
BALANCING NATIONAL SECURITY AND DIGITAL FREEDOM: CONSTITUTIONAL VALIDITY OF INTERNET SHUTDOWNS

Akruti Chauhan, Research Scholar, Law College Dehradun, Uttarakhand University,
Uttarakhand

Ashutosh Mishra, Assistant Prof., Law College Dehradun, Uttarakhand University,
Uttarakhand

ABSTRACT

The fast growth of digital tools and internet access has turned the online world into a key avenue to communicate, govern trade, learn, and take part in democracy. Today, in modern constitutional democracies, staying connected to the internet ties to practicing basic rights like free speech, sharing ideas, finding information, and running businesses. But more and more governments are cutting off internet access to keep public order, fight terrorism, stop false information, and protect national safety. India has seen a unprecedented rise in internet shutdowns during times of political trouble religious conflicts, or security crises. This rising trend has raised major concerns about constitutional and human rights questioning the legality, necessity, and fairness of these restrictions.

This article looks at whether internet shutdowns in India align with the Constitution. It studies the legal setup under the Indian Telegraph Act, 1885, and the Temporary Suspension of Telecom Services Rules 2017. The article also examines how such shutdowns fit with fundamental rights like those in Articles 14, 19, and 21 of the Indian Constitution. It discusses the important *Anuradha Bhasin v. Union of India*¹ case from 2020. In this decision, the Supreme Court stated that internet access is a core way to use constitutional rights and ruled out the possibility of shutting down the internet.

The article explains that while it makes sense for states to prioritize national security and public safety, shutting down the internet without limits or for long periods often ignores the constitutional rule of proportionality. This can lead to random actions by executives. The research talks about how shutdowns hurt society, education, and democracy. It stresses the need to involve the judiciary, maintain openness, ensure accountability, and apply restrictions that are very specific. The study says a lawful system that

¹ *Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637.

respects rights, balances security with digital freedom, and upholds democratic principles can work in today's digital world.

Keywords: Internet, Security, Digital, Constitutional, Freedom.

1. INTRODUCTION

The internet has become a key part of how society works today. It has changed how people talk, do business, learn, and join in on democratic processes. In this century, being connected online is not just a helpful tool but a necessary part of social, economic, and political life. People, governments, and companies lean on digital systems to share information and provide important services. When internet access is limited, it weakens basic rights and freedoms. One of the more debated actions governments take in the name of security and public order is shutting down the internet, which disrupts this essential connection.

An internet shutdown happens when state authorities block or suspend internet or electronic communication services making them unavailable or unusable in a certain area or to a specific group of people. Governments often claim these actions are needed to stop misinformation, control communal violence, fight terrorism, protect sovereignty, or ensure public safety during crises. At the same time, these shutdowns interrupt freedoms like speech and expression, access to information, business, education, healthcare, and democratic participation. This creates a tough conflict between the need to safeguard national security and the responsibility to defend digital freedom in a democracy.

Internet shutdowns have increased in India over the past ten years. The country now ranks among those with the most such restrictions worldwide. Authorities often use these shutdowns in areas facing political turbulence, community conflicts, protests, or security risks. This happens a lot in Jammu and Kashmir as well as in some northeastern states. The government defends these actions as necessary to keep order and control situations. However, critics argue that these shutdowns grant the government too much power over basic freedoms guaranteed by the Constitution. The discussion has moved beyond just questioning whether these measures are needed. It now focuses on whether they align with constitutional principles like legality, necessity, fairness, and proportionality.

The legality of internet shutdowns in India depends on how Articles 14, 19, and 21² of the

² Constitution of India, Art. 14, 19 & 21.

Indian Constitution are understood. Article 19(1)(a) provides the basic right to free speech and expression, which covers the ability to share and access information online. Article 19(1)(g) ensures the right to work in any trade, profession, or business, much of which today relies on constant internet connectivity. Article 21, which guarantees the right to life and liberty, has been interpreted to cover rights like dignity, education, privacy, and access to knowledge. Shutting down the internet can affect these constitutional rights. Article 14 bans arbitrary actions by the state and demands the government to ensure any restrictions are fair, reasonable, and treat everyone. Sure

India's government gets its authority to cut off internet services from Section 5(2) of the Indian Telegraph Act³, 1885, and the Temporary Suspension of Telecom Services Rules 2017. These laws let officials stop telecom services during times of public safety or emergencies. Critics however, argue that these rules give too much power to authorities without enough transparency, checks, or oversight from courts. People also question if shutting down the internet is necessary in such cases or if less extreme measures could handle the issue without stopping digital communication.

The Supreme Court's decision in *Anuradha Bhasin v. Union of India*⁴ brought a paradigm shift in how the Constitution views internet shutdowns. The Court acknowledged that using the internet for free speech and to run businesses is protected under Article 19 of the Constitution. It ruled that keeping internet services suspended is not allowed and that any restrictions must meet the test of proportionality. The judgment emphasized that national security cannot be used as a blanket excuse to take away fundamental rights without limits or proper reasoning.

Internet shutdowns show a tough problem that constitutional democracies face today. Governments try to balance national security with people's rights in the digital world. While countries do need to keep their security strong, blocking internet access too much or without clear reasons can harm democracy slow economies, and violate basic rights. It is important to ask if the way these shutdowns are done fits within constitutional rules and court rulings. This piece aims to look at whether internet shutdowns in India follow the law by reviewing legal rules, court judgments, and the push-and-pull between keeping the country safe and allowing online freedom.

³ Indian Telegraph Act, 1885, s. 5(2).

⁴ *Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637.

2. MEANING & NATURE OF INTERNET SHUTDOWNS

Governments or public authorities cut off or pause internet and telecommunication services within specific regions or entire countries during internet shutdowns. These actions might include stopping mobile data and broadband, slowing internet speeds, or blocking access to social media. Authorities often claim these disruptions serve purposes like protecting national security, maintaining public order, stopping violence or terrorism, fighting cybercrime, or controlling the spread of fake information. Over the years, these shutdowns have sparked heated debates in both constitutional and cyber law because they impact democracy and people's basic rights⁵.

Today, the internet plays a critical role in using basic rights in our digital world. People depend on online platforms to communicate, learn, access healthcare, manage finances, trade, engage in politics, and connect with government services. Because of this, cutting off internet access doesn't just disrupt technology. It affects rights protected by Articles 14, 19, and 21 of India's Constitution. In the case of *Anuradha Bhasin v. Union of India*, the Supreme Court confirmed that using the internet for free speech and for working in any profession is safeguarded by Articles 19(1)(a) and 19(1)(g) as constitutional rights.

There are different types of internet shutdowns. A full shutdown means cutting off all internet services in an area. In a partial shutdown, access to certain sites or apps like Facebook, WhatsApp, X (which used to be called Twitter), or YouTube gets blocked. Sometimes mobile internet is stopped while broadband still works. Another way is bandwidth throttling where internet speeds are slowed down on purpose to make it hard to communicate, without cutting off the internet. These measures are enforced under Section 5(2) of the Indian Telegraph Act, 1885, and the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules 2017⁶.

Internet shutdowns show a clash between two constitutional principles: keeping the country safe and protecting online freedoms. The State has a duty to ensure national security public peace, and unity. In cases like riots, terrorism, or threats that could cause trouble cutting internet

⁵ Gayatri K., "The Right To Internet Access: Analyzing Legality Of Internet Shutdowns" available at: [Legal Service India](#) (last visited on May 12, 2026).

⁶ Shrutanjaya Bhardwaj et al., "Rising Internet Shutdowns in India: A Legal Analysis" (2020) 16 Indian Journal of Law and Technology.

access for a while might help stop the misuse of digital tools. But shutting it down without limits or for too long can limit free speech, business activities, information access, and individual freedom. It also disrupts work for journalists, students, businesses medical services, and emergency calls.

The Supreme Court explained in the *Anuradha Bhasin* case that internet shutdowns cannot last forever and must align with the doctrine of proportionality. This principle requires that restrictions aim for a legitimate goal, stay necessary in a democratic setup, and use the least restrictive option available. The Court also said that shutdown orders must stay temporary, include clear reasoning, and allow judicial review. These points highlight that internet shutdowns are rare actions and cannot turn into a standard administrative practice.

Internet shutdowns show their two-sided nature. They can work as tools to protect national security and public safety, but they also create major problems for digital freedom human rights, and constitutional democracy. To uphold constitutional governance, it is important to balance these conflicting priorities.

3. CONSTITUTIONAL FRAMEWORK GOVERNING INTERNET SHUTDOWNS IN INDIA

The rules that control internet shutdowns in India come from the Fundamental Rights listed in Part III of the Indian Constitution. Today, the internet plays an integral function in people using rights like free speech, the freedom to work or trade, the right to privacy, and access to important information. Because of this, cutting off internet services brings up serious questions about whether it's legal, balanced, or fair to citizens' rights. For an internet shutdown to be constitutional, it needs to meet the standards of being reasonable, necessary, and proportional as set by the Constitution.

3.1 Article 19(1)(a): Freedom of Speech and Expression:

Article 19(1)(a) of the Constitution gives every citizen the right to speak and express themselves. Today, the internet is a crucial way people communicate, share ideas, do journalism, take part in politics, and discuss public matters. When the internet is shut down, it blocks people from getting information or sharing their thoughts. In the *Anuradha Bhasin v. Union of India* case, the Supreme Court acknowledged that using the internet to express

opinions is protected by Article 19(1)(a) of the Constitution. The Court also stated that any limits on internet access must meet the requirements of Article 19(2), like being fair and proportionate.

Article 19(2) allows the State to place reasonable limits to protect sovereignty, integrity, state security public order, or maintain good relations with other countries. However, these limits must not be harsh or unreasonable. Widespread or long-lasting internet shutdowns often discourage free speech and active democratic participation, which can lead to constitutional challenges.

3.2 Article 19(1)(g): Freedom of Trade and Profession:

Article 19(1)(g) protects the right to work in any job or to run any kind of business, trade, or occupation. The rise of digitisation means commercial work, banking e-commerce online learning, and professional services now rely on constant internet access. Shutting down the internet disrupts economic activities leaving businesses, freelancers, workers, and students struggling to continue their work or studies without connection.

In *Anuradha Bhasin*, the Supreme Court recognized that using the internet to trade or do business is a right protected by Article 19(1)(g) of the Constitution. Because of this, any restrictions set by the State must meet the standards of Article 19(6), which allows reasonable limits to protect public interest. Shutdowns with no clear reasoning or those lasting forever can break the constitutional promise of economic freedom.

3.3 Article 21: Right to Life and Personal Liberty:

Article 21 states that no one can be denied their life or personal freedom unless it follows a legal process. Courts have broadened the meaning of Article 21 to cover dignity, privacy, education, and the right to access information. Today, having internet access plays a key role in enjoying these rights. Healthcare services, online learning, communication during emergencies, and digital governance now rely on internet access being available.

The Kerala High Court, in the *Faheema Shirin v. State of Kerala*⁷ case, declared that internet access is a part of the right to education and the right to privacy under Article 21. This decision

⁷ *Faheema Shirin R.K. v. State of Kerala*, AIR 2020 Ker 2.

showed how essential internet access is to use constitutional freedoms . As a result long-lasting internet shutdowns could violate the broader scope of personal liberty guaranteed by Article 21.

3.4 Article 14: Protection Against Arbitrary State Action:

Article 14 ensures all citizens are equal under the law and receive equal protection from it. The Supreme Court's arbitrariness doctrine says that government actions must not be unreasonable harsh, or biased. Internet shutdowns imposed without proper reasons, transparency, or clear communication could breach Article 14.

The Supreme Court in *Anuradha Bhasin* stressed that shutdown orders need to be made available to the public to allow courts to review them and hold authorities accountable. The Court ruled that the Constitution does not permit indefinite internet suspensions and instructed that such orders be reviewed. These measures aim to stop the unchecked use of executive powers and maintain the rule of law.

3.5 Doctrine of Proportionality:

Courts also look at the doctrine of proportionality to determine if internet shutdowns fit within constitutional limits. This doctrine has become a key part of Indian constitutional law. It requires that any limits on fundamental rights must:

- Aim to achieve a valid state goal.
- Work to meet that goal.
- Be required and use the least limiting option.
- Strike a fair balance between personal freedoms and public needs.

The Supreme Court used this principle in *Anuradha Bhasin*. It ruled that internet restrictions should last for a short time, meet essential needs, and fit the specific situation. Broad shutdowns covering large regions or lasting too long often fail to meet this constitutional rule.

India's constitutional rules on internet shutdowns show a careful balance between protecting digital freedoms and addressing national security needs. The government holds the power to

enforce restrictions in rare cases, but these actions must follow constitutional limits, face judicial review, and meet standards of fairness and necessity.

4. STATUTORY FRAMEWORK FOR INTERNET SHUTDOWNS IN INDIA

India relies on the Indian Telegraph Act of 1885 and the Temporary Suspension of Telecom Services Rules from 2017 to regulate internet shutdowns. The government uses these laws to cut off internet and telecom services during emergencies, safety risks, or national security issues. Officials argue these measures help protect order and sovereignty. However, questions arise about whether these shutdowns align with constitutional rights provided under Articles 14, 19, and 21 of the Indian Constitution.

In India, internet shutdowns are based on Section 5(2)⁸ of the Indian Telegraph Act 1885. This section gives the Central or State Government power to block telecom services or intercept messages when they declare a “public emergency” or claim it’s for “public safety.” The Act however, doesn't explain what these terms mean. This lack of clear definitions gives executive authorities a lot of leeway. Some critics think these vague terms can lead to decisions that limit digital rights and free expression.

The Government brought in the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules 2017⁹ under Section 7 of the Telegraph Act to control how these powers are used. These Rules lay down steps to suspend internet services. Rule 2(1) says that the Union Home Secretary or the State Home Secretary can issue orders for shutdowns. If there’s an emergency, an officer of at least Joint Secretary rank approved by the proper authority, can make such orders, but they need confirmation within a day. The Rules also state that each shutdown order must explain the reasons and be sent to a Review Committee to examine it within five working days.

In 2020, the Supreme Court reviewed the legal structure in *Anuradha Bhasin v. Union of India*.

The case looked into whether internet restrictions in Jammu and Kashmir after the removal of Article 370 were constitutional. The Court decided that the right to speak or express oneself and the right to work using the internet fall under Article 19(1)(a) and Article 19(1)(g). It also

⁸ Indian Telegraph Act, 1885, s. 5(2).

⁹ Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017

clarified that internet shutdowns cannot go on and should meet the proportionality standard. The Court stressed the need to make shutdown orders public to allow proper transparency and enable judicial checks.

Even with these protections in place, many criticize the current laws for not having enough accountability or proper supervision from the courts. Legal experts and human rights groups say that constant internet shutdowns harm democracy limit information access, and hurt the economy and education. While national security is an important goal for any government, the rules about internet shutdowns need to fit within constitutional boundaries to keep public safety in balance with digital rights.

5. NATIONAL SECURITY CONCERNS & STATE JUSTIFICATIONS

The State must uphold the Constitution by ensuring public order, safeguarding national sovereignty, and protecting national security. Governments worldwide have started using internet shutdowns more to deal with terrorism communal unrest, cyber threats, riots, and misinformation. In India, officials often turn to internet suspension orders to manage law and order in areas like Jammu and Kashmir or during times of civil unrest. The debate over internet shutdowns revolves around finding a balance between addressing security needs and upholding the fundamental rights promised under India's Constitution.

The Indian State often defends internet shutdowns as a way to stop the spread of fake news, hate speech, and unlawful content on social media. Officials claim that anti-national group's terrorist networks, and violent groups can misuse online platforms to plan illegal activities and disrupt public order. They view cutting off internet services as an essential step to prevent violence and ensure security. These restrictions come under Section 5(2) of the Indian Telegraph Act from 1885 and the 2017 Temporary Suspension of Telecom Services Rules related to public emergencies or safety.

Governments often justify the legality of these shutdowns by referring to Article 19(2) of the Constitution. This article allows certain restrictions on free speech and expression to protect India's sovereignty integrity, state security, and public order. Authorities argue that keeping the internet open during emergencies can risk national security. They claim it may allow the spread of harmful content, stir up violent protests, or spread false news that could cause fear and chaos.

In areas prone to conflict, officials say shutting down the internet is necessary to stop terrorist coordination and limit separatist actions.

People are worried because internet shutdowns are happening more often and lasting longer. Many think leaders are overusing their emergency powers. Critics believe cutting off the internet harms regular people the most. It disrupts rights like free speech, hurts the economy, blocks access to healthcare, and makes education harder. In a key case, *Anuradha Bhasin v. Union of India*, the Supreme Court stated that using the internet for free speech and to do business is protected under the Constitution in Articles 19(1)(a) and 19(1)(g). The Court decided that limits on internet use must follow the rule of proportionality and should never go on without end.

The doctrine of proportionality has become a key constitutional rule to prevent random internet shutdowns. This principle says the government must have a valid purpose in restricting internet access. The action should also be essential and should use the least limiting approach to meet its goal. This means the government cannot shut down the internet across the board just because it finds it easier. Officials have a duty under the Constitution to check if less harsh options like blocking certain content keeping an eye on specific users, or limiting access to certain platforms can solve the security problem.

While protecting national security is a valid goal under the Constitution, internet shutdowns without limits can harm democracy and restrict individual freedoms. Courts now face the difficult task of making sure that security measures stay lawful, reasonable, and open to effective court review. Striking a balance between the government's obligation to maintain public order and the people's right to online freedom is crucial in a democratic system.

6. IMPACT OF INTERNET SHUTDOWNS

Governments use internet shutdowns to maintain public safety and protect national security sparking plenty of debates. They often claim these measures help stop violence, control terrorism, block false information, and fight cyber threats. However, shutting down the internet for long periods and without clear limits causes serious harm. It disrupts economies, education, democracy, and basic human rights. With societies relying more on technology, internet access plays a big role in personal freedoms economic progress, and staying connected. So when governments cut off the internet, it doesn't just pause communication, it impacts many parts of

daily life.¹⁰

Economic Impact

Internet shutdowns create severe economic ramifications that hurt businesses, people and the entire economy. India's expanding digital market relies on steady internet access to do online payments, run e-commerce, manage banking, handle logistics, and communicate. When the internet goes down, these activities stop causing money losses to both big companies and small shops.

Online stores face problems right away when buyers cannot order products, pay or check their delivery status. Small shop owners and local businesses, who now depend more on online payments and digital trade, feel this impact even more. Over the past few years digital payment methods like UPI and mobile banking apps have grown a lot in India. Internet shutdowns block these services making everyday money transactions harder. This reduces how the economy works and shakes people's trust.

The startup world and IT industry face major challenges when internet restrictions are in place. India has grown into a worldwide center for IT services, software creation, and digital startups. When the internet shuts down, it disrupts remote work, cloud-based services, client interactions, and software processes. This leads to delays and financial losses. These disruptions hurt how investors view India and harm its reputation as a reliable digital economy.

The tourism sector and nearby businesses face big setbacks during shutdowns in areas that rely on online bookings, maps, and digital ads. Hotels, travel services, and small vendors often find it hard to function without internet access. Studies on the economy show that repeated internet blackouts lead to losses worth billions of dollars each year. India contributes a large share of these losses because such restrictions happen there quite often.

Educational Impact

The use of digital tools like online platforms virtual classrooms, and electronic materials plays a huge role in education today. Internet outages cut off students from study and research options. Those studying for tough exams professional courses or higher education depend on

¹⁰ Apar Gupta, *The State of Internet Shutdowns in India* (Internet Freedom Foundation 2021).

digital libraries online classes, and apps for learning.

The harm of these shutdowns became more noticeable during COVID-19 when schools and colleges moved online. In places with limited or no internet access, students struggled to join online lessons, get study materials, turn in homework, or take exams. These problems made the gap in education even bigger for kids in poor families and faraway areas¹¹.

Researchers and scholars face difficulties because modern research relies on online journals, databases, and communication tools. Internet bans slow down academic progress and block access to the latest information. Long-lasting shutdowns can hurt the broader constitutional aim to educate and support intellectual growth, as outlined in Article 21 of the Constitution.

Democratic and Human Rights Concerns

Cutting off internet access brings up big issues for democracy and protecting human rights.

Today's democracies use the internet as a key tool to support free speech political engagement, and access to knowledge. These shutdowns limit people's ability to share ideas, challenge opinions, and take part in democratic conversations.

When the government restricts internet access, it disrupts journalistic work and press freedom. Journalists find it harder to report news, check facts, or connect with sources. News organizations that depend on online platforms face challenges to share updates, which hurts transparency and weakens public accountability. In areas of conflict, cutting off the internet blocks independent reporting and lowers scrutiny on those in power.

Blocking the internet also prevents people from accessing important details about healthcare public services, emergencies, and legal options. These restrictions can lead to confusion and fear while discouraging people from taking part in democracy. Some believe that overusing internet shutdowns turns security measures into tools for censorship and control¹².

Global human rights groups like Amnesty International and Human Rights Watch often criticize blanket internet shutdowns. They argue such shutdowns go against democratic values

¹¹ Gautam Bhatia, *Offend, Shock, or Disturb: Free Speech under the Indian Constitution* (Oxford University Press 2016).

¹² United Nations Human Rights Council, *The Promotion, Protection and Enjoyment of Human Rights on the Internet*, UN Doc A/HRC/32/L.20 (2016).

and are too extreme. These groups stress that limiting digital communication should happen in rare cases where it's truly necessary and appropriate for legitimate government goals.

International Perspective

People are seeing internet access as tied to basic human rights more and more. The United Nations Human Rights Council states that rights people have in the offline world must also be protected online. As a result international human rights guidelines oppose blanket internet shutdowns, except in rare situations where serious security threats exist.

Countries like China, Myanmar, Iran, and India often receive global criticism because they cut off internet access. People say these widespread bans hurt regular citizens the most and weaken democratic rights. Instead of full internet shutdowns many democracies now use focused actions like monitoring illegal activities controlling content, or blocking certain platforms.

Around the world more people see how crucial open internet access is to help economies grow, let people participate in democracy, and protect basic freedoms. Even though ensuring national security is a key duty of governments, they need to follow their own constitutions global rules, and fairness when limiting internet use.

7. CHALLENGES IN THE EXISTING LEGAL FRAMEWORK & SUGGESTIONS AND REFORMS

India's laws about internet shutdowns have many problems in both their rules and how they fit with the constitution. The Indian Telegraph Act of 1885 and the Temporary Suspension of Telecom Services Rules of 2017 allow the government to cut internet services. These rules give government officials a lot of control.

Words like "public emergency" and "public safety" are unclear since they do not have strict legal meanings. This lack of clarity allows easy misuse and unchecked decisions. Often, the internet has been shut down not just for big security issues but also to stop exam cheating or to handle small law-and-order problems. Using shutdowns this way raises concerns about abusing power and putting too many limits on basic rights¹³.

¹³ Human Rights Watch & Internet Freedom Foundation Report on Internet Shutdowns in India, 2023.

A big problem is the lack of proper systems to ensure transparency and accountability. Even though the Supreme Court gave directions in *Anuradha Bhasin v. Union of India* many shutdown orders are either not made public or are extended again and again without enough reasons. This secrecy stops people from using their right to challenge such decisions in court and weakens the legal system. Also, the review committees set up under the 2017 Rules often don't work well offering little oversight on government actions. The government's habit of enforcing long and repeated shutdowns shows poor respect for constitutional protections and the principle of proportionality highlighted by the Supreme Court.

To ensure digital freedom and national security work together;

- Governments must bring clear and thorough changes.
- Laws need to spell out when and why internet shutdowns can happen.
- Such restrictions should happen if there are real threats to public safety or national security.
- Judges should get more power to supervise shutdowns, either before they occur or right after they happen, to keep things fair.
- Officials must share all suspension orders so people can understand them and question them if needed.
- Instead of cutting off the entire internet, authorities could block certain websites or deal with illegal content.
- There should be regular reviews by courts and the parliament to hold authorities accountable and to stop misuse of shutdown powers.
- The government needs these reforms to protect constitutional freedoms and handle valid security issues in a democratic way.

CONCLUSION

India's rising reliance on internet shutdowns shows the tension between keeping the country secure and protecting constitutional rights in today's digital world. The government has a duty to ensure public safety, stop terrorism, and protect national unity. However, it must not use

these powers in ways that interfere with basic constitutional freedoms. In a democracy that values the rule of law, any limits on people's freedoms need to be fair, essential, and balanced.

The internet is no longer just a tech tool. It has become a crucial way to exercise free speech, run businesses, learn, and take part in democracy. Shutting it down for long periods or without good reason hurts rights guaranteed under Articles 14, 19, and 21 of India's Constitution. The *Anuradha Bhasin v. Union of India* case confirmed the internet's role in protecting speech and trade under the Constitution and made it clear that endless shutdowns go against the law. The Supreme Court also highlighted the need to keep shutdown orders proportional, clear, and open to judicial review.

Even with legal safeguards in place, people are still worried about how authorities overuse their power, hide information, and misuse their ability to enforce shutdowns. Regular internet suspensions disrupt businesses, healthcare systems, schools, journalism, and how people get information. These actions can damage trust in the government and weaken democratic accountability. Experts and civil groups have also pointed out that the current laws lack enough proper checks and independent supervision.

There is a pressing need to reform policies to provide better judicial review, limit the length of shutdowns, make suspension orders public, and use less harsh alternatives when possible. National security and digital freedom should not clash but must work together as key constitutional values in a balanced legal system. A democracy based on its constitution can safeguard security without violating personal freedoms if it enforces restrictions according to clear rules, genuine need, and appropriate measures. The future of digital constitutionalism in India rests on how well the State can safeguard both security and citizens' online rights while staying transparent and accountable.