 400 internet kiosks;
- b) Internet service providers (ISP - BSNL/private service providers) to provide broadband facility (with Mac-binding) to all the Institutions dealing with essential services, Hospitals, Banks, etc. as also Government offices, and in order to facilitate tourism, to hotels and tour and travel establishments;
- c) Prior to giving such facility, the ISPs shall install necessary firewalls and carry out 'white-listing' of sites that would enable access to Government websites and websites dealing with essential services, e-banking, etc. excluding, however, all the social media sites. To amplify, there shall be complete restriction on social media applications allowing peer to peer communication and virtual private network applications for the time being.
- d) The Institutions and Government offices that are being provided internet access shall be responsible to prevent any misuse, for which they shall take all the necessary precautions, including appointment of nodal officers, keeping a record of persons/devices, managing and monitoring day to day usage, changing accessibility credentials on a daily basis and ensure internet availability to only authorized users, etc.
- e) 2G mobile connectivity on post paid mobiles for accessing white-listed sites, including for e-banking, shall be allowed, to begin with, in the districts of Jammu, Samba, Kathua, Udhampur and Reasi. However, in the other districts



of the UT of J&K, mobile internet connectivity shall remain suspended till further directions, pursuant upon a review of the adverse impact, if any, of this relaxation on the security situation.

7. The authorized officers shall ensure communication of these directions to the service providers with immediate effect and ensure their implementation in letter and spirit.

8. The aforesaid directions shall be effective from 15.01.2020 and remain in force for a period of 07 days, unless modified earlier. These shall supersede all the orders earlier issued on the subject.

By Order of the Government of Jammu and Kashmir.


(Shaleen Kabra) IAS,

Principal Secretary to the Government.

Dated: - 14.01.2020

No:Home/Tsts/2020

Copy to the:

1. Director General of Police, J&K.
2. Principal Secretary to the Hon'ble Lieutenant Governor.
3. Divisional Commissioner, Kashmir/Jammu for n/a.
4. Inspector General of Police, Jammu Zone, Jammu
5. Inspector General of Police, Kashmir Zone, Srinagar.
6. Director Information, Department of Information and Public Relations, J&K for information and with the request to give wide publicity to the same through publication in the leading dailies, one each of Kashmir & Jammu.
7. All Deputy Commissioners/ SSPs.
8. Director, Archives, Archaeology & Museums.
9. General Manager, Government Ranbir Press for publication in the extraordinary issue of the Gazette.
10. Pvt. Secretary(ies) to Hon'ble Advisor(s) (S), (F) & (B) to the Lieutenant Governor.
11. Pvt. Secretary to the Chief Secretary, J&K.
12. Pvt. Secretary to the Principal Secretary to Government, Home Department.
13. I/c website, Home Department.
14. Government Order file (w2sc).

Copy also to the:

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Pvt. Secretary to the Special Security Advisor, Ministry of Home Affairs, Government of India.