

Indian government foreshadows harsher internet surveillance and censorship

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Indian Prime Minister Narendra Modi's government has announced that it is planning to introduce even more intrusive social media censorship and internet surveillance laws.

The new measures, which are still in draft form and open for "public comment" until January 31, were announced by the Ministry of Electronics and Information Technology on December 24. The laws are in response to widespread popular opposition, particularly amongst young people, to the escalating anti-democratic attacks and austerity measures by Modi's Bharatiya Janatha Party (BJP)-led government.

Under Delhi's planned laws, social media platforms, such as Facebook, Twitter and others, must remove within 24 hours "any unlawful content" that might impact on the "sovereignty and integrity of India." In other words, anything expressing its opposition to the political establishment could be banned, a clear sign that the Modi government is preparing a wider crackdown against its political opponents.

India's telecommunication authorities also want Facebook, and other social media, to allow them to trace and read encrypted messages. WhatsApp, which is owned by Facebook, has more than 200 million users in India.

The Indian government's attempt to police the internet is in line with laws by governments everywhere to censor and monitor millions of internet and social media users. The US government, particularly since early 2017, has collaborated with tech giants like Google, Facebook and Twitter, transforming them from tools for communication and the free exchange of information into massive data dragnets for policing what their users say, do and think.

India, which has nearly 500 million internet users, has been in the forefront of internet crackdowns that target

political dissidents. Previous measures taken by Indian Internet Service Providers (ISPs), following demands from government authorities, included filtering systems that block the web pages of human rights organisations, feminist groups and political activists.

According to a recent report by Freedom House, a US-based internet monitoring agency, India leads the world in internet shutdowns with federal, state and local authorities ordering service providers to restrict cellphone, messaging and other services at least 96 times, between January and mid-August last year.

On December 18, Kishorechandra Wangkhem, a journalist in Manipur, was jailed for 12 months under the "preventive detention" clauses of the National Security Act, 1980. He had been arrested on November 21 for sedition and attempts to create enmity between groups after he posted a video on social media criticising the Bharatiya Janata Party-led Manipur state government and Prime Minister Modi.

Two days later on December 20, the Modi government authorised ten law enforcement, intelligence and tax agencies, as well as the Cabinet Secretariat, the Delhi commissioner of police and the Directorate of Signal Intelligence, to "intercept information, generated, transmitted, received or stored on any computer, smartphone, tablet or other computing device."

In a crude attempt to deflect widespread opposition to the announcement, the minister of home affairs claimed no new powers had been given to these agencies in the December 20 order. "Each case of interception, monitoring, decryption is to be approved by the competent authority, i.e., Union Home Secretary." In other words, the surveillance of any perceived opponent can be determined at any time by the government.

As one unnamed senior government bureaucrat admitted in an interview with the NDTV network: “For the first time, powers of scanning data at rest have been given to various agencies... Earlier, only data in motion could be intercepted. But now data revived, stored and generated can also be intercepted because the powers of seizure have been given.”

The draft law also compels the subscriber or service provider and any individual in charge of the computer resource to extend all facilities and technical help to government agencies if requested. If they fail to do so they face seven years in jail and a fine.

Arun Jaitley, India’s finance minister, attempted to deflect criticism by pointing out that computer monitoring regulations had existed since 2009 and were authorised by the Congress-led United Progressive Alliance (UPA) government.

Notwithstanding the fact that the UPA introduced this anti-democratic legislation, Congress Party politicians have hypocritically denounced the current government’s new measures and postured as champions of democracy.

Congress Party spokesperson Anand Sharma told a December 21 press conference that the Modi government was “converting India into surveillance state” and that the draft laws were an “assault on the fundamental rights and the Rights to Privacy.” Sharma did not say a word about Congress’s duplicitous political record on internet surveillance.

No less hypocritical has been the response of the Stalinist Communist Party of India (Marxist), CPM, to the proposed censorship and surveillance laws. On December 21, the CPM issued a statement denouncing the planned measures as a “blatant attack on fundamental right to privacy given to every citizen by our constitution” and called for them to be “rescinded immediately.”

The CPM kept its mouth shut about the fact that it was a partner of the UPA government from 2004 to 2008. The Stalinist party is currently working for an “electoral understanding” with Congress in the next general elections to be held in April-May.

India’s ruling elite, which confronts growing working-class opposition to government attacks on jobs, wages and working conditions austerity, is determined to establish a massive censorship and surveillance regime. The posturing of Congress and the CPM over the new

laws is entirely tactical and centres on how best to control and dissipate this rising mass movement.



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