

BETWEEN **RIGHTS** AND **RISKS**: LIFE AND LIBERTY IN AN INTERNET DARK KASHMIR





The illustration was made on the 180th day of the internet shutdown but the shutdown is yet to be lifted entirely.

NO FRE

DEATH

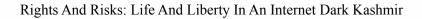
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You can read the online copy at www.defindia.org/ kashmir-longest-internet-shutdown

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INTRODUCTION

Around midnight of 04 August 2019, internet and other communication services in Jammu and Kashmir were shut down by the authorities' pursuant orders under Section 144 of the Code of Criminal Procedure¹. The internet shutdown was imposed ahead of the Union Government's decision to scrap the special status of Jammu and Kashmir under Article 370 and Article 35A of the Indian Constitution and designating the erstwhile state into two Union Territories².

Article 370 allowed the Indian administered jurisdiction to make its own laws in all matters except finance, defence, foreign affairs, and communications³. Article 35Awas introduced through Presidential order in 1954 to continue the territory regulation provisions under Article 370 that permitted the Jammu and Kashmir legislature to define permanent residents and property rights with outsider prohibited from owning property in the state⁴.

The Jammu and Kashmir (Reorganisation) Bill, 2019 bifurcated the state into two Union Territories, Jammu and Kashmir and Ladakh⁵. Post the passage of the Bill, all provisions of the Constitution of India, as amended from time to time and without any modifications or exceptions would now apply to the two newly formed Union Territories⁶.

Table 1 in Fifth Schedule of the Act lists 106 Central laws that would be made applicable to the Union Territories, including the Aadhaar Act, 2016; Indian Penal Code, 1860; and the Right to Education Act, 2009^{7: 8}. Table 3 of the same Schedule repeals 153 laws of the erstwhile state of Jammu and Kashmir while keeping 166 existing laws in force (Table 4) and 7 laws as applicable with amendments (Table 2)⁹.

The internet shutdown that had accompanied the enactment of the Act has been the longest running communication blockade in a democratic country, an unenviable position where India has outstripped China, Iran, and Venezuela¹⁰. During the Supreme Court hearing on the internet shutdown in the Valley, the Central Government justified the imposition in the interest of national security and public order¹¹.

The Software Freedom Law Centre (SFLC), a digital rights non-profit organization based in New Delhi, says there are two official explanations to a shutdown: public safety and public emergency¹². The official rationale states that either misinformation circulating on social media platforms can fan the flames of violence or a violent situation can only be brought under control through a communications blockade¹³.

According to SFLC's shutdown tracker, 439 internet shutdowns were recorded in India between January 2012 and 22 September 2020 out of which 231 were ordered in Jammu and Kashmir alone – amount to over 50% of all internet shutdowns in the country. Out of the 4 longest shutdowns in the country, 3 were in Jammu and Kashmir. In 2018, India topped the list of countries across the globe for ordering internet shutdowns.¹⁴

¹⁴Bahree, M. (13 November 2018). India leads the world in the number of internet shutdowns: report. *Forbes*. Retrieved from https://www.forbes.com/sites/meghabahree/2018/11/12/india-leads-the-world-in-the-number-of-internet-shutdowns-report/ [28 September 2020].



¹Krishnan, M. (22 August 2020). Internet a fundamental right, review suspension: Supreme Court on J&K communication shutdown. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes.com/india-news/access-to-internet-fundamental-right-review-suspension-supreme-court-rules-on-communication-shutdown-in-kashmir/story-M9IocBfOPADxEeiAbHh6MK.html [28 September 2020].</u>

²Niha, M, S. (16 December 2019). India's Internet shutdown in Kashmir is the longest ever in a democracy. *Washington Post*. Retrieved from <u>https://www.washingtonpost.com/world/asia_pacific/indias-internet-shutdown-in-kashmir-is-now-the-longest-ever-in-a-democracy/2019/12/15/bb0693ea-1dfc-11ea-977a-15a6710ed-6da_story.html [28 September 2020].</u>

³Al Jazeera. (05 August 2019). Kashmir special status explained: What are Articles 370 and 35A? *Al Jazeera*. Retrieved from <u>https://</u> www.aljazeera.com/news/2019/08/05/kashmir-special-status-explained-what-are-articles-370-and-35a/?gb=true [30 September 2020].

⁴Ibid.

⁵The Hindu. (12 September 2019). Full Text of J&K Reorganisation Bill. *The Hindu*. Retrieved from <u>https://www.thehindu.com/</u> news/resources/full-text-of-jk-reorganisation-bill/article28824060. ece [28 September 2020].

⁶ET Online. (31 December 2019). Here are some of the bills passed by the Parliament in 2019. *Economic Times*. Retrieved from <u>https://</u> economictimes.indiatimes.com/news/politics-and-nation/here-aresome-of-the-bills-passed-by-the-parliament-in-2019/a-long-list/ slideshow/73042875.cms [30 September 2020].

⁷PRS Legislative Research. (n.d.). The Jammu and Kashmir Reorganisation Bill, 2019. Retrieved from <u>https://www.prsindia.org/billtrack/jammu-and-kashmir-reorganisation-bill-2019</u> [30 September 2020].

⁸Legislative Department. (2019) The Jammu and Kashmir Reorganisation Act, 2019. *Ministry of Law and Justice*. Retrieved from <u>https://www.prsindia.org/sites/default/files/bill_files/Jammu%20</u> and%20Kashmir%20Reorganisation%20Act%2C%202019.pdf [30 September 2020]. ⁹Ibid

¹⁰Faleiro, S. (19 August 2020). How Indian became the world's leader in shutdowns. *Technology Review*. Retrieved from <u>https://www.technologyreview.com/2020/08/19/1006359/india-inter-net-shutdowns-blackouts-pandemic-kashmir/ [30 Septermber 2020].</u>

¹¹Krishnan, M. (22 August 2020). Internet a fundamental right, review suspension: Supreme Court on J&K communication shutdown. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes.com/india-news/access-to-internet-fundamental-right-review-suspension-supreme-court-rules-on-communication-shutdown-in-kashmir/story-M9IocBfOPADxEeiAbHh6MK.html [28 September 2020].</u>

¹²Faleiro, S. (19 August 2020). How Indian became the world's leader in shutdowns. *Technology Review*. Retrieved from <u>https://www.technologyreview.com/2020/08/19/1006359/india-internet-shutdowns-blackouts-pandemic-kashmir/ [30 Septermber 2020].
¹³Ibid.</u>

Longest shutdowns



State of Jammu and Kashmir was bifurcated into the Union Territories of Jammu & Kashmir and Ladakh. There was a preventive shutdown imposed in the state which is yet to be lifted entirely. The shutdown in Kargil was lifted on 27th December 2019 but continues in other parts of the state. The beginning of the communication blockade saw landlines as well as Mobile services restricted, the ban on landlines was lifted but suspension of mobile internet continues in the valley. On 25th January 2020, 2C services were restored in the valley for verified users. Only whitelisted websites could be accessed and social media remains prohibited. The services were snapped again the same day on account of security concerns for Republic Day, 2G services for whitelisted websites were later restored on 26th January 2020 at 4PM. On 4th March 2020, a new order was passed by the administration of J&K, whitelist was removed but internet could only be accessed using 2G on verified SIM's.

Kargil District of Laddakh faced a shutdown of 145 days which was imposed since 4th August, 2019 on the erstwhile State of Jammu and Kashmir. The shutdown was imposed alongside the suspension of all landline mobile and SMS communication as a preventive measure in the wake of the abrogation of article 370. It was lifted on 27th December 2019 in the district but it continues in other parts of the Erstwhile State.

Longest Internet Shutdown was observed in Kashmir located in state of Jammu and Kashmir in 2016 due to the agitation caused by the killing of Burhan Wani on 8th July 2016. Mobile Internet Services were suspended for 133 days. While mobile Internet services on postpaid numbers was restored on November 19, 2016. Mobile Internet services for prepaid users were resumed in January 2017, this implies they faced almost a six month Internet shutdown.

Third longest Internet services suspension was observed in Darjeeling. The order suspending the Internet services was promulgated on l8th June 2017 due to the orgoing agitation for a separate Gorkhaland. Two days later, on 20thJune, the order was extended to the broadband services as well, effectively shutting down the entire Internet, with several such extension orders Internet services were suspended in Darjeeling for 100 days.

(Source: https://internetshutdowns.in/)

Internet shutdowns in India have increasingly become knee-jerk responses to law and order situations, evinced most recently in the protests against the Citizenship (Amendment) Act, 2019 where internet was shut down in at least 9 different states¹⁵ including parts of New Delhi, the country's capital where internet was shut down for the first time¹⁶.

However, in Kashmir, the invocation of internet shutdown has become a routine, if not pervasive law enforcement response to national security challenges, public order, countering disinformation, armedconflict, and counter-terrorism operations¹⁷. It is often accompanied by complete telecommunications blackout, throttling of speed, partial/ localized shutdown, content blocking, black/ whitelisting websites among others¹⁸. In many instances during the recent spate of internet shutdowns, such had been ordered by police officers which was in direct violation of the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 of The Telegraph Act, 1885 which designate the Home Secretary of the Union or State government (or if such is not possible then an officer not below the rank of a Joint Secretary to the Government of India) to issue such orders¹⁹.

I estimate that I suffered a loss of around Rs 10 lakhs (1 million) due to the internet shutdown...Had there been the internet and normal situation, I would have certainly got more bookings.

Saba Shafi, Srinagar based bridal make-up artist.

¹⁹Vijay, A. (2019). CAA & NRC Protests: The Problematic Internet Shutdown Orders. Live Law. Retrieved from <u>https://www.livelaw.</u> in/columns/caa-nrc-protests-the-problematic-internet-shutdown-or-<u>ders-151190</u> (24 Jan 2020).



¹⁵Jalan, T. (2020a). Indian govt uses internet shutdowns to curb anti-CAA protests — in UP, Delhi, Assam, and 6 other states. Medianama. Retrieved from <u>https://www.medianama.</u> com/2020/01/223-indian-govt-internet-shutdowns- citizenship-protests/ (24 Jan 2020).

¹⁶Mehrotra, K. (2019). First time, Internet, voice, SMS shut down in Delhi. Indian Express. Retrieved from <u>https://indianexpress.com/</u> <u>article/cities/delhi/first-time-internet-voice-sms-shut-down-in-capital/</u> (24 Jan 2020).

¹⁷Jammu and Kashmir Coalition of Civil Society. (August 2020). Kashmir's Internet siege. Retrieved from<u>https://jkccs.net/re-port-kashmirs-internet-siege/</u> [22 September 2020].
¹⁸Ibid.

NAVIGATING THE LEGAL FRAMEWORK FOR INTERNET SHUTDOWNS

The due process of shutting down the internet was laid down in Anuradha Bhasin vs Union of India, challenging the prolonged internet blockade in the Valley²⁰. The Supreme Court ruled that it was illegal to shut down the internet indefinitely under Indian law²¹. It ruled that any order for internet shutdown must satisfy the requirements of necessity and proportionality. It further placed on the Government the requirement to make internet shutdown orders public and subject to judicial review²². Further, such shutdowns need to be temporary and reviewed on a regular basis²³.

However, while the Court set the precedent for the future, it did not apply them to the ongoing blockade and restrained itself from striking it down. Instead, it deferred such decision-making to the authorities²⁴. It has been argued that this non-application of its own principles to the ongoing case by the Court that allowed such bans to continue as per previous template²⁵. Despite the judgement, internet was shut down in 4 districts of Telangana and Jabalpur citing fear of law and order breaches²⁶.

Consequently, the Jammu and Kashmir government resorted to content blocking by whitelisting 301 websites while, restricting access to social media, and throttling speed to 2G only²⁷. During the onset of the COVID–19 pandemic access to critical sectors like health and education could only be through digital means, the requirements of which the speed of 2G

is unable to service²⁸. In response to this Foundation for Media Professionals (FMP) filed a fresh petition in the Supreme Court²⁹. FMP's position stated that in view of the COVID–19 situation, the internet had to be restored in Jammu and Kashmir³⁰. The petitioner cited that the internet slowdown during the COVID–19 crisis violated fundamental rights to healthcare, education, livelihood, and justice as guaranteed by the Constitution of India. This was countered by the Government stating that restoring 4G would lead to virality of inflammatory content from across the border³¹.

FMP's response was premised on two key points: (1) Effective internet allowed the government to counter propaganda; (2) other less restrictive options available to the Government, like certain websites or temporarily blocking internet in certain areas with credible threat of violence, to meet the objectives were not resorted to³². The Court pronounced its verdict on the FMP case on 12 May 2020 and upheld the access to the internet as a fundamental right protected by the Indian Constitution.

However, the Court stated that fundamental rights and national security need to be balanced. Court calledin a special committee comprising the Secretary of Department of Communications, Government of

I had some employees who would beg if they did not have a salary on time. You will not believe I gave them vegetables and other eatables from my home."

Musaib Ahmad, modular furniture manufacturer.

³⁰Ibid. ³¹Ibid. ³²Ibid.



²⁰Jammu and Kashmir Coalition of Civil Society. (August 2020). Kashmir's Internet siege. Retrieved from<u>https://jkccs.net/re-port-kashmirs-internet-siege/</u> [22 September 2020].

²¹Bhasin v Union of India. Global Freedom of Expression. Columbia University. Retrieved from <u>https://globalfreedomofexpression.</u> columbia.edu/cases/bhasin-v-union-of-india/ [30 September 2020].
²²Ibid.

²³Bhatia, G. (08 June 2020). Supreme Courthas not lived up to its own principles in Jammu and Kashmir, writes Gautam Bhatia. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes.</u> com/analysis/sc-has-not-lived-up-to-its-own-principles-in-j-k/story-Ff71vyXZdI9kLcVFewi6YM.html [29 September 2020]. ²⁴Ibid.

²⁵Sengupta, A. (09 February 2020). The SC's order on Internet shutdown is wrong |Opinion. *Hindustan Times*. Retrieved from https://www.hindustantimes.com/columns/the-sc-s-order-on-internet-shutdown-is-wrong-opinion/story-yUppkDjYNjyww2JBpW4p-FK.html [01 October 2020].

²⁶Ibid. ²⁷Ibid.

²⁸Bhatia, G. (08 June 2020). Supreme Court has not lived up to its own principles in Jammu and Kashmir, writes Gautam Bhatia. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes.</u> com/analysis/sc-has-not-lived-up-to-its-own-principles-in-j-k/story-Ff71vyXZdI9kLcVFewi6YM.html [29 September 2020].
²⁹Ibid.

India, and the Chief Secretary of the union territory of Jammu and Kashmir (J&K), headed by the Union Home Secretary to determine the internet shutdown in Jammu and Kashmir³³.

However, the Supreme Court judgement in this instance too mirrored that of Anuradha Bhasin's. It laid down similar principles but refrained from applying them in the specific case³⁴.

More problematically, the report on internet shutdowns by Jammu and Kashmir Coalition for Civil Society (JKCCS) noted that the Jammu and Kashmir government was not able to provide any specific legal framework for the shutting down the internet, instead:

> "the only public notifications finally placed before the court were two vaguely worded "sample" orders issued by District Magistrates in two districts under Section 144 of the Criminal Procedure Code 1973, without outlining how these were related to the indefinite and complete internet shutdown across all Kashmir districts, how many other similar orders were passed and by whom, when or under what circumstances³⁵."

The report went on to highlight that instead of competent authorities, police authorities issued an "oral or tersely worded one line written directives to the Internet Service Providers (ISP) instructing them to summarily restrict or suspend operations." The JKCSS report also observes, "the climate of deniability and lack of accountability for violations is compounded by the multiplicity of legislation, broad discretionary executive powers, and the lack of effective judicial redress."³⁶

The Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules came into the force in 2017, under the Indian Telegraph Act, 1885 which offered some degree of checks and balances in the matter of internet shutdown. However, Government authorities continue to use the Section 144 of the Code of Criminal Procedure, 1973 to shut down the internet thereby bypassing the available legal mechanism in place³⁷. SFLC argues that "archaic Section 144 of Criminal Procedure Code, 1973 was clearly not designed to oversee state actions like the internet shutdowns, where a lot more nuances must ideally be considered before imposing restrictions"³⁸.

It was not that there are no logistics companies in Kashmir but since they are not from Jammu and Kashmir, they would demand a lot of formalities from these outlets which was not possible for these online stores since many of them existed only on the internet and did not have a physical store.

Sheikh Samiullah, Fast Beetle Logistics.



The illustration was made on the 180th day of the internet shutdown but the shutdown is yet to be lifted entirely.

³⁷SFLC.in. (2018). Living in Digital Darkness: A Handbook on Internet Shutdowns in India. <u>https://sflc.in/living-digital-dark-ness-handbook-internet-shutdowns-india</u> [22 September 2020].
³⁸Ibid.



³³Singh, S. (12 May 2020). Supreme court's order on Kashmir internet shutdown: Judicial abdication or judicial restraint? *Times* of India. Retrieved from <u>https://timesofindia.indiatimes.com/blogs/</u> voices/supreme-courts-order-on-kashmir-internet-shutdown-judicial-abdication-or-judicial-restraint/ [29 September 2020]. ³⁴Ibid.

³⁵Jammu and Kashmir Coalition of Civil Society. (August 2020). Kashmir's Internet siege. Retrieved from<u>https://jkccs.net/re-port-kashmirs-internet-siege/</u> [22 September 2020].
³⁶Ibid.

THE SOCIAL AND ECONOMIC COST OF INTERNET SHUTDOWNS

The communication blockade and the many iterations of internet shutdown since the bifurcation of the erstwhile state halted the regular lives and livelihoods of 12.5 million of its citizens. As the cases in this article highlight, the effective functioning of essential services like health, education, and government services came to a grinding halt. The service blackouts left people from every realm deeply impacted: critically ill patients could not access the government healthcare or seek insurance reimbursements online, students could not apply for fellowships or scholarships and distressed families could not connect to relatives, and local tech companies had to close or relocate to other areas of India.

Orders were delayed, supplies were affected, payments could not be processed, taxes could not be paid and business relations broke down due to the lack of communication facilities. Healthcare was severely jeopardised with patients failing to communicate with their doctors and seek consultations. The internet suspension also hit the medicine supply chain with pharmacists unable to place orders for critical drugs or make payments to the pharmaceutical companies based outside Jammu and Kashmir.

In August 2020 students enrolled in Kashmir's 30,000 schools and 400 institutes of higher education marked the first anniversary of the internet shutdown as a full year went by without attending school, college, or university³⁹.

The impact crushed businesses and enterprises which relied solely on the internet and social media for their business operations. Indian Council for Research on International Economic Relations published a report in 2018 noting that India lost more than 220.3 billion rupees due to internet shutdowns during 2012-2017⁴⁰. Moreover, according to an estimate by the Kashmir Chamber of Commerce and Industry (KCCI), Kashmir's economy alone suffered a loss of Rs 17,000 crores (1,70,000 million) due to the lockdown⁴¹.

In its 'Preliminary Economic Loss Assessment Report' in December 2019 it further estimated almost 5 lakh (0.5 million) job-losses in the valley since 05 August 2019⁴². The Cellular Operators Association of India (COAI) has evaluated an estimated Rs 2.4 crores (24 million) per hour of revenue loss to members during internet shutdowns⁴³.

The frequent and protracted shutdown of the internet in the region has long been in contestation with international and constitutionally guaranteed civil, political, social and economic rights. The Universal Declaration of Human Rights stresses, "The same rights that people have offline must also be protected online" particularly in terms of freedom of expression⁴⁴.

Close to a month after the internet shutdown in Jammu and Kashmir, the High Court of Kerala ruled access to internet as a fundamental right in the case of Faheema Shirin vs State of Kerala⁴⁵.

From manufacturing to delivery, we relied on the internet. Every aspect of this chain got disturbed...We could not deliver it and it turned into a loss for us.

Omaira and Binish, Craft World Kashmir.

⁴⁵SFLC.in. (20 September 2020). Kerala High Court Declares ⁶Right to Access Internet' as a Fundamental Right. Retrieved from <u>https://sflc.in/kerala-high-court-declares-right-access-internet-fun-damental-right</u> [30 September 2020].



³⁹Ibid.

⁴⁰Gupta, K. (25 April 2018). \$3.04 billion has been lost due to internet shutdowns in last five years: Report. *Live Mint*. Retrieved from https://www.livemint.com/Industry/QDygwg5eRw1AkMavKvAfp-K/304-billion-has-been-lost-due-to-internet-shutdowns-in-las.html [29 September 2020].

⁴¹PTI. (18 December 2020). Kashmir economy suffered loss of Rs 17,878 crore in 4 months after abrogation of Article 370. *News18*. Retrieved from <u>https://www.news18.com/news/india/kashmir-economy-suffered-loss-of-rs-17878-crore-in-4-months-after-abrogation-of-article-370-2428417.html</u> [29 September 2020].

⁴²Hassan, F. (18 December 2019). KCCI releases report: Kashmir lost Rs 17800 cr in 120 days. *The Kashmir Monitor*. Retrieved from https://www.thekashmirmonitor.net/kcci-releases-report-kashmir_lost-rs-17800-cr-in-120-days/ [29 September 2020].
⁴³Reuters. (27 December 2019). Indian mobile carriers losing 2.4 cr revenue every hour owing to internet shutdowns. *LiveMint*. Retrieved from https://www.livemint.com/industry/telecom/indian-mobile-carriers-losing-rs-2-4-cr-revenue-everyhour-ow-ing-to-internet-shutdowns-11577460131477.html [24 Jan 2020].
⁴⁴Boyle, E. (05 July 2020). The UN says online freedom is a human right that 'must be protected'. Independent. Retrieved from https://www.independent.co.uk/life-style/gadgets-and-tech/un-declares-online-freedom-be-human-right-must-be-protected-a7120186.html [28 September 2020].

It noted that the right to internet access becomes a part of the right to education and right to life under Article 21 of the Indian Constitution⁴⁶ which states:

"No person shall be deprived of his life or personal liberty except according to procedure established by law, nor shall any person be denied equality before the law or the equal protection of the laws within the territory of India⁴⁷."

JKCCS has termed this prolonged communications blockade as "collective punishment" and a "digital apartheid" with the people of Jammu and Kashmir.⁴⁸

The situation in Jammu and Kashmir worsened in the wake of the spread of COVID-19 and the nationwide lockdown. This particularly hindered information sharing and contact tracing for healthcare professionals⁴⁹. Nearly 4 months after the COVID-19 pandemic has ravaged economies, health, and livelihoods around the world as well as that of India, 4G internet was restored on a trial basis in the two districts of Jammu and Kashmir- Udhampur and Ganderbal⁵⁰. The communication blockade and internet shutdown have been partially/locally lifted and re-imposed intermittently since 04 August 2019. Partial fixed line telephony was restored in the Valley on 17 August 2019 and 50,000 telephone lines became operational by 04 September 2019⁵¹. In Jammu, mobile internet was restored days after the blockade but snapped again on 18 August 201952. 72 days after the shutdown, post-paid mobile services was restored across networks53.

On 25 January 2020, after over 5 months, 2G mobile internet services were restored on both post-paid and pre-paid phones but these can only be used to access the 301 websites approved by the Jammu and Kashmir administration while social media While internet shutdown have increasingly become pervasive, the deleterious effect that it has had on critical sectors of the Jammu and Kashmir society and economy will continue to be felt long after. While the government's position of national security and public order continues to dominate the discourse around internet blockade in Jammu and Kashmir, the losses in terms of missed opportunities, jobs, and livelihoods, access to health, education, and government services have been unimaginably colossal.

> I was expecting that I would earn this amount (12 lakh) in six months and pay the supplier. But all these months were lost in the shutdown. Now, I do not have any money to pay him and he is after me for payments. You will not believe I travelled to Delhi to look for some job so that I can pay the supplier of equipment.

Aaliya Farooq, Kashmir's first certified female fitness trainer.

https://economictimes.indiatimes.com/news/politics-and-nation/ ban-on-social-media-lifted-in-j-k-access-to-internet-services-on-2g-to-continue-till-mar-17/articleshow/74477608.cms?from=mdr [29 September 2020].



⁴⁶Ibid.

 ⁴⁷Article 21. Fundamental Rights. Constitution of India. Retrieved from <u>https://www.constitutionofindia.net/constitution_of_india/fundamental_rights/articles/Article%2021</u> [01 October 2020].
 ⁴⁸Jammu and Kashmir Coalition of Civil Society. (August 2020). Kashmir's Internet siege. Retrieved from<u>https://jkccs.net/re-</u>

port-kashmirs-internet-siege/ [22 September 2020]. ⁴⁹Parvaiz, A. (20 May 2020). Kashmir internet blackouts hinder health services, contact tracing. *Reuters*. Retrieved from <u>https://</u> www.reuters.com/article/us-health-coronavirus-india-tech-trfnidUSKBN22W052 [01 October 2020].

⁵⁰Reuters Staff. (16 August 2020). India restores 4G internet services in parts of Kashmir. *Reuters*. Retrieved from <u>https://in.re-uters.com/article/us-india-kashmir-internet/india-restores-4g-internet-services-in-parts-of-kashmir-idINKCN25C0PD</u> [29 September 2020].

⁵¹PTI. (14 October 2019). Postpaid mobile phone services in Kashmir restored after 72 Days. *The Wire*. Retrieved from <u>https://</u> thewire.in/rights/postpaid-mobile-phone-services-in-kashmir-restored-after-72-days [29 September 2020].
⁵²Ibid.

⁵³Ibid.

still continued to be banned⁵⁴. The move came after a week of restoration of pre-paid mobile services in the Valley and resumption of 2G mobile data for whitelisted websites in the Jammu region⁵⁵. Broadband internet services for the public were restored only in the first week of March 2020⁵⁶ as was social media, which could only be accessed through 2G internet services⁵⁷.

⁵⁴PTI. (25 January 2020). 2G mobile internet restored in Kashmir from midnight. *The Economic Times*. Retrieved from <u>https://eco-nomictimes.indiatimes.com/news/politics-and-nation/2g-mobile-in-ternet-restored-in-kashmir-from-midnight/articleshow/73601773. <u>cms?from=mdr</u> [01 October 2020]. ⁵⁵Ibid</u>

⁵⁶Wani, A. (05 March 2020). Broadband internet service returns to Jammu and Kashmir after seven months. *India Today*. Retrieved from <u>https://www.indiatoday.in/india/story/broadbandinternet-service-returns-to-jammu-and-kashmir-after-sevenmonths-1652786-2020-03-05</u> [01 October 2020].

⁵⁷Rashid, H. (05 March2020). Ban on social media lifted in J-K, access to internet services on 2G to continue till Mar 17. *Economic Times*. Retrieved from

TIMELINE OF THE INTERNET BLOCKADE IN JAMMU AND KASHMIR

04 August 2019: Authorities suspended all the communication facilities including landline telephones, mobile phones, and broadband internet services in the erstwhile state of Jammu and Kashmir⁵⁸.

17 August 2019: 2G internet services restored in five districts of the Jammu⁵⁹.

18 August 2019: A day after restoring 2G internet services in the five districts of Jammu, authorities snapped internet services again to "check rumor-mongering"⁶⁰.

05 September 2019: Government restored landline telephone service across Kashmir⁶¹.

14 October 2019: Postpaid cellular services restored in Kashmir; ban on the internet continues⁶².

27 December 2019: 4G internet services restored in the Kargil region of Ladakh⁶³.

14 January 2020: 2G mobile internet services restored in five district of the Jammu region and broadband internet restored in hotels, travel

establishments, and hospitals. Access allowed only to websites white-listed by the government⁶⁴.

18 January 2020: Pre-paid mobile phone services restored across Jammu and Kashmir. 2G cellular internet restored in all the 10 districts of the Jammu region and in two districts of the Kashmir region. Only white-listed websites were accessible⁶⁵.

25 January 2020: 2G cellular internet services restored across Jammu and Kashmir. However, access is allowed to only websites white-listed by the government⁶⁶.

04 March 2020: Government allows access to all the websites on the internet including social media websites in Jammu and Kashmir. However, the internet speed remains restricted to $2G^{67}$.

05 March 2020: Broadband internet services restored across the union territory of Jammu and Kashmir⁶⁸.

24 March 2020: Pan-India lockdown announced by the central government in order to prevent the spread of COVID–19.No relaxation in the internet ban in Jammu and Kashmir⁶⁹.

[&]quot;The Hindu Desk. (25 March 2020). India coronavirus lockdown: Day 1 updates March 25, 2020. *The Hindu*. Retrieved from https://www.thehindu.com/news/national/india-coronavirus-lockdown-day-1-updates-march-25-2020/article31159466.ece [29 September 2020].



 ⁵⁸Khajuria, R. K. (01 January 2020). SMS facility, broadband internet services in govt hospitals back in Kashmir from today. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes.com/</u> india-news/sms-facility-will-be-back-in-kashmir-from-today/story-ezoVR9qZhK3QKit1ULuPHP.html [01 October 2020].
 ⁵⁹PTI. (17 August 2019). Curbs eased in Kashmir, 2G internet services restored in 5 Jammu districts. *Business Standard*. Retrieved from <u>https://www.business-standard.com/article/ptistories/2g-mobile-internet-services-restored-in-five-jammu-districts-119081700477 1.html [29 September 2020].
</u>

⁶⁰PTI. (18 August 2019). Day after restoration, mobile internet services again snapped in 5 Jammu districts. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes.com/india-news/day-after-restoration-mobile-internet-services-again-snapped-in-5-jammu-districts/story-6Zm919s5SfhGJAkMuIcJJJ.html [29 September 2020].</u>

 ⁶¹PTI. (20 June 2020). Landline telephone services restored in most places in Kashmir, says officials. *Hindustan Times*. Retrieved from https://www.hindustantimes.com/india-news/landline-telephone-services-restored-in-most-places-in-kashmir-says-officials/sto-ry-nHDS6Qf9IsK1GAmmPKIINM.html [29 September 2020].
 ⁶²HT Correspondent. (10 July 2020). Postpaid mobile services back in Kashmir 2 months after Article 370 move. Retrieved from https://www.hindustantimes.com/india-news/post-paid-mobile-phone-services-to-be-restored-in-jammu-kashmir-today/story-Lmv-j2KOxULvbAg983UNRt1.html [29 September 2020].
 ⁶³Scroll Staff. (27 December 2019). Ladakh: 4G mobile internet services restored in Kargil after 145 days. *Scroll.in*. Retrieved from

services restored in Kargil after 145 days. *Scroll.in*. Retrieved from <u>https://scroll.in/latest/948043/ladakh-4g-mobile-internet-services-</u> <u>restored-in-kargil-after-145-days</u> [29 September 2020].

⁶⁴IANS. (14 January 2020). 2G may be back in Jammu, broadband in Kashmir from Jan 15. *Outlook*. Retrieved from https://www. outlookindia.com/newsscroll/2g-may-be-back-in-jammu-broadband-in-kashmir-from-jan-15/1708455[29 September 2020].
⁶⁵PTI. (12 May 2020). 2G internet services restored in 8 of Kashmir's 10 districts. *Economic Times*. Retrieved from <u>https://</u> economictimes.indiatimes.com/news/politics-and-nation/2ginternet-services-restored-in-8-of-kashmirs-10-districts/articleshow/75687435.cms [29 September 2020].

⁶⁶PTI. (25 January 2020). 2G mobile internet restored in Kashmir from midnight. *Economic Times*. Retrieved from <u>https://economictimes.indiatimes.com/news/politics-and-nation/2g-mobile-internet-restored-in-kashmir-from-midnight/articleshow/73601773. <u>cms?from=mdr</u> [27 September 2020].</u>

 ⁶⁷Rashid, H. (05 March2020). Ban on social media lifted in J-K, access to internet services on 2G to continue till Mar 17. *Economic Times*. Retrieved from https://economictimes.indiatimes.com/news/politics-and-nation/ban-on-social-media-lifted-in-j-k-access-to-internet-services-on-2g-to-continue-till-mar-17/article-show/74477608.cms?from=mdr [29 September 2020].
 ⁶⁸IANS. (05 March 2020). Broadband internet services restored in Kashmir. *Economic Times*. Retrieved September 29, 2020, from https://economictimes.indiatimes.com/news/politics-and-nation/broadband-internet-services-restored-in-kashmir/article-show/74496164.cms [29 September 2020].

30 April 2020: Jammu and Kashmir government tells Supreme Court that the right to access the internet is not a fundamental right and the degree of access for exercising free speech or for carrying on any trade or business can be curtailed⁷⁰.

16 August 2020: 4G mobile internet services restored in two districts of the union territory of Jammu and Kashmir – Udhampur in the Jammu region and Ganderbal district in the Kashmir region⁷¹.

AV.

The illustration was made on the 180th day of the internet shutdown but the shutdown is yet to be lifted entirely.

⁷¹Reuters Staff. (16 August 2020). India restores 4G internet services in parts of Kashmir. *Reuters*. Retrieved from <u>https://in.re-</u> uters.com/article/us-india-kashmir-internet/india-restores-4g-internet-services-in-parts-of-kashmir-idINKCN25C0PD [29 September 2020].



⁷⁰Javaid, A. (29 April 2020). Access to internet is not a fundamental right but an enabler of rights, J&K govt tells SC. *The Print*. Retrieved from https://theprint.in/india/access-to-internet-is-not-afundamental-right-but-an-enabler-of-rights-jk-govt-tells-sc/411521/ [29 September 2020].

ABOUT THIS REPORT

This report is a semi-journalistic deep dive to understand individual experiences of living under internet, information, and communication darkness. These experiences, drawn from individual interviews conducted between February – August 2020, are grouped into sectoral heads like entrepreneurship, health, education, tourism, and public services to approximate how these sectors and lives and livelihoods of the individuals who are a part of them stand to be affected. Set within the socio-political and economic context it seeks to privilege the lived experiences behind the statistics and add depth of coverage on the topic.



The illustration was made on the 180th day of the internet shutdown but the shutdown is yet to be lifted entirely.



"THE BIGGEST LOSS IS OUR FUTURE" – ON KASHMIR'S ENTREPRENEURIAL DREAMS

Omaira and Binish's Craft World Kashmir

For Omaira Qayoom, 30, the blockade meant a deep freeze in the operations of her online crochet store 'Craft World Kashmir'. Omaira said that the joint venture with her partner Binish Bashir is an entirely internet-driven store. All of their orders would come through social media, particularly Instagram, on which they claim to have more than 53,000 followers.

"From manufacturing to delivery, we relied on the internet. Every aspect of this chain got disturbed," she explained. Once the order was placed through their social media platforms, Omaira would forward the requirement to one of her 14 employees – all girls. Once the order was completed, Omaira would ring up her logistics partner to deliver the finished product. They had no physical store and all of them would work from home.

Starting in 2015, Omaira and Binish had successfully carved out their space in the valley's online business space. Both private school teachers had quit their jobs by 2019 and were dedicating their full time to their online store. Before August 2019, the duo's revenue graph had also started picking up. "As a unit, we were easily making Rs 1.5-2 lakh (0.15 - 0.2 million) per month. Hadn't things gone wrong we would have expanded our business," she says. When the internet was snapped on 04 August 2019, Omaira says she had no idea about her customers, employees, and even her business partner for months. Her employees, who used to work on order-to-order, were also left without any work for months.

Omaira says, for three months they did not receive a single order. Their troubles started when a stock of orders worth a lakh of rupees (0.1 million) was ready for delivery on 05 August 2019 – the second day of the blockade – but could not be fulfilled. "We could not deliver it and it turned into a loss for us." According to her, the internet ban does not limit their day to day operations alone, "it's a ban on our creativity. It's a ban on our ideas."

Aliya Farooq's fitness center

But Omaira's crochet store was not the only established business venture to face a tough time. The case of Aaliya Farooq, Kashmir's first certified female fitness trainer, stands testimony of how a successful venture turned into a loss-making burden overnight. "My husband has owned a gym for men since 1998. In 2009, we started a separate section for females but we always had problems with trainers. We also hired a female trainer but she was not good. Eventually, I decided to get full-fledged training in Delhi," says Aaliya, a mother of two.

In 2011, Aaliya took the reins of the female gym and invested around Rs 5 lakh (0.5 million) in equipment. She attracted customers through her professional training on social media. "I used to post about different exercises required for a particular health condition on my Facebook page. Similarly, if a woman lost a significant amount of weight in say a month, I would upload her story. This would get a lot of traffic and eventually many got in touch with me to join the gym," she said.

Weeks before the revocation of Article 370, she had invested Rs 22 lakh (2.2 million) in renovating her gym and procuring new equipment. She had made a payment of Rs 10 lakh (1 million) against the equipment. "I was expecting that I would earn this amount in 6 months and pay the supplier. But all these months were lost in the shutdown. Now, I do not have any money to pay him and he is after me for payments. You will not believe I travelled to Delhi to look for some job so that I can pay the supplier of equipment," she shared.

With the resumption of public transport in January 2020, Aaliya's gym started functioning again but the attendance is thin. The numbers of her customers these days are in 30s. She is also less hopeful of getting new customers as the internet speed is restricted to 2G. "A platform like Instagram doesn't open on 2G at all. It's useless." Estimating a loss of Rs 21 lakh (2.1 million) due to the internet shutdown, the situation has also hit Aaliya's plans of expanding her business. Earlier, she was planning to open another branch of her fitness center on the outskirts of Srinagar; that plan stands buried. "My advice to anyone thinking of investing in Kashmir is: do not do it."

X's graphic design studio

Another entrepreneur X (anonymized upon request) has reached a similar conclusion. After struggling for 5 long years to establish her graphic designing company in Kashmir, she has given up. Fed up with the prolonged shutdown in Jammu and Kashmir since 04 August, X decided that it was time to leave the Valley for New Delhi. A graphic designer by



profession, X's enterprise is engaged in designing, social media marketing, printing, and branding. "I started my business in 2014 but I am still at zero. It's not that I lack capabilities but the situation in Kashmir did not allow me to be what I wanted to be," she rued. She wanted her outlet to become the best graphic designing company in Kashmir.

In normal circumstances, X, along with her team of two graphic designers, a social media marketing professional, a content writer, and some freelancers would easily make Rs 1-2 lakh (0.1-0.2 million) every month. "But how will I send a designed logo to a client if there is no internet? How is social media marketing possible without the internet?" she asked. However, according to X, it was never normal, at least in the last five years in Kashmir. "In Kashmir, there are only a few months for normal business. The rest of the time is wasted in winters and shutdowns etc. There's so much uncertainty in Kashmir every time".

Despite difficult and unpredictable circumstances, X had managed to break even with Rs 5 lakh (0.5 million) investment within 3 years of setting up her company. However, she feels she could have done much better. "I am not worried about the money I might have made but time. Time is irreplaceable. In the last five years, I had energy and enthusiasm but the situation did not allow me to move forward." X had also tried to win the confidence of investors outside of Jammu and Kashmir to boost her company, but failed. "They told me that you have to move your business out of Kashmir. Nobody wants to put his money in an unpredictable place," she stated.

Saba Shafi's bridal make-up practice

The situation was no different for the pioneer of Kashmir's bridal make-up industry Saba Shafi. A professional make-up artist from Srinagar, Shafi started way back in 2013. She does not own a makeup studio and all her bookings are done through email. So far, Shafi has prettied up around 1500 brides in Jammu and Kashmir for their big day. Once a date is booked, Shafi visits the brides' home personally with her makeup kit. All the bookings are confirmed once half of the payments are paid in advance. For each make-up session, Shafi has two packages: Rs 22,000 per session and Rs 25,000 per session.

On 05 August, the day after when the internet blockade started, Shafi, fortunately, had the schedule for the week. "My manager, who is based in Delhi, had already sent it to me for that week," she said. Despite curfew-like restrictions and thousands of paramilitary personnel lining every nook and corner of Kashmir, Shafi managed to reach her customer on 05 August itself. "When I entered their place, all of them were shocked. They were like how did she manage to come," she recalled. To her dismay, the bride's family had canceled the function owing to the situation. "My losses started from that day."

Like most of the life in Kashmir valley, Kashmir's wedding industry also suffered heavy losses due to massive cancellations or austere functions held by the families. According to Shafi, she wanted to reach every booking she had committed to – "come what may". But the same situation greeted her every time, she said. She came to learn that the event had been called off when she reached the venue.

In order to get her schedule of bookings, Shafi made at least 5 trips to New Delhi to get addresses and details of bookings from her manager during the initial months of shutdown. But whenever she would knock on the doors of her clients, she would hear the bad news of cancellations. "I estimate that I suffered a loss of around Rs 10 lakhs (1 million) due to the internet shutdown," she explained. "Had there been the internet and normal situation, I would have certainly got more bookings," she said..

What added to her losses were the fact that the wedding season in Kashmir is seasonal with marriages picking up from May and lasting till late October. "The peak season is from June to October but these months were consumed by the shutdown. So, if a season is lost, the entire year is lost," Shafi explained. With the season over and the internet back at restricted 2G speed, Shafi is witnessing a significant dip in work. "I have been receiving emails. But not like I used to receive. Before 05 August, at least 20-25 mails would land in my inbox. Now, it's like maybe 7-8 mails in a day," Shafi said.

Sadia Mufti's clothing store

Disruption of the internet has a noticeable impact on the clothing business as well. Ever since Sadia opened her ethnic wear store in Srinagar in 2014, she has realized certain things. One of the many learnings has been that customers do not want to come to the store physically and spend hours choosing what they like. "That's why I have created these broadcast lists of my customers to whom I WhatsApp all my new designs and collections regularly. The internet helps them to get an idea of the style and they also know the taste of it," Mufti explained.

To cater to her customers outside Kashmir, video calls come in handy to sell her new designs. However, it is mostly social media platforms like Facebook and Instagram where she advertises her designs to attract new customers. "I cannot afford to advertise through newspapers etc. It's too costly," she explained.



Mufti, who is known for her mixture of Indo-Western and ethnic designs with a blend of Kashmir's traditional fashion, also owns a designing unit where a group of seven tailors and embroidery artists give shape to her ideas. For the last 6 years, Mufti says the unpredictable situation in Kashmir has made her work more challenging. Yet, every time, she has been able to manage somehow.

However, with the internet shutdown of 04 August prolonging for months without any end in sight, Mufti developed signs of depression. "Every September we offer a discount on sales on our summer wear and due to the season, the sale is good. But September last year was a disaster. It was completely shut down," she explained.

Like every year, Mufti had already invested in manufacturing for the September sale. "All of that is unsold. I had hoped that once I sell my summer collection, I will invest my profits for winter collections. None of it went as per plan and I had to borrow money to purchase fabric for my winter collection," she added.

With no sales, Mufti had to manage other expenses on her own. "Firstly, there was the rent of the store. Secondly, my workers are from outside Kashmir, I had to pay them extra salaries so that they do not quit. Even though they left the valley immediately after 05 August 2019, I wanted to ensure that they returned as soon as the situation normalized," she explained.

But the biggest worry was the persistent reminders from her suppliers in Delhi and Surat to clear their payments. "Even if I wished to send them payments, I could not do it. And they were like they do not understand what are happening in Kashmir. They just wanted their money," she recalled. Towards the end of 2019, Mufti says the situation had relatively eased and she could open her store during relaxation hours. "But the sales were down. I had customers who use only cards for payments and since my Point of Sale (POS) machine was not working due to the internet blockade, they did not buy anything. It was heartbreaking," she added.

Musaib Ahmad's modular furniture manufacturing

The blockade was equally disastrous for new entrepreneurs like Musaib Ahmad of south Kashmir's Pulwama district. Ahmad calls himself the forerunner of modular furniture manufacturing in rural Kashmir and had started his venture in early 2019. However, following the internet blockade post 04 August 2019, he had begun questioning his decision of investing in a business. From getting orders to finalizing designs with his customers through WhatsApp, Ahmad reports his business to be entirely driven by the internet. "I used every social media platform to market my unit. Facebook, Instagram, LinkedIn, WhatsApp – I was everywhere. I must tell you, not a single customer would have visited my industrial unit physically. They would come across my videos and posts on social media and place orders," he explained.

With a half-yearly turnover of Rs 25-30 lakhs (2.5 - 3 million), Ahmad estimates the loss of more than Rs 20 lakhs (2 million) due to the internet blockade and lockdown. His outlet had also become a source of livelihood for more than a dozen educated Kashmiri youngsters. "I had some employees who would beg if they did not have a salary on time. You will not believe I gave them vegetables and other eatables from my home," he explained. Due to the situation, Ahmad also became a patient of depression.

While the 2G cellular internet services were restored in January, Ahmad says slow internet is still not enough for the normal functioning of his outlet. "There were days when I was thinking of shutting down my unit forever," Ahmad said.

Sheikh Samiullah's Fast Beetle logistics company

Like Ahmad's outlet, Sheikh Samiullah's logistics company 'Fast Beetle' was also a venture in its nascent stage when the internet blockade started. "It was not that there are no logistics companies in Kashmir but since they are not from Jammu and Kashmir, they would demand a lot of formalities from these outlets which was not possible for these online stores since many of them existed only on the internet and did not have a physical store," explained Samiullah, a graduate in Business Administration.

Along with his business partner Abid Rashid, Samiullah had invested an amount of Rs 10 lakh (1 million) to start their venture in August 2018. To start with, the company had hired only one delivery boy and took delivery orders within Srinagar city only. However, the number of delivery boys soon rose to five and the breadth of operations extended to two districts in south and north Kashmir. To manage their technical end, they also hired two software developers, an office manager, and an office executive. "In total, 11 people were drawing their livelihood from the outlet," said Samiullah.

On 25 July 2019, the outlet also came up with a mobile application for its customers. However, merely 10 days after its launch, Kashmir valley was put into a never-seen-before communication and the internet lockdown for months. Not only were



the expansion plans of the company hurt, but the company had to shut its operations entirely.

"The internet is oxygen for an e-commerce platform. Without the internet, we are paralysed. Until 05 August 2019, we had delivered 15,000 orders across the valley and in some parts of India. From 05 August till they restored 2G internet in January 2020, we did not deliver a single order," Samiullah explained. With not enough savings to sail through, the duo could manage salaries for their employees for just the initial three months of the shutdown. "Beyond that, we could not help them," he explained.

Mir Basit Hussain's Free Press Kashmir

In 2017, Mir Basit Hussain returned to Kashmir after he quit his job in the Middle East to do something of his own. That something was Free Press Kashmir, which according to Basit was the first multimedia digital news platform in the valley. Initially, the website relied on traffic to make revenue. "But when many investors saw promise in our work, they were on board too," Hussain reports. According to him, they were expecting to break even in 2020. "But that was not meant to be."

For an internet-driven platform like Free Press Kashmir, the announcement sounded like a death knell. "High-speed internet was the backbone of our organisation. We did not only have words, but almost every story of ours also had a video and audio with it. A media organisation like us cannot work on slow internet," he said. With internet shutdown prolonging for months, Hussain said, they were "mercilessly" forced to shut down their operations. "We paid salaries to our employees for the month of August and September, but beyond that we could not afford to. A few months later, we vacated the rented office space," he explained.

In October 2019, Hussain, shifted to Bangalore in search of a job. He concedes that his shift to Bangalore is purely driven by the necessity of survival. "I am a journalist and I want to die as a journalist. At the same time, I need to survive." Hussain's skepticism is not driven by the uncertainty of internet access alone. According to him, the situation for local media has drastically changed following the 05 August decision of the government. After struggling for months Free Press Kashmir resumed their services in May 2020.

Over the last several months, journalists in Kashmir have been subjected to repeated intimidation by the government and police. Journalists have been summoned by police to reveal their sources, detained, threatened, booked under anti-terror laws, and beaten while on assignments. "I do not think we will be allowed to do what we used to before. That for me is a much bigger compromise and none of us is ready to make it," Hussain explained.

Y's handicraft business

Y (Anonymized upon request) unlike many young generation entrepreneurs had run his family-owned Kashmiri shawl and handicrafts business in a traditional style. Customers would come to his shop in Srinagar and Delhi, choose an item, and pay for it. The business was good. He had never thought his business would expand to countries like Europe or America.

Back in 2017, Y, out of mere curiosity to mark his presence on the virtual space had started multiple pages of his business on social media platforms like Facebook. "It was here my products started getting noticed. Eventually, I got offers from many platforms like Ali Baba, India Mart, and Trade Mart etc. to tie up with them," Y recalled. Skeptical of its benefits, Y took the least risk and registered with one of the portals against a fee of Rs 2,500 per month. The response was overwhelming.

"In 2018, I registered with multiple online platforms across the globe. Soon, I was dealing with orders worth crores (1 crore = 10 million). It was a new world for me and I had no idea this much opportunity existed for me," he shared, smiling. Such was the response, Y confessed, that he forgot his traditional business entirely. "I got involved with the online world. Everything was so fast. A customer would ask for samples, send payments and I would courier the goods to their address." His customer base stretched from the United States of America to the Gulf and South Africa.

By 2019, Y was paying an annual fee of Rs 5-6 lakh (0.5-0.6 million) to various online portals to show his business on their platforms. To deal with the customer queries and orders, Y had also employed a staff of four members. "I did not have a physical store and yet I was doing business across the globe." Then came the 04 August 2019 and the communication blockade which gave Y's business a heavy blow. Y is reluctant to quantify his loss, stating that "sky was the limit" for his business prospects in 2019 had there been no internet shutdown.

At the same time, Y had to also manage the salaries of his staff from his savings. For months, he had no idea about his customers or if there were any orders. On the registered portals, Y says, his outlet's ratings dropped significantly because he could not respond to customer's calls on time. Y equates the internet shutdown with the lack of respiration in a human body. "Tell me, which work is possible without the internet these days?" he asked.



Qasim Bazaz's art and craft store – The Art Box

Another young entrepreneur, Qasim Bazaz, 21, from Rainawari Srinagar, whose business "wholly and solely" depends on the internet, went on a long hold due to the internet blockade. "Post 05 August, I have not been able to earn anything", said Bazaz. Bazaz started 'The Art Box', an online venture that deals with the arts and crafts from Jammu & Kashmir in 2015. "It worked very well initially but the situation in Kashmir hampered its potential. I was forced to lay off my employees due to zero income and since we do not get any orders, the stock remains unsold at my home."

Kashmir is known for its world-famous Pashmina and other handicraft so many entrepreneurs have tapped into this market through online ventures to gain global outreach but have been disappointed by the internet disruptions. The speed of the internet also limits a customer's ability to access products online. "We don't even get proper 2G. And there is no way we can get orders if our customers don't have access to proper internet to place orders in the first place" said Bazaz.

Kashmiri Kalkharabs and the Online Rounders

During the seven-month-long internet shutdown in Kashmir valley, Parvaiz Ahmad, 28, would yearn for only thing – to have a look at his YouTube channel. A resident of Mujgund village on the outskirts of Srinagar, Ahmad and his group of five other comedians had risen to fame through YouTube. Known for their sharp satire and witty commentary on social issues and problems confronting Kashmiri society, Kashmiri Kalkharabs (Kashmiri Hotheads) were said to be the pioneers of a new phase of online comedy in Kashmir. "We had started it just as a parttime job. Every day, Kashmir is in mourning with people dying daily or remaining in jails. We wanted to give Kashmiris a reason to smile," said Ahmad.

It did not take Ahmad and his group much time to get famous and start making money from these videos. "We started in January 2018 and until August 2018; we did not make any money. But all this while, we had a steady growth of subscribers on the channel," said Ahmad, whose channel has around 5 lakh (0.5 million) followers at the time of writing this report. "Since August 2018, we, as a group, would make at least Rs 60,000 per month. It was good income. It was looking like we didn't need any other job to sustain ourselves."

But after the shutdown of 04 August, Ahmad and his group do not share the same feeling. "There's no

security of the internet in Kashmir. You won't believe we recently applied for some government jobs just in case. When the internet shutdown prolonged, the thought of selling our family land to invest in some business did cross our mind," said Showkat Ahmad, one of the group members besides Ahmad. According to Showkat, a post-graduate in History, they were fortunate to have their parents to support them during the shutdown. "Otherwise, we would have gone hungry," he added.

With an average of 4-5 videos per month, Kashmiri Kalkharabs had produced around 100 videos until 05 August 2019. The group was able to upload their next video only after 7 months of internet shutdown. "But it's as good as useless. 2G is a joke. It took me 16 hours to upload a 400 MB video on 2G speed," he shared. However, it is not only the upload speed which is worrying the artists. "Our videos will be watched only when there is a fast internet. It takes 2 hours to buffer a 10-minute long video. Who will wait for so long? People eventually get bored and close YouTube. Even if we have broadband internet it is useless until and unless our audience has fast internet," Showkat explained.

Both the group members conceded that they are reluctant to produce new videos while the internet speed is still restricted at 2G. "If you ask me, my heart isn't into it. Earlier, our video would cross 50,000 views within an hour of its uploading; now we get 3,000 views in an hour. It's so heart-breaking that people cannot watch us," added Parvaiz Ahmad. Given their trajectory of growth and revenue generation, the comedy group estimated a minimum loss of Rs 4 lakh (0.4 million) in revenues during the shutdown and almost 3 lakh followers.

"When there is no internet ban, we would get around 30,000 new followers every month. These days, we get 2,000 new followers in a week. Our revenue average would have grown with the rise in new subscribers," said Showkat. That is why the group has produced only 6 videos since the restoration of 2G internet services since January 2020. The shutdown also hit their other business plans. "Some of us sing too and we were thinking of investing some money to get some musical instruments. Thankfully, we did not take that decision. Otherwise, we would be in huge debt with no work," Showkat added.

While the group is hopeful of high-speed internet getting restored in the valley, they usually shudder while recalling the shutdown days. "It was so depressing that I had to take some anti-depressants. We thought we might keep some videos ready during the shutdown but everyone was tense and they said, we are not sure if the internet will be ever restored or not," Parvaiz explained. The comedians



are blunt in equating the internet shut down with the government's "oppression." "They just disconnect us from the world. Now, if we ask them for jobs, they would not give us them also," Parvaiz said, adding that "the biggest loss is our future."

If there's one thing the 04 August internet shutdown has taught online comedy group 'Ultimate Rounders', it is to steer away from any kind of "political content". Inspired by the widespread success of Kashmiri Kalkharabs, the group, consisting of mostly teenagers, had successfully started making their footprints on Kashmir's online comedy scene. But their journey was cut short after the government imposed a virtual as well as a physical shutdown in the valley.

"We started in November 2018 and attracted around 15,000 subscribers in just 3 months. We had invested Rs 80,000 to buy a camera and some mics etc." explained Adil Altaf Bhat, a class 12 student. With their promising start, Adil said, they were expecting that their "dream" of becoming a successful Kashmiri YouTube comedy channel had slowly become a "reality." Until 05 August, the channel had got more than 1 lakh (0.1 million) subscribers. A month earlier, the group had received its first cheque of earnings with an amount of Rs 30,000.

But that was not meant to last long. "We had seen a full-time future in this but that is gone now. I had gotten so engrossed in it that I had started paying less attention to the studies. But our dreams have been crushed. Going by our hard work and subscribers, we would have crossed 2.5 lakh subscribers by now," Bhat explained. The shutdown was particularly hard for Ishfaq Ahmad Wani, 24, the eldest member of the comedy group. Before joining the YouTube channel, he had quit his job as a driver of a bus of a private school. He is scheduled to get married later this year. "It has been hard but as an individual, we should keep trying. There is always hope for a better future," Wani said.

While the comedy group is still weighing in what could have been had there been no internet ban, they have slowly started resuming their video production. So far, the response has not been good. "Ever since 2G internet was restored, we made only 6 videos but the response to them has been lukewarm. Also, it is taking too long to upload videos but we have no other choice," Adil Altaf Bhat explained.

The group is highly critical of the government turning mute to their grievances. According to them, the government deliberately overlooks the economic aspect of the internet. "They only look at the misuse aspect of it. We made several appeals to the government and even held protests in favor of the restoration of the internet but they did not listen. They crushed our future," said Wani.

At the same time, the group seems to have made up its mind to not annoy the government with its content. "Whenever anything happens they shut down the internet, we have decided that we will not touch any political issue in our content now. Earlier, we used to but not now. What if the government does not like it and shuts down our channel altogether?" Wani asked.

In retrospect, the comedians are still assessing whether YouTube can be a sustainable source of livelihood in a place like Kashmir. "There are no jobs here and if we do not have the internet, I think all of us will have to do manual labor," Bhat said.

The erstwhile Jammu and Kashmir government had initiated the 'J&K Start-up Policy", which aimed to "facilitate and nurture the growth of at least 500 new start-ups in J&K in the next 10 years." The dream of opening a start-up of the young Kashmiri people certainly has been ended due to the internet disruption in the valley⁷².

When the internet shutdown prolonged, the thought of selling our family land to invest in some business did cross our mind,"

Showkat Ahmad, Kashmir-based YouTuber.



The illustration was made on the 180th day of the internet shutdown but the shutdown is yet to be lifted entirely.

⁷²Ashiq, P. (08 December 2019). In a land without Internet: How the communication blackout is forcing young entrepreneurs out of Kashmir Valley. *The Hindu*. Retrieved from <u>https://www.thehindu.com/news/national/in-a-land-without-internet-how-the-communi-cation-blackout-is-forcing-young-entrepreneurs-out-of-kashmir-valley/article30219792.ece [29 September 2020].</u>



BARRIERS IN ACCESS TO AND PROVISION OF HEALTHCARE

In March, when Jammu and Kashmir was just about coming out of the country's longest communication blockade imposed since 04 August 2019, the COVID–19 pandemic was tightening its grip on the country⁷³. Subsequently, another lockdown – this time nationwide – was imposed to curb the spread of the disease. Information about COVID–19 was evolving on a daily basis, as the virulence and nature of the virus were not yet fully known⁷⁴. The Indian government and World Health Organisation were frequently releasing advisories on life-saving measures for treatment and prevention, and these were being uploaded on the internet on real-time basis.

However, the doctors in Jammu and Kashmir had hard time accessing information about COVID-19 with the restricted internet connections. At the time of writing this report, more than 73 thousand people are infected and 1146 people have died in Jammu and Kashmir due to the COVID-1975. Moreover, despite the Government's orders to follow social distancing to curb the spread of COVID-19, the patients in Jammu and Kashmir were forced to visit the hospitals, which is one of the places where one can easily catch the virus. Even telemedicine, which could have been instrumental in providing consultation to patients, was dysfunctional owing to the unavailability of high speed internet connection, required for conducting high definition video calls to examine patients.

The lack of access to adequate healthcare during the pandemic was emblematic of barriers to access during the consequent internet shutdown since 04 August 2019. Initiatives like 'Save Heart Kashmir' which had worked to provide critical care by providing doctor consultation through WhatsApp were not able to operate due to the network disruptions. Health insurance schemes like Ayushman Bharat also got affected as the officials were not able to upload the documents online. The Supreme Court has previously held that the right to health is integral part of right to life protected under Article 21 of the Indian Constitution⁷⁶. In this instance, not only was access to healthcare hindered but so was research in the field of medical sciences due to lack of access to information due to internet suspension.

A file on critical COVID–19 care fails to download

In February 2020, a senior doctor at Srinagar's Shri Maharaja Hari Singh hospital was talking to a doctor friend based in England. While Kashmir valley had not seen any COVID–19 positive case until then, the virus had started spreading rapidly across England. "My friend explained the scenario in England to me and asked about our preparations to deal with the pandemic here. What he told me was very alarming. He told me COVID–19 patients are mostly fine for many days of their hospitalization and suddenly one day their condition deteriorates and proves to be fatal," he explained.

According to the senior doctor, his friend informed him about a set of guidelines prepared by the doctors in England to deal with COVID–19 patients. "It was not that big a file, it was just 26 MB. When I tried to download it, I was unable to. I waited for an hour but

> Medical science is an everevolving field and as a professional one needs to be closely following and keeping up to date about the latest developments in our field. With no high-speed internet, the process of increasing our knowledge and skillsets gets impacted.

> Dr. Sheikh Babar, Srinagar based dentist.

⁷⁶K Mathiharan. (2003). The fundamental right to healthcare. *Indian Journal of Medical Ethics*, 11(4). Retrieved from <u>https://</u> <u>ijme.in/articles/the-fundamental-right-to-health-care/?galley=html</u> [02 October 2020].



⁷³Internet Shutdown Tracker. *SFLC.in*. Retrieved from <u>https://inter-netshutdowns.in/</u> [29 November 2020].

⁷⁴Singh, S. (12 May 2020). Supreme court's order on Kashmir internet shutdown: Judicial abdication or judicial restraint? *Times of India*. Retrieved from <u>https://timesofindia.indiatimes.com/blogs/</u><u>voices/supreme-courts-order-on-kashmir-internet-shutdown-judicial-abdication-or-judicial-restraint/</u> [29 September 2020].
⁷⁵Orissa Diary. (29 September 2020). Jammu and Kashmir reports 824 new positive cases, 54267 recovered so far. *Orissa Diary*. Retrieved from https://orissadiary.com/jammu-and-kashmir-reports-824-new-positive-cases-54267-recovered-so-far/ [29 September 2020].

still could not download it. The speed that time was around 200 KB/S but it was not enough to download the document. I got frustrated," he recalled.

The senior doctor's tale is almost every doctors' story in Kashmir valley due to lack of high-speed internet. However, despite petitions in the Supreme Court to restore high-speed internet in the Valley, this continues to remain elusive. While doctors as well medical researchers assert that 2G internet speed is not enough for the normal functioning of the healthcare professional, the yearning for high-speed internet has been further necessitated by the deadly COVID–19 pandemic.

Internet – 'A second brain' for medical professionals

Among the most common themes which emerged from the interactions with doctors is their inability to download videos or tutorials from the internet about the latest advances in medical science and new procedures to deal with different ailments. "Medical science is an ever evolving field and as a profession one needs to be closely following and keeping up to date about the latest developments in our field. With no high-speed internet, the process of increasing our knowledge and skill sets gets impacted," said Dr. Sheikh Babar, a dentist in Srinagar.

According to Dr. Babar, access to high-speed internet becomes essential in situations where the patients are showing unusual symptoms. "There are times when what you have studied theoretically is different from the way a patient's ailment is behaving. In such a scenario, you need to consult seniors or go through various lectures of reputed dentists who have already studied the problem. Such a piece of knowledge helps a lot in ensuring proper care for patients. However, since August 2019, what we have been doing in Kashmir is treating patients with whatever basic knowledge we have which can never be enough in today's age," he explained.

Dr. Suhail Naik, President, Doctors Association Kashmir equates functioning high-speed internet with a "second brain" for healthcare professionals. "The internet is life. It's like a second-brain for a human being. In the current scenario, knowledge is updated every minute and one has to remain upbeat with that knowledge. To download all the new protocols and training videos, high-speed internet is a must. Similarly, we cannot attend Zoom conferences, live discussions, webinars about the unfolding COVID–19 health emergency on 2G internet," he said.

The concerns of doctors are seconded by internet experts as well. For example, a technical analysis conducted by techie Prateek Waghre demonstrates that interactive resources like the World Health Organization's Situation Tracker are not accessible at all on observed 2G speeds. "Similarly, the Ministry of Health's website takes 24 times longer to load and the World Health Organization's website takes 27 times longer to load on 2G speed compared to 4G speed," states Waghre's affidavit filed before the Supreme Court in a petition challenging 4G internet ban in Kashmir valley in April⁷⁷.

Waghre's analysis also included a test case of YouTube on 2G speed. According to his analysis, video playback on 2G was subject to significant degradation with videos taking up to 60 times longer to start playback. For every 1 second of playback, the analysis showed, it took up to 3.8 seconds of buffering. "A 20-minute video could take up to 1 hour and 36 minutes to watch completely," he states in the affidavit⁷⁸.

Telemedicine facilities rendered defunct

Another facet of healthcare that has been affected by the lack of high-speed internet is telemedicine. World Health Organization defines Telemedicine as "the delivery of health care services, where distance is a critical factor, by all health care professionals using information and communication technologies for the exchange of valid information for the diagnosis, treatment and prevention of disease and injuries, research and evaluation, and for the continuing education of health care providers, all in the interests of advancing the health of individuals and their communities"⁷⁹.

In the context of Kashmir, the internet ban renders the entire field of telemedicine as meaningless, doctors say. According to doctors, the patients cannot contact their doctors through video-calls to get diagnosed properly due to the lack of high-speed internet. "This, in turn, impacts the situation by violating COVID–19 guidelines. If we are able to treat a patient on a high-quality video-call, then the patient does not need to come to the hospital or clinic which means both the patient and doctor as well can maintain social distancing and help in fighting the disease," explained a senior doctor from one of the Valley's major hospitals.

⁷⁹World Health Orgnisation. (2009). Telemedicine: opportunities and developments in Member States: report on the second global survey on eHealth 2009. Retrieved from <u>https://www.who.int/goe/</u>publications/goe_telemedicine_2010.pdf [22 September 2020].



⁷⁷Monitor News Bureau. (15 April 2020). PIL in SC on 4G: Fresh application includes accounts of doctors, students, teachers. *The Kashmir Monitor*: Retrieved from <u>https://www.thekashmirmonitor.</u> <u>net/pil-in-sc-on-4g-fresh-application-includes-accounts-of-doctorsstudents-teachers/</u> [27 September 2020]. ⁷⁸Ibid.

A proper high-quality video consultation with the doctor ensures an important psychological input to the patient, he added. "Why do patients come to doctors? Because they feel that once the doctors see them, talk to them, and clinically examine them, the diagnosis will be 100 percent. How is this possible in today's context? Can you have the possibility of videos of such good quality on 2G? On 2G speed, you just get a blurred image and a lot of shaking, though the audio is fine. On 4G, the patient feels the doctor is in front of him," he explained.

According to the senior doctor at Shri Maharaja Hari Singh Hospital, the bad quality video consultation always carries the dangers of the wrong diagnosis, which might jeopardize the health of a patient. "The patient tells us a lot of stories. For him, the stomach and intestine is all the same. But for us, it is a different thing. But how will he do that? It is only possible through video calling. He will point it out on the video," the senior doctor said.

Dr. Suhail Naik, a pediatrician, explains that doctors end up wasting some of their most critical time by attempting to provide consultation to patients on 2G. "I ask a patient to send me test reports, prescriptions, etc. It takes time to download and therefore my response or treatment gets delayed. I have to reserve judgments until I see the patient's diagnostic tests and it is time-consuming," Naik said.

To cite an example, Naik said it becomes tough for specialists like dermatologists to treat their patients on 2G. "You cannot treat a patient unless you have a good picture of his/her affected skin-area. The doctor has to see a high-resolution picture of the affected skin-area of the patient. When he cannot see the picture or download it on time, a doctor's response gets affected. Eventually, you lose efficiency to serve the people," he added.

Save Heart Kashmir - An initiative rendered useless

In 2017, a group of cardiologists in Kashmir valley came up with an interesting idea of treating the emergency cardiac patient through consultation with specialists on WhatsApp. The initiative known as 'Save Heart Kashmir' would have been critical across the region by providing instant guidelines to the doctors in far-flung areas about managing a patient with a cardiac emergency during the COVID-19 pandemic.

"The idea is to ensure immediate and proper care to emergency cases within the golden hour only. Since many patients are in far-flung areas, a lot of crucial time is lost in getting them to Srinagar. That's why our initiative asks the doctors to treat the patient, to send his history and ECG (Electrocardiography) reports on WhatsApp so that specialists on the group would advise accordingly. This has helped save us hundreds of lives," explained Dr. Imran, who's one of the founders of the initiative.

The initiative was based on the 'hub and spoke' model where the valley's two tertiary care hospitals in Srinagar - Sher-i-Kashmir Institute of Medical Sciences (SKIMS) and Shri Maharaja Hari Singh (SMHS) Hospital - served as a hub while other affiliated district, sub-district hospitals, and primary health care centers spread across Jammu and Kashmir and Ladakh served as spokes.

According to Dr. Imran, they have dealt with around 30,000 cases of patients since the inception of the initiative. Currently, the initiative runs 4 WhatsApp groups comprising 1,000 cardiologists across the valley and globe. "Some of the specialists are based in Australia and other countries, they respond to cases in odd times like when it's night in the valley. Being in a different time-zone helps us," Dr. Imran added.

However, following the 04 August internet blockade for months, the initiative was completely dead. "No Internet means no treatment. On average, we would get 25-30 cases per day. You can imagine how many cases we failed to treat during the lockdown period due to the internet ban. I am sure there might have been many deaths of patients who did not get instant treatment on time. That immediate treatment could have been aided by our WhatsApp group," added Dr. Imran.

But the COVID–19 lockdown is slightly different in the valley than the one Kashmir saw in August last

No Internet means no treatment. On average, we would get 25-30 cases per day. You can imagine how many cases we failed to treat during the lockdown period due to the internet ban. I am sure there might have been many deaths of patients who did not get instant treatment on time. That immediate treatment could have been aided by our WhatsApp group

Dr. Imran, Save Heart Kashmir



year. Dr. Imran is consoled by the fact that at least the valley has functioning 2G cellular internet services during the current pandemic. "Thankfully, we are able to treat patients. Even though we can not make good quality video calls to the doctors at the periphery, we still manage. It takes a lot of time to download case history, prescriptions, and ECG reports of the patients on 2G," he said.

Paralyzing medical research

Many doctors also express that the restricted internet speeds and internet blockade in August 2019, has put a stop on all kinds of medical research happening in the valley. "The internet is essential to any kind of research, and for medical research, which witnesses new trends every day, it becomes doubly essential. But in Kashmir, research has been paralyzed. It is one of the areas which have got a bit ignored while we talk about internet ban, but it is equally important," said the senior doctor from Shri Maharaja Hari Singh hospital in Srinagar.

Other doctors say the lack of the internet makes the process of research tiring, time-consuming, and complicated. "It is a fact that medical research used to take place even before there was the internet but nowadays, research is based 110 percent on the internet," said Dr. Suhail Naik, the pediatrician.

To drive his point, Naik explains the case of Mendeley software, a free reference manager, and an academic social network for researchers across the globe. "If a researcher writes a single word or sentence in this software, it throws up dozens of references and a list of books where the word or sentence has been used. Thus, it reduces the burden of a researcher to a huge extent. If there is no internet, a researcher has to sit in a library, pile up all the relevant books and then look for references and definitions manually. Imagine!" Dr. Naik explained.

Roadblocks in access to health security

In September 2018, the central government launched the Ayushman Bharat insurance scheme which provides a health cover of Rs 5 lakhs (0.5 million) per family who are poor and vulnerable as per the Socio-Economic Caste Census (SECC). More than 6 lakh (0.6 million) families are deriving health care facilities from this scheme in Jammu and Kashmir since its launch in September 2018. These 6 lakh (0.6 million) families avail healthcare benefits at around 155 hospitals, private as well as government, spread across the union territory⁸⁰. "There was a massive shortfall in the patient footprint in the initial months of the lockdown. Many of them came from far-flung areas like Kupwara and Baramulla. They simply could not reach for treatment due to the restrictions," explained a manager of a charitable clinic in Srinagar empaneled under the scheme to treat patients.

But even if the patients were able to reach to avail critical services like dialysis or other renal care facilities, the lack of internet made it difficult for the clinic to offer them the services they were entitled to. "This is a completely online process. Whenever a patient comes to avail service under the scheme he/she needs to give his unique card details and do biometric signatures etc. in order to register his claim with a national database of the scheme. Once details of a patient are registered with the portal, we are then reimbursed by the government for the treatment we provided to the patient," explained the manager of the clinic, wishing anonymity.

With no internet, the manager said, the clinic decided to continue giving all the facilities to the patients and register each visit manually. "Instead of updating it in real-time, we thought we will update those details online once we have some avenue of the internet," he added. Such an arrangement, however, would prove costly. "If we are able to submit patient details on time, there is no delay in payments. But with us having no connection with the national database, we were not entitled for any payments even if we were continually giving services," he added. The net result of such a decision was that the clinic had to raise a lot of credit from donors and other known people to ensure the steady flow of medicines and equipment necessary for the patients.

"Even when patients were unable to come, we never stopped our services. Of course, we had to literally beg people to lend us money but we did not want the patients to suffer," the manager added. As things slowly eased out, the manager said, they were helped out by their local insurance partner to send their patient details online. "Some of our staffers had to literally stay up all night at some government-facilitated kiosks to send the patient details," he added.

But despite such a tough time, the manager said, the government finally cleared all due payments and he paid back his creditors. "The payments got delayed but they finally came. I hope we never see such a time again," said the manager.



⁸⁰HT Correspondent. (12 September 2020). Jammu and Kashmir announces Rs 5 lakh annual health insurance for residents. *Hindustan Times*. Retrieved from <u>https://www.hindustantimes</u>. com/india-news/jammu-and-kashmir-announces-rs-5-lakh-annualhealth-insurance-for-residents/story-X3xWZmjj0Tpz38IbAoiWjL.

html [22 September 2020]

NO PLACE FOR [DIGITAL] EDUCATION

The prolonged communication blockade holds into bargain the future of thousands of students and researchers who were left with no means to remotely pursue their studies. "Education suffered a major setback, and in August 2020 students enrolled in Kashmir's 30,000 schools and 400 institutes of higher education marked the first anniversary of the internet shutdown as a full year without attending school, or college or university" noted *JKCCS* report⁸¹. In 1992 the Supreme Court held that the right to education was a fundamental right that flowed from right to life guaranteed under Article 21 of the Constitution⁸².

Dreams of a better future were crushed as the application forms for fellowships, scholarship, and college admission got affected due to the internet shutdown as applicants were not able to receive or send emails, and inaccessibility of the information was only adding to their woes. As Dr. Z (anonymized upon request), a research scholar in biodiversity puts it, "It seems like nobody's listening to us. Due to the ban, I slightly moved to books not related to my subject. But still, in the back of the mind, the feeling that we are like second-class citizens is always there. There is always this feeling that we should not be treated this way."

Schools, universities, colleges were shut down in Jammu and Kashmir much before the COVID–19 engulfed India, and a nationwide lockdown was imposed this time to curb the spread of the virus leading to the shutting down of educational institutions across India⁸³. As the educational institution closed physically in the rest of the country due to COVID–19, teaching and instruction moved into the virtual space. Across the country, students adopted online classes but it was not so for the students of Jammu and Kashmir. The restoration of the 2G network has not helped to improve much, it only added to their frustration as they are losing out the crucial time of their lives as many have reported.

Scholarly research at a standstill

Ph.D. scholar Syed Asma's research is primarily focused on archival work. She is studying the evolution of the political discourse of the Kashmir valley during 1953-71 through the local press. "You can say that my research includes more physical work like going to libraries, archives department, newspaper offices to collect archives. But due to the shutdown, I could not do that," Asma said.

However, the impact of the internet shutdown was felt by Asma severely in another way. Under the guidelines of the University Grants Commission (UGC), a research scholar needs to have some published research work in different journals across the globe before being awarded the final doctorate in philosophy. "I could not pitch a single research paper, leave alone getting it published. I also lost many opportunities to participate in seminars where I could have presented my papers. The fellowship and conference alerts could not reach me," she explained.

One of the opportunities Asma lost due to the internet shutdown was her chance to get her research papers published in an anthology. The book was scheduled to be published in October 2019. "I had already submitted my chapter in July. During the course of the next months, there would have been a lot of back and forth on email about some additions, deletions, editing in the chapter, but the thing is that I was not able to read any of those emails due to the internet shutdown," she explained.

Prior to the internet shutdown, one of Asma's research colleagues had presented a paper through an online conference in Florida, United States of America. "It was something really new to me. And I was also planning to present a paper like that. Some pitches which I had sent earlier, had been replied to. But I could not take them forward," she added.

With the continued suspension of the internet in Kashmir, Asma quantifies the loss in her research work by a delay in the final submission of her thesis. "My Ph.D. has got delayed by a minimum of six months due to the lockdown. Had there been no restrictions on movement, I would have completed my collection of archives work and would be done with my analysis. But that did not happen," she explained.

The lockdown and communication blockade, Asma said, also broke the flow of her research process. "When you study something so deeply, you live it. But once you are disturbed, you lose track. It is very hard to resume the pace of work I was used to before 05 August. "For now, Asma has a 2G cellular internet connection to work with. She does not have a broadband internet connection at home. The only time she can utilize high-speed internet is when she visits her university.



 ⁸¹Jammu and Kashmir Coalition of Civil Society. (August 2020). Kashmir's internet siege. Retrieved from<u>https://jkccs.net/re-port-kashmirs-internet-siege/</u> [22 September 2020
 ⁸²Ahmad, T. (2016). Constitutional right to an education in India. Retrieved from <u>https://www.loc.gov/law/help/constitution-al-right-to-an-education/india.php</u> [02 October 2020].
 ⁸³Vaidyanathan, R. (25 March 2020). Coronavirus: India enters 'total lockdown' after spike in cases. *BBC*. Retrieved from <u>https://</u> www.bbc.com/news/world-asia-india-52024239 [29 September 2020].

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"Until February 2020, even our university did not allow us access to the internet there. And even if we have now, it is always patchy. Sometimes, not every website is accessible. It is very hectic. But more importantly, you have to browse the entire internet for just a limited amount of time. The luxury to browse the internet as per our convenience is not there," she explained. With her archival work done, Asma, in order to polish her analysis, had expected to rely on the internet to read updated and advanced research on political discourse globally. "You see, a research scholar is handicapped without the internet. I wanted to read extensively about my subject on the internet but I simply could not do that," she said.

Asma believes the internet in Jammu and Kashmir is only viewed through the prism of national security. "They can shut everything under that logic. We plan our things according to it. It adds to our misery," she said. Adjusting to the realities and unpredictability of Kashmir, Asma has reached a scathing conclusion. "If you want to do research, Kashmir does not have the perfect environment for it," she explained.

A tale of missed opportunities

When research scholar Dr. Z, 38, got the participation letter for a conference delivered to his home on 14 October 2019, the deadline to send his acknowledgement had already passed. Z had been selected for an international research conference. "The letter had a very interesting word written in it: 'perhaps you haven't had access to the internet'", Z recalled.

According to Z, he was scheduled to send his acknowledgement to the organizers of the conference by 10 October. "But I got the letter on October 14. The letter mentioned that they had sent me emails on different dates and since I have not got back to them, they are sending me a physical letter," he added.

Z's participation in the conclave would have been instrumental in his research and job prospects. "It was a lifetime opportunity. Given my passion for learning and to put forward my ideas, it was a huge opportunity. It would have helped me in my job prospects as well. I had applied for it in July and there were a total of 450 candidates. Only 20 were selected and I was among the top 3," he explained.

Despite failing to send them acknowledgement on time, Z tried his best to get in touch with the organizers of the conference. The next day he reached the local administration office to access the internet. In October, the authorities in Kashmir had restored the internet at certain local administration offices in each district for public use. "I literally begged the gatekeeper to allow me to access the internet. I told him I have come a long way and I need the internet badly. Initially, he was reluctant because there was some official function taking place there. Thankfully, he allowed me. I got the internet for five minutes and I shot a mail to the organizers," he recalled. Consequently, Z tried to reach out to different institutional authorities to plead his case. "But I failed to make it. They had already taken 20 scholars for the conference," he explained.

But even if Z has somewhat forgotten about the opportunity, the lack of the internet has drastically impeded his main research work. "The internet is a fundamental right of a citizen and for a researcher, it's integral to his work. From accessing job vacancies to contacting journal websites for papers, everything depends upon the internet," he explained.

The snapping of the internet had also meant that Z had to regularly travel 48 kilometers from even for minor data exchange or query. "For example, whatever my guide at the university told me today, I could have done that at home and replied to him by mail. Imagine, how much time it would have saved for both of us," Z rued.

The blockade had also meant that Z has no information about the status of his job applications and research papers submitted for publication. "Before the ban, I had submitted 4 research papers to different journals. I was expecting acceptance or rejection. When I am unable to complete those, it means I cannot go ahead in the prospective papers. Similarly, I have applied for 2-3 jobs and I do not have any information about their status. Whether the interview has been held or not, I have no idea," he rued.

With the Valley remaining deprived of the internet since 04 August, and now with the internet partially restored, Z feels, Kashmiris have sort of "acclimatized" to the situation. "It seems like nobody's listening to us. Due to the ban, I slightly moved to books not related to my subject. But still, at the back of the mind, the feeling that we are like second-class citizens is always there. There is always this feeling that we should not be treated this way," he added.

'Back to the dark ages'

In July 2019, Mujtaba Yousuf, a Ph.D. scholar, was hopeful that he would finish his research by the end of October 2020. If everything went as planned, Yousuf had thought of finding a job and getting married the same year. But all his plans went into "shambles" after 05 August with complete lockdown along with communication blockade.



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While it has been nearly a year since then, Yousuf finds himself stagnant. Since then, Yousuf has barely attended his university. Therefore, he could not make any progress in his paper. In January 2020, when the authorities in Jammu and Kashmir allowed limited access to some white-listed websites, things had eased a bit. While the authorities eventually allowed access to all the websites, the speed of the internet in the Valley continues to be cripplingly slow.

"Every day, I connect to the internet, things do not work. I take a break, again try to connect and at the end, there is no success", said Yousuf while talking about his daily routine amidst the COVID–19 pandemic. While the schools, colleges, and universities in the valley continue to remain shut, students and researchers are forced to study at home. But students in Kashmir, like the rest of the country, do not have the luxury of high-speed internet for attending their classes and doing their research. What further disturb the schedule of students are the frequent disruptions of communication services as soon as some violence erupts.

"I am afraid that people of this generation may be called Corona (COVID–19) and 370 pass outs", said Mudasir, an Assistant Professor at Maulana Azad National Urdu University (MANUU). Mudasir had travelled to Kashmir during his holidays in November 2019, and he suddenly found himself in what he called 'the dark ages' - with no access to mobile or internet services."When I came to Kashmir during vacation there was a watertight curfew and unlike my other class fellows I could not do any sort of data collection due to the internet blockade along with restrictions on civilian movement", recounted Mudasir, who completed his Ph.D. from MANUU a few months back. "For researchers, the internet is like oxygen," said Mudasir.

Salik Nazir, another Ph.D. scholar at Kashmir University, had been working on his research paper for more than a year. A day before the scrapping of the erstwhile state's special status, Nazir had submitted his draft to an international journal. When he woke up on 05 August, he found himself bereft of any means of communication. He was left with no mobile and internet services and for months he could not track the status of his paper. When Nazir felt that the situation was going to remain like that for quite some time in Kashmir, he decided to somehow inform his principal research collaborator based in Mumbai about his situation.

"I somehow managed to get in touch with Mr. Sahu, my principal collaborator through email; which I would write on a piece of paper in the morning and hand it over to my friend who works at Red Cross. He had access to the internet. He would then send the mail and show me the screenshot of the reply in the evening", recounted Nazir. After getting a response from his collaborator, like many other students in the Valley, Nazir too decided to temporarily move outside the state despite his reluctance in leaving his aged mother alone. On reaching Mumbai, he tracked the status of his paper and found out that the journal had rejected his draft after getting no responses from his side.

"The moment I got to know that my paper got rejected just because of having no access to the internet, it was hell. That time it felt like everything vanished and I went into extreme mental stress" recalled Nazir. For Nazir, it was not feasible monetarily to stay in Mumbai so he went to his friend's place at Chandigarh and decided to return to Kashmir only after reworking on his paper further. "This whole thing cost me about Rs 1.5 (0.15 million). Luckily, I had the resources but other students could not manage", said Nazir. Like Nazir, many students were forced to travel outside the state for things that could be otherwise done on a click like accessing emails, applying for scholarships, attending conferences, and many more. "I went to Delhi just to fill a form and the travel and accommodation cost me more than Rs 60,000", said Umar Mukhtar, a postgraduate student at Kashmir University.

Mukhtar had to appear for the IELTS exam which he needed to qualify in order to go to Canada where his uncle had promised him a job. He even qualified the exam but the employee requisition form that he was supposed to fill could not be submitted on time due to the internet blockade. Mukhtar belongs to a middleclass family. His father is a retired government employee and his sister has been out of work since 05 August. The only way he thinks he can secure his future and support his family is by moving abroad. "I was born when Kashmir was in turmoil. I grew and the situation pretty much remained the same. I feel it is always better to move abroad because, in Kashmir, there are no employability prospects", said Mukhtar.

Ban on social media affecting research and networking

At the start of the COVID–19 outbreak when the whole world was gearing up for a lockdown, Kashmir had struggling to come out of one. Therefore, for the people in the valley, the frustration of going back into isolation was coupled with the mental strain that they faced due to the deprivation of high-speed internet. In today's world, the internet has become an enabler of the right to livelihood to many. Even though the pandemic more or less affected everyone across the world, Kashmiris remain more vulnerable to the crisis due to multiple reasons. One of them being the ban on high-speed internet.



Towards the end of January, the lockdown was lifted partially in Kashmir and besides shops and markets, many educational institutes including Mujtaba Yousuf's university reopened, and the internet services were resumed but not in entirety. He started going to the university to restart his research work that had been halted by the lockdown for nearly six months. The limited data speed of 2G bandwidth for mobile data connections was still in place, so the reopening of the university did little good to him. "I would go to the university and start my project and eventually give up because it was mentally stressing", recounted Yousuf.

Yousuf who is currently pursuing his Ph.D. in electronics said that the applications and software essential to his work simply do not work at 2G speed. "The software we use is heavy and costly so we can only access them in the university labs. I work with cryptography and use processor-based devices which run with parallel software that requires the internet. At low speed, nothing works."He continued, "For research work, it is not possible to work with 2G. We need to send high-definition (HD) pictures and graphs and they can be between 7-60 MBs. 7 MBs take two hours. So, you can imagine. 2G never helps.

Along with a ban on high-speed internet, the center had also imposed restrictions on the sites that could be accessed. The whitelisted sites excluded many platforms that are important for academic purposes. "They even blocked sites like Sci-Hub and LinkedIn which are used for professional and academic purposes", said Yousuf. In the present times, reliance on the internet and specifically social media is huge. These sites not only connect people but give them a platform to generate and extract content and information in the most convenient ways.

While Yousuf suffered from not being able to download and access research papers and gather literature, Numan Bhat, a final year Bachelors student in Hotel Management struggled to collect data for his dissertation work. "We usually share questionnaires and surveys via Facebook and WhatsApp, but due to the ban on social media sites, I had to collect data manually," said Bhat. The authorities in Jammu and Kashmir finally lifted the ban on social media in the first week of March 2020.

Denied equal rights

While people across the world are making the best use of the internet, Kashmiris are directly or indirectly excluded from entering these virtual spaces due to the communication disruptions. "Why do not they give us equal opportunities as the rest of the Indians? Do we not have the right to access the internet?" asked Mudasir, the professor at MANUU Hyderabad. "When I returned to Hyderabad after staying in Kashmir for a few months, unlike my other class fellows, I had not made any progress. The very fact that we are born as Kashmiris itself seems to be a sin, we are the odd ones out," he added.

While reflecting the same emotions, Numan Bhat said: "My friends from other states did not suffer much due to COVID–19 because they could attend online classes and received proper guidance which is why their research turned out to be more accurate and better."

In August 2020, the ban on the internet has almost completed more than a year in Jammu and Kashmir and the students continue to struggle to find ways to pursue their studies. Many final year students and those who have recently enrolled for their degrees are considering such options which could put their whole career at risk.

A (Name changed upon request), 29, had enrolled herself for the Ph.D. program at the University of Kashmir in June last year and the session was expected to start in August. But before her classes could even start, everything was shut.

"I thought till the classes would resume, I would study at home but the internet services remain on and off due to the encounters and 2G is not sufficient to download papers or read literature", said A. It is common in Kashmir for authorities to snap internet services in districts where a gunfight between militants and Indian troops break out. "Sometimes I get so frustrated that I tell my friends that it has not even started and one year has already passed, I feel like ending it", she added.

Even Yousuf, whose resources to support his research work has almost exhausted, he thinks that if the situation remains the same he might have to drop a year. "I am not getting any stipend for the research. So I had to use whatever savings I had and even those savings will fall short. Although I know if my study is halted my research would keep extending but I may have to stop", said Yousuf.

The constant worry and anxiety triggered by internet shutdowns plague every section of Kashmiri society. "We understand it is a conflict zone but you cannot curb the major aspect of society like education. We are in a sorry state of affairs," said Mudasir, the professor.



A BLOW TO TOURISM SECTOR

The Rs 10,000-crore (100 billion) tourism industry provides livelihood to around 1 lakh (0.1 million) families in Jammu and Kashmir. The events that followed 05 August 2019 not only affected the tourism sector but also those sectors that are interlinked with tourism like handicraft, handloom, horticulture, hotels and restaurants⁸⁴. Despite easing the restrictions, business communities continued to face the repercussions of the internet shutdown, as tourists were not confident in visiting the valley due to uncertainty and fear that still lingers in the air of Jammu and Kashmir.

For those who adopted the digital transactions almost 1.1 million traders and businessmen in the Valley - faced the immediate wrath of the sudden move, as they were not able to make transactions due to suspension of the internet⁸⁵. Many of them were forced to shift their business outside the region. People in the hotel business were not able to receive booking online, nor were they able to promote their work on social media platforms as these platforms were suspended in the valley as well. The restoration of the 2G internet services did not help much, as they were not able to send or receive mails or upload posts on Instagram due to slow internet. The 05 August move compounded with COVID-19, and subsequent nationwide lockdown imposed on 25 March 2020, left the tourism sector in tatters.86

Tourists evacuated

"As the internet was shut down, our business also shut down because everything we do is online," said Javed Ahmed Batku, owner of the Swan Group of Houseboats in Srinagar. Batku, who has been out of business since August, is quick to count his losses. "We were getting around 10 online bookings per day and since then we are not getting any."

In an unprecedented move by the government ahead of the 05 August decision, the government had ordered the urgent evacuation of non-Kashmiris including students, tourists, *yatris* from the valley. The evacuation was followed by a massive deployment of heavy forces across Jammu and Kashmir region.

That was the time, Saqib Shah, 31, who owns a fourstar hotel in Srinagar was forced to vacate his hotel and shut it down. "Before abrogation, the occupancy of our hotel was 95 percent then we were forced to evacuate everyone and shut it down. We had to return the entire advance to the agents and refund to the guests," recounted Shah. Since then his hotel has been suffering a loss of about 5-8 lakh (0.5 - 0.8million) per month according to Shah. "Even when the hotel is shut we have to maintain it and there are running costs for that", he said.

Much before the Valley went under a lockdown imposed this time to curb the spread of COVID-19; Kashmir's tourism industry had got severely hit as panic gripped the Valley following rumors of massive troops' deployment and government orders to departments directing them to stock supplies. The panic was soon followed by the travel and hotel cancellations of people who were planning to visit Kashmir.

"We immediately got emails from our guests to cancel their bookings in the view of the grim situation in Kashmir and those who did not approach us were sent the same advisory from our side to either cancel or redeem their bookings later in future", recounted Muzzafar Nazir, manager operations of Pahalgam Hotel. Kaiser, owner of Kaiser Hotel in Jawahar Nagar, Srinagar said: "There were six groups operated by us who cancelled just because of the internet shutdown".

Before abrogation, the occupancy of our hotel was 95 percent then we were forced to evacuate everyone and shut it down. We had to return the entire advance to the agents and refund to the guests.

Saqib Shah, owner of a four-star hotel in Srinagar.



⁸⁴Tribune News Service. (08 July 2020). Tourism sector set to reopen in J&K. *The Tribune*. Retrieved from <u>https://www.tribuneindia.com/news/j-k/tourism-sector-set-to-reopen-in-jk-110039</u> [29 September 2020].

⁸⁵Jammu and Kashmir Coalition of Civil Society. (August 2020). Kashmir's Internet siege. Retrieved from<u>https://jkccs.net/re-port-kashmirs-internet-siege/</u> [22 September 2020].

⁸⁶Tribune News Service. (08 July 2020). Tourism sector set to reopen in J&K. *The Tribune*. Retrieved from <u>https://www.tribuneindia.com/news/j-k/tourism-sector-set-to-reopen-in-jk-110039</u> [29 September 2020].

Shifting business outside Kashmir

Even Aadil Sathu recounted how the internet shutdown forced them to shift their office to Delhi. "After the internet was snapped, we were forced to shift our office and sent some of our staff to Delhi. That required us to double the salaries of those employees who had to leave to work outside. Our approximate loss since then and till now is about Rs 50 lakh (5 million)" said Sathu.

Sathu is a young Kashmiri entrepreneur who started an online travel portal as well as a mobile app Tripshope in 2015. But what looked like a promising startup has been hit by frequent internet shutdowns. With the 05 August move, it faced a major hit. "Most travel agents of Kashmir work with our portal but they can only work and register on our portals when there is the internet."

Mudasir Reshi, who runs Reshi & Co, his ancestral business on the outskirts of Srinagar had been planning a website launch for the company before 5 August. "Because of the turmoil and the internet shutdown it could not be drafted on time and we still have not been able to finish it," said Reshi. "In Kashmir, there is a huge gap in the connection between the artisan, manufacturer, and the consumer due to unavailability and the persistent damage to the internet", added Reshi.

Although the internet services were resumed partially after 6 months and the government had already lifted its travel advisory against the tourists in the valley in October 2019 but it did not prove to be a major relief to the tourism industry and allied sectors. One reason being the limited internet speed of 2G and limited access to websites. "I take most of my bookings from Instagram and WhatsApp," said Shah. "Just months before the lockdown in Kashmir, I had paid advance to the PR team to promote my hotel beside his other brands, but it all went in vain with the virtual lockdown," he added.

Local businesses edged out

On partially resuming the cellular internet services in January, government authorities only whitelisted a few websites that people could access. Missing on that list were social media websites, further affecting entrepreneurs who use these platforms to operate or boost their businesses.

While talking about social media marketing, Reshi said: "Pashmina has been famous worldwide for a very long time now; however, earlier the market was not very huge. Today with the internet, we are able to reach countries we did not even know before." Reshi further explained the use of the internet for online promotions through videos of Pashmina making, photography, and reviews. "We heavily make use of online shopping websites and channels to gain traction towards our Kashmir handicraft products."

On the other hand, Kaiser said, the unpredictability of internet access in Kashmir is also affecting the prospects of their business and brand image. "You do marketing for something that has a scope. Kashmir is worth it but the situation here is not". "Whenever I try to market anything on Instagram, people reply with "bro, what about the internet", he added. "Despite having an online website for the company, most of our customers both local and international reach us via social media like Facebook and Instagram. It is more convenient for them and helps us get insights on traffic and reviews", said Bazaz.

According to Sathu, the developer of a travel portal, the internet ban and restricted access to it in January, gave an edge to non-local outlets against the local Kashmiri industry. "After the internet was restored, the government only whitelisted a few sites and travel portals; most of them were big companies like Make My Trip. Those portals benefited from the 2G ban in Kashmir because they got more bookings whereas local agents and portals suffered loss".

Not food or other service – but – internet hai (do you have internet)?

On 04 March 2020, Jammu and Kashmir administration released a telecom suspension order that ended the limited access to websites and the ban on social media. However, the ban on high-speed internet continues. In mid-August, the authorities restored 4G internet services in two districts of Jammu and Kashmir union territory. In the rest of the 18 districts, only 2G cellular internet is functional.

After the internet was snapped, we were forced to shift our office and sent some of our staff to Delhi. That required us to double the salaries of those employees who had to leave work outside. Our approximate loss since then and till now is about Rs 50 lakh (5 million).

Aadil Sathu, a young Kashmiri entrepreneur.



"With 2G we are not able to reply or even check our emails", said the owner of Swan Group of houseboats in Srinagar, Javed Ahmed Batku. "To upload pictures and videos of the hotel in order to market it you need the internet. I cannot even download basic letterheads with 2G. Even though I have a broadband connection, when I go out of the hotel premises, I lose the internet access and the same is with our guests, 25-30 percent of whom are corporates", said hotelier Shah, ruing about the lack of business this year.

With life beginning to return to normal after a nearly 6-month-long shutdown against the abrogation of Article 370, Kashmir's tourist industry had expected the return of tourists as the situation improved in the valley. "When people came in January and February, the first question they asked was not about the food or other services but "internet hai?" said Kaiser. This has led Kaiser to believe that the lack of the internet adds to the reluctance of tourists wanting to visit Kashmir.

"Travel is all about the internet these days. Nowadays whoever travels does it for the social media and they want to tell the world where they are," Kaiser added while talking about how his clients would feel happier on entering the hotel premises just because they would get access to high-speed internet installed at his hotel.

Abdul Hamid Wangnoo, the president of Houseboat Owners Association in Srinagar, said the idea of travel is meaningless without the internet. "Let me not talk about the bookings we lost after 05 August 2019. We have 2G these days which is good for nothing. We hardly manage to send tour itineraries to customers through WhatsApp with it. Now even if he [tourist] comes to Kashmir, why would he stay in my houseboat which has no internet facility?" he asked.

Uncertainty lingers in the Valley

"There is so much potential and scope for the tourism industry if the situation remains good but it is volatile here", says Shah. "Now, with the pandemic, whatever hopes were there for 2020, they have all been buried."

Since March 2020, Saqib's Hotel has been taken over by the government to treat patients amid the ongoing pandemic and that has been another blow to his business. "I have generated a bill of Rs 18 lakh (1.8 million) and have only received Rs 2 lakh (0.2 million) from the government."

"The biggest problem of the hotel industry in Kashmir is debt. My friends have debts of crores (1 crore = 10 million) and if there's no income you can not pay the debt and the banks will take over," feared Shah.

Let me not talk about the bookings we lost after 05 August 2019. We have 2G these days which is good for nothing. We hardly manage to send tour itineraries to customers through WhatsApp with it. Now even if he [tourist] comes to Kashmir, why would he stay in my houseboat which has no internet facility?

Abdul Hamid Wangnoo, President of Houseboat Owners

Association in Srinagar.

The prolonged internet shutdown has triggered fears of switching to traditional business and less internetdependent businesses. Online art and handicraft venture owner Bazaz feels so too. "If the situation remains the same, we might have to think of some other option to survive and earn," he explained.

Many fear that if the internet disruptions and the ban on high-speed internet continue, tourism - one of the biggest contributors of the state's GDP according to the Jammu and Kashmir government's 2017 economic survey and its allied sector - could suffer long-term losses⁸⁷.

In other words, with the lack of a peaceful atmosphere with no normal functioning internet and other facilities, Kashmir might be off the charts from many tourists for many years like the 90s, when armed insurgency was at its peak. "Why would I not like to be in a place like Kashmir, but one can not work. It has become a picnic place," said Reshi, who runs his ancestral business mostly from his sub-office in Delhi due to a "non-conducive" work atmosphere in Kashmir.

⁸⁷Tribune News Service. (08 July 2020). Tourism sector set to reopen in J&K. *The Tribune*. Retrieved from <u>https://www.tribuneindia.com/news/j-k/tourism-sector-set-to-reopen-in-jk-110039</u> [29 September 2020].



DISRUPTED PUBLIC SERVICES

The internet shutdown also led to the suspension of e-governance services in Kashmir. Across the globe, digital governance has been long identified for being instrumental in providing better public delivery mechanisms, but for the people of Jammu and Kashmir, the experience has been catastrophic due to frequent network disruption. The government in Jammu and Kashmir had set up a network of Khidmat centres, to extend e-governance services in the region, but it became dysfunctional when the internet services were snapped on 04 August 2019, which only increased the vulnerability of the marginalized sections of the society as it left them deprived of the essential services.

However, the government established internet facilitation centers for media and other professionals in the government offices but they were simply not enough. Filing tax became a tedious task, adding extra financial burdens to the people of Jammu and Kashmir. No relaxation in filing taxes was given when the Centre revoked the special autonomy of Jammu and Kashmir. For those who run the Fair Price Shop, it added to their burden of extra work, as they now have to maintain the offline records as well.

Unable to file taxes

"It all happened so sudden that we could not have imagined such things could happen in Srinagar. Within no time internet and cell phones were blocked", recalled Ishfaq Aziz, a practicing chartered accountant based in Srinagar. "We could not communicate with our staff", said Aziz while recalling the immediate loss of contact among people in Kashmir due to the communication ban. Although the private sector was among the hardest hit in the valley, however, the restrictions on internet services for months also took a toll on many government services especially those that required the internet.

"It was a very difficult time for us since all of our work is generally done online," said Aziz who manages taxation, GST filings, audits, and project financing. While explaining the process of submitting income tax returns and filing GST, Aziz said: "Everything has to be submitted online too on due dates and in case of failure, late fees is charged. According to Aziz, the last date of filing of the income tax return for the assessment year 2019 was scheduled for 31 July. For taxpayers that came under the 44AD (presumptive taxation scheme) of the Income Tax act, the deadline was fixed on 30 September. "Therefore, August was the peak time for our work to match the deadlines but with the abrogation, we failed to do so". "We work in coordination with the commercial tax department who kept asking us to file the returns saying that they are under pressure to do recovery", said Aziz. But with only a few facilitation centers where the internet could be accessed and the restrictions on the movement it was not possible to work, he explained.

During the lockdown, the administration had established several internet facilitation centers for media and other professionals in various government offices. According to Aziz, they were simply not enough. "Instead of 40 computer systems that the government claimed were installed in the facilitation centers of the commercial tax department, only two systems worked and you could only use it for an hour. Besides our staff was harassed there, therefore, we stopped sending them there," he added.

With no assurance of the internet getting restored anytime soon, Aziz finally decided to immediately shift to Delhi for work in October 2019. "We were expecting the government to extend the due date, but that did not happen, and when the late fees accumulated, I took that decision. I spent Rs 83000 just to manage the travel and accommodation expenses for the staff in Delhi," said Aziz.

No relaxation in deadlines

Aziz complained about the government's discriminatory approach in giving relaxations to people during the COVID–19 pandemic situation that arose in the country in March 2020. "Right now, we are given relief with the extension of the due dates but when Article 370 was abrogated, there was no relief," he said.

On behalf of his clients, Aziz had to pay late fees of almost Rs 3 lakhs (0.3 million) from his pocket after losing hope on any kind of relief from the government. "One of my clients paid Rs 93000 late fees which was much more than his tax liability. There still are many clients whose liabilities are 6-7000 but the late fee is around 60-70 thousand rupees. So, everyone here had to pay late fees", said Aziz.

Aziz and his clients are among the thousands of Kashmiris whose business and work got affected due to the lockdown that followed the revocation decision. When restrictions were finally somewhat eased in Kashmir, it immediately went under another lockdown, this time to contain the spread of the COVID–19. However, this time the government provided relief.



"Maybe people did not know the real situation in Kashmir or the recommendations that we were sending were not reaching the administration or maybe it did yet they were ignored", he said. Aziz suggested that they wanted to "comply" with the government but received no support from their end.

Although this time, due dates to file returns have been extended for people across the country, Aziz and his staff continue to struggle with the slow speed of the internet. "We cannot work on that level. To even upload attachments on government websites, it takes hours. Other than that, our accounting software needs updates, but we cannot do that on 2G," he added.

With so much "pressure and trauma" Aziz, who has worked outside the valley for almost seven years now feels demotivated to further work in Kashmir. "It is very different here. Although everyone wants to live in their state with their family, there is some sort of demotivation here despite the potential and scope".

Increased workload for public distribution system

Besides the administration's failure to keep the government portals accessible for people, the internet lag also contributed to glitches in many other e-governance services like the Electronic Public Distribution System (e-PDS). The Electronic Public Distribution System in Jammu and Kashmir was started in the year 2018 by the Food, Civil Supplies, and Consumer Affairs Department of the erstwhile Jammu and Kashmir government.

Before the electronic distribution, the accounts of ration distribution were managed offline on a register. On providing certain details and the ration card, people were provided ration without any other formalities. However, after the introduction of the Point of Sale (POS) devices, the records of people eligible to receive ration are maintained online and they are required to scan their thumbprint on a biometric scanner.

"The machine needs a SIM so when the phones were shut then we had to work offline," said a manager of a Fair Price Shop (FPS) in Srinagar. With the slow speed internet, the managers at ration shops are forced to maintain records both online and offline due to the frequent interruptions. "It is double the workload", he said. The process involves downloading the area data for ration distribution, but with "insufficient speed and high traffic on the website that works on the national level," the process gets difficult.

No More Khidmat

Khidmat is an Urdu word which means service.

That was the idea behind Jammu and Kashmir government's 2009 flagship program of laying down a network of Khidmat Centres across the erstwhile state in order to bring online public services to rural areas.

In collaboration between Jammu and Kashmir government's Information Technology department and Jammu and Kashmir Bank, Khidmat centers were established in rural areas of the valley to bring banking to the doorstep of the rural populace and ensure single-window online services for the citizens of rural areas. In the entire Jammu and Kashmir and Ladakh, there are around 1204 Khidmat centers.

These centers are the go-to places for people in rural areas for any G2C (Government to Customer) and Bank to Customer services. All the e-services are solely dependent upon the internet. "From preparing loan documents and offering kiosk banking to filing forms for an examination or a passport, we offer all kinds of services. And it's easier for the locals as well as they do not have to travel all the way to Srinagar for these formalities," explained Mushtaq Ahmad, a Khidmat center owner in Central Kashmir's Kangan town of Ganderbal district.

Ahmad has been running his Khidmat center in the hilly town of Kangan since 2009 but he had never seen anything like the internet blockade of 05 August 2019. "It was a total shutdown. I didn't open my center for more than six months. That was difficult for me because I rely on this center to feed my family," explained Ahmad.

Since Ahmad ran the unit single-handedly, he did not employ any staffers. "That proved to be a blessing. Otherwise, I had to pay them too." According to Ahmad, he had to take money on credit from his friends and relatives to sail through the internet lockdown that continued till early March. "In the first week of March, the government restored broadband internet services and since I already had a broadband connection, the work resumed finally," he added.

But Ahmad is quick to concede that not all Khidmat centers have a broadband internet facility. "We have two other Khidmat centers in Kangan but none of them have broadband connection. Those people only started their unit once 4G cellular internet services were restored in Ganderbal district in August 2020," he explained.

While Ahmad is reluctant to quantify his loss due to the internet shutdown post August 2019, he rues the failure of the common public to avail of numerous services available at his outlet. "They were unable to fill examination forms and other applications to avail government schemes. That is something very painful for a poor rural villager," he added.



CONCLUSION

The sudden suspension of internet facilities in Jammu and Kashmir in August 2019 came with a heavy blow to the erstwhile state's economy by plunging the region in an information blackhole with no means to communicate with the outside world. The valley's business community was forced to shut their operations abruptly without any prior warning, leaving thousands without work overnight. As a result of the internet ban and restrictions imposed by the government, the businesses failed to procure raw materials, deliver orders, and pay off their business loan installments. Forced out of business, the owners found it difficult to pay salaries to their employees which in turn amplified the impact of lockdown on ordinary people.

The damage was catastrophic for internet-driven business outlets who simply could not do anything without the internet despite ease in restrictions on physical movement of the public. A group of online comedians, who had found promise and livelihood in producing Kashmiri comedy videos on YouTube and Social Media, were forced into oblivion. Even if the group had access to the internet, their work was meaningless because their audience had no means to watch their content. Besides a forced full stop on their operations, the internet blockade also reversed the growth trajectory of online outlets and hit their brand image after they failed to cater to their customers based outside of Jammu and Kashmir.

But it would be an injustice to quantify the losses only in economic terms. Nearly 1.5 million students in Kashmir valley remained caged inside their homes for months due to the restrictions imposed by the government. While the students could have opted for e-learning at home, the blockade of internet and communication facilities made the idea simply impossible. The blockade was equally disastrous for the valley's researchers who lost their precious time, while sitting at home. Scholars lose opportunities to attend conferences, pitch their research articles to journals, get admissions, attend online-seminars and in some cases, get jobs. The most damaging impact, researchers articulated, was on the quality of their research produced in such a challenging atmosphere.

With world in the grip of deadly COVID–19 pandemic, the high-speed internet ban in Jammu and Kashmir compounded the problems of healthcare officials, doctors and patients. The situation was much worse at the beginning of internet lockdown in August, 2019 when there were no means of communication or internet available for patients to seek consultation from doctors. Not only was it impossible for the patients to get in touch with doctors on phone or a video call, it also magnified their miseries as the patients had to physically travel to the hospitals amidst restrictions.

An initiative to treat emergency cardiac patients through WhatsApp was rendered defunct. Similarly, the doctors failed to pursue updated knowledge and advanced research in different fields of medicine. The need for high-speed internet was severely felt by the doctors amidst the COVID–19 pandemic when the guidelines to treat these patients were being updated frequently but the doctors in Kashmir could not download these guidelines as rapidly as they were being updated.

The prolonged suspension of the internet drove many outside Jammu and Kashmir to access the internet, thereby draining them further of their savings which could have helped them to sustain themselves during the lockdown. From businessmen to students, this trend was visible across the spectrum of cases observed in this report. In some cases, the businesses shifted out their operations outside Jammu and Kashmir.

Similarly, lack of internet forced businessmen and other taxpayers to pay penalties as they could not file their returns on time due to internet ban. Their problems were further increased when there was pressure from the banks to pay their loans. Last but not the least, the blockade also hit the government's own initiative for the public good which relied on the internet for its delivery to the citizens.

The Khidmat centers network which offered numerous online services to people in rural areas of Jammu and Kashmir, failed in its objective of delivering government's schemes and other benefits to the public at large. A majority of these centers remained shut and inoperable throughout the months of internet blockade.

This report has tried to highlight the lived experiences of disruption of lives and livelihoods under prolonged communications blockade and internet and how it not only inadequately refracts through a legal framework nor justifiably balances the rights of citizens of Jammu and Kashmir under constitutionally and internationally guaranteed rights regimes.



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