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PUBLIC INTEREST LITIGATION AND THE TRANSFORMATION OF THE JUDICIAL PROCESS IN INDIA: A DOCTRINAL CASE STUDY OF DIGITAL RIGHTS PILS

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1. Introduction

Public Interest Litigation (PIL) represents one of the most significant judicial innovations in India. It reshaped not just the outcomes of constitutional cases but also the judicial process itself by widening access to justice, relaxing traditional procedural barriers, and enabling courts to address issues affecting disadvantaged and marginalised groups.¹ In its early years, PIL became a powerful tool for exposing systemic injustices and ensuring constitutional protections for those who could not approach the courts on their own. This shift from an individual-centric adversarial model to a more inclusive, participatory form of justice marked a foundational moment in India's constitutional evolution.²

Over time, PIL moved beyond its original social justice focus and evolved into a broader mechanism for addressing governance failures, environmental degradation, labour exploitation, custodial violence, and gender-based discrimination.³ Through structural remedies, continuing mandamus, guideline-based interventions, and relaxed standing rules, the Supreme Court developed a flexible and responsive judicial model that could effectively address emerging public concerns.⁴

In recent years, PIL has entered a new and complex terrain: digital rights. As India's digital

¹ S.P. Gupta v. Union of India, 1981 Supp. S.C.C. 87 (India).

² People's Union for Democratic Rights v. Union of India, (1982) 3 S.C.C. 235 (India).

³ Bandhua Mukti Morcha v. Union of India, (1984) 3 S.C.C. 161 (India).

⁴ Sheela Barse v. State of Maharashtra, (1983) 2 S.C.C. 96 (India); Hussainara Khatoon (I) v. State of Bihar, (1980) 1 S.C.C. 81 (India).

ecosystem rapidly expands—through smartphone penetration, Aadhaar-linked welfare schemes, algorithmic governance, widespread data collection, and increasing internet dependence—legal questions concerning privacy, surveillance, censorship, and online freedoms have intensified. Traditional legal doctrines were never designed for cyberspace, where technological developments move faster than statutory frameworks. As a result, litigants increasingly turned to PIL to safeguard fundamental rights in the digital domain.⁵

The Supreme Court responded with doctrinal clarity and constitutional imagination. In Justice K.S. Puttaswamy (Retd.) v. Union of India, the Court recognised privacy as an intrinsic component of Article 21, affirming informational autonomy and digital dignity.⁶ In Shreya Singhal v. Union of India, the Court struck down Section 66A of the Information Technology Act for chilling free speech online, thereby setting important standards for online expression.⁷ More recently, in Anuradha Bhasin v. Union of India, the Supreme Court acknowledged the centrality of internet access to the exercise of free speech and trade, and emphasised proportionality, reasonableness, and periodic review of restrictions such as shutdowns.⁸ These cases collectively illustrate how PIL has pushed the judiciary to reinterpret constitutional rights in digital contexts.

Importantly, digital PILs have also transformed the judicial process itself. Courts now engage with multidisciplinary material, comparative jurisprudence, technological evidence, and proportionality analysis in a far more rigorous manner.⁹ They increasingly examine the architecture of digital governance systems rather than merely adjudicating individual grievances. This reflects a broader judicial responsibility to ensure that technological developments do not undermine constitutional freedoms.

This study adopts a doctrinal research methodology, focusing on statutory interpretation, judicial reasoning, constitutional principles, and landmark PIL-driven digital rights cases. Since it is doctrinal, the aim is not to predict outcomes but to analyse how PIL has shaped judicial reasoning in the digital age. Comparative insights from other jurisdictions—particularly developments concerning privacy, surveillance, and free speech—further

⁵ Shreya Singhal v. Union of India, (2015) 5 S.C.C. 1 (India).

⁶ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 S.C.C. 1 (India).

⁷ Id.; Shreya Singhal, (2015) 5 S.C.C. 1 (India).

⁸ Anuradha Bhasin v. Union of India, (2020) 3 S.C.C. 637 (India).

⁹ Puttaswamy, (2017) 10 S.C.C. 1; Anuradha Bhasin, (2020) 3 S.C.C. 637.

illuminate the global nature of digital rights adjudication.

The purpose of this research is therefore not to claim that PIL has resolved all challenges posed by digital technologies. Instead, it is to understand how PIL has contributed to evolving judicial approaches, expanded constitutional protections, and adapted long-standing legal doctrines to contemporary technological realities. The paper proceeds by first tracing the historical evolution of PIL and its impact on the judicial process, then analysing selected digital rights PILs doctrinally, and finally evaluating their implications for India's constitutional future.

2. Historical Evolution of PIL and Transformation of the Judicial Process

Public Interest Litigation (PIL) emerged in India at a moment when the limitations of the traditional judicial system were becoming increasingly visible. Before the 1980s, courts adhered to a strict adversarial model where only a person directly affected could file a writ petition, reflecting a narrow understanding of locus standi. This restrictive approach excluded large sections of the population—particularly those without resources, literacy, or social access—from seeking judicial remedies. Structural injustices such as bonded labour, custodial violence, and denial of basic entitlements remained largely unaddressed because those most affected were unable to initiate litigation themselves. This gap compelled the judiciary to reconsider how justice could be made genuinely accessible to those living on the margins of society.¹⁰

A major shift occurred with the rise of Social Action Litigation, driven by the judicial philosophy of Justice P.N. Bhagwati and Justice V.R. Krishna Iyer. Their efforts broadened the idea of who could speak before the Court. In *S.P. Gupta v. Union of India*, the Supreme Court expanded locus standi and held that any public-spirited person could approach the Court to address a public wrong.¹¹ Similarly, in *People's Union for Democratic Rights (PUDR) v. Union of India*, the Court reaffirmed that access to constitutional justice should not be denied merely because affected persons lacked the capacity to litigate.¹² These cases marked a foundational transformation in Indian constitutional law, enabling the judiciary to address collective harms affecting vulnerable communities.

¹⁰ *Bandhua Mukti Morcha v. Union of India*, (1984) 3 S.C.C. 161 (India).

¹¹ *S.P. Gupta v. Union of India*, 1981 Supp. S.C.C. 87 (India).

¹² *People's Union for Democratic Rights v. Union of India*, (1982) 3 S.C.C. 235 (India).

PIL also ushered in important procedural innovations. The Court began accepting letters, postcards, and newspaper reports as petitions in matters concerning fundamental rights, an approach later termed “epistolary jurisdiction.”¹³ In early PILs involving prison conditions, bonded labour, and environmental degradation, the Supreme Court adopted the mechanism of continuing mandamus, issuing ongoing supervisory directions instead of delivering one-time judgments. This enabled the Court to monitor compliance and ensure that structural reforms were actually implemented.¹⁴

By the 1990s and early 2000s, PIL had become a central tool for governance reforms and the protection of rights. It played a significant role in environmental litigation, police reforms, labour protections, and transparency measures. In *Vishaka v. State of Rajasthan*, the Court issued binding guidelines on sexual harassment at the workplace, filling a legislative vacuum.¹⁵ In *D.K. Basu v. State of West Bengal*, the Court laid down procedural safeguards to prevent custodial torture and protect detainees’ rights.¹⁶ Even as PIL expanded, debates emerged about judicial overreach and its proper constitutional limits, but the judiciary continued to use PIL to address policy gaps and protect fundamental rights.

With rapid digitisation, PIL naturally moved into the sphere of digital rights. Issues such as online censorship, internet shutdowns, mass data collection, and State surveillance raised new constitutional questions. Petitioners approached the Court through PIL to ensure that rights such as privacy, free expression, equality, and due process remained meaningful in the digital age. Courts, in turn, responded by engaging with comparative constitutional principles, proportionality tests, privacy frameworks, and evolving understandings of autonomy in cyberspace.¹⁷

The evolution of PIL has therefore transformed the judicial process in three key ways:

- (1) it broadened access to justice,
- (2) it increased judicial engagement with structural and governance issues, and
- (3) it encouraged flexible, rights-protective approaches to emerging challenges, including digital rights. This historical trajectory creates the foundation for understanding how

¹³ *Sheela Barse v. State of Maharashtra*, (1983) 2 S.C.C. 96 (India).

¹⁴ *Hussainara Khatoon (I) v. State of Bihar*, (1980) 1 S.C.C. 81 (India).

¹⁵ *Vishaka v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India).

¹⁶ *D.K. Basu v. State of West Bengal*, (1997) 1 S.C.C. 416 (India).

¹⁷ *Shreya Singhal v. Union of India*, (2015) 5 S.C.C. 1 (India).

PIL continues to shape judicial reasoning in the digital era—a subject explored in the next section.¹⁸

3. Doctrinal Foundations Of Pil In Digital Rights Jurisprudence

The expansion of PIL into the digital rights domain is grounded in several well-established doctrinal principles that the Supreme Court has developed over four decades. These principles—originally crafted to address structural injustice—now provide the constitutional framework through which digital harms are examined. The first key doctrinal pillar is the expanded conception of locus standi, which enables public-spirited citizens to challenge State action that affects broad sections of society, even without personal injury. This doctrinal shift, established through cases such as *S.P. Gupta and PUDR*, continues to empower petitioners to bring digital rights concerns—such as internet shutdowns, unlawful surveillance, or online censorship—before the Court.¹⁹

A second foundational doctrine is the Court’s commitment to substantive due process under Article 21, which has consistently guided the interpretation of rights linked to dignity, autonomy, and personal liberty. Early PIL cases broadened the meaning of life and liberty, and this doctrinal lineage directly influenced the Court’s recognition of privacy as a fundamental right in *Justice K.S. Puttaswamy (Retd.) v. Union of India*.²⁰ The Court held that informational privacy, data protection, and decisional autonomy form an essential part of constitutional dignity. This judgment created the doctrinal basis for examining issues such as data collection, profiling, and technological surveillance.

A third doctrinal foundation is the freedom of speech and expression under Article 19(1)(a), which the Supreme Court has consistently interpreted in light of democratic values and the chilling effect caused by vague or overbroad restrictions. In *Shreya Singhal v. Union of India*, the Court struck down Section 66A of the Information Technology Act for being unconstitutional, emphasising that online speech must enjoy the same constitutional protection as offline speech.²¹ The Court’s reliance on the “chilling effect” doctrine, as well as the need

¹⁸ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 S.C.C. 1 (India); *Anuradha Bhasin v. Union of India*, (2020) 3 S.C.C. 637 (India).

¹⁹ *S.P. Gupta v. Union of India*, 1981 Supp. S.C.C. 87 (India); *People’s Union for Democratic Rights v. Union of India*, (1982) 3 S.C.C. 235 (India).

²⁰ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 S.C.C. 1 (India).

²¹ *Shreya Singhal v. Union of India*, (2015) 5 S.C.C. 1 (India).

for narrowly tailored restrictions, now forms the basis of judicial scrutiny in digital censorship and intermediary liability cases.

Another key doctrinal development is the adoption of the proportionality test, especially in matters involving restrictions on rights. This test requires the State to demonstrate that any restriction pursues a legitimate aim, is necessary, and is the least restrictive option available.²²The proportionality framework was later applied in *Anuradha Bhasin v. Union of India*, where the Court held that internet restrictions must be proportionate, temporary, and subject to periodic review.²³ This doctrinal tool is central to evaluating digital rights cases, where restrictions may affect entire populations for extended periods.

Finally, PIL's doctrinal foundation includes the Court's willingness to draw upon comparative constitutional law and evolving international norms, especially in emerging areas where domestic statutes are underdeveloped. In both *Puttaswamy* and *Shreya Singhal*, the Supreme Court referred to global standards on privacy and free speech to refine constitutional protections.²⁴ This comparative openness strengthens judicial capacity to respond to rapidly evolving technological challenges, ensuring that Indian constitutional law remains aligned with global digital rights debates.

Taken together, these doctrinal foundations provide the intellectual and constitutional infrastructure through which PIL continues to shape digital rights jurisprudence. They enable courts to examine technological harms not as isolated disputes but as systemic issues requiring principled, rights-based solutions.²⁵

4. Case Law Analysis Of Digital Rights PILS

The development of digital rights jurisprudence in India has been driven significantly by PILs that compelled the Supreme Court to adapt constitutional principles to modern technological contexts. Three landmark decisions—Justice K.S. Puttaswamy, *Shreya Singhal*, and *Anuradha Bhasin*—illustrate how the Court applied established doctrines to emerging digital harms while simultaneously redefining the scope of judicial review.

²² *Modern Dental College & Research Centre v. State of Madhya Pradesh*, (2016) 7 S.C.C. 353 (India). (Source of proportionality test in Indian constitutional law.)

²³ *Anuradha Bhasin v. Union of India*, (2020) 3 S.C.C. 637 (India).

²⁴ *Puttaswamy*, (2017) 10 S.C.C. 1; *Shreya Singhal*, (2015) 5 S.C.C. 1.

²⁵ *Anuradha Bhasin*, (2020) 3 S.C.C. 637.

The first major decision in this trajectory is Justice K.S. Puttaswamy (Retd.) v. Union of India, where a nine-judge Bench unanimously affirmed that the right to privacy is a fundamental right under Article 21.²⁶ Though not strictly a PIL in its procedural form, this case emerged from public interest petitions challenging Aadhaar and mass data collection practices. The Court recognised informational privacy, decisional autonomy, and data protection as essential elements of constitutional dignity.²⁷ This judgment laid the foundational framework for addressing State surveillance, biometric databases, and emerging algorithmic governance systems. It also mandated that any invasion of privacy must satisfy legality, necessity, and proportionality—standards that now guide all digital rights adjudication.

The second pivotal decision is Shreya Singhal v. Union of India, which directly arose from public interest petitions challenging Section 66A of the Information Technology Act.²⁸ The provision criminalised a wide range of online speech using vague terms such as “annoying,” “inconvenient,” and “grossly offensive,” enabling arbitrary arrests. The Court struck down Section 66A as unconstitutional, holding that it violated Article 19(1)(a) and failed the test of reasonable restrictions under Article 19(2). Importantly, the Court applied the “chilling effect” doctrine, acknowledging that vague restrictions deter lawful expression, especially in digital spaces.²⁹ This case is central to digital speech jurisprudence because it established that online expression enjoys the same constitutional protection as offline speech, and that criminal provisions restricting digital communication must be narrowly tailored.

The third significant ruling is Anuradha Bhasin v. Union of India, where the Court examined the legality of prolonged internet shutdowns in Jammu & Kashmir.³⁰ The petitions, filed in a public interest framework, challenged the State’s sweeping restrictions on communication and press freedom. The Court held that access to the internet is integral to the exercise of freedom of expression and trade under Articles 19(1)(a) and 19(1)(g). Applying proportionality principles, the Court ruled that shutdown orders must be temporary, necessary, and subject to periodic review.³¹ It also emphasised transparency, requiring all restriction orders to be published. While the Court did not declare internet access as a stand-alone fundamental right,

²⁶ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 S.C.C. 1 (India).

²⁷ Id.

²⁸ Shreya Singhal v. Union of India, (2015) 5 S.C.C. 1 (India).

²⁹ Id.

³⁰ Anuradha Bhasin v. Union of India, (2020) 3 S.C.C. 637 (India).

³¹ Id.

it acknowledged its essential role in enabling constitutional freedoms in the digital era.

Across these three cases, a common judicial pattern is visible: PILs have functioned as catalysts, pushing the Court to scrutinise State action in technologically complex domains. The Court relied heavily on established constitutional doctrines—privacy, free speech, proportionality, and due process—while adapting them to issues such as data protection, digital surveillance, and internet governance.³² The judiciary also demonstrated openness to comparative constitutional reasoning, drawing from global privacy and free speech jurisprudence to inform its analysis.³³

Collectively, these cases demonstrate how PIL-driven interventions have shaped India's digital constitutional landscape. They highlight the judiciary's evolving role as an interpreter of digital-age rights and its responsibility to ensure that technological advancements do not erode fundamental freedoms.³⁴

5. Comparative Insights On Digital Rights Jurisprudence

Digital rights adjudication in India has increasingly drawn upon comparative constitutional perspectives, particularly because technological challenges transcend borders and domestic legal frameworks often lag behind. The Supreme Court has shown a consistent willingness to study global privacy, surveillance, and free speech standards to strengthen its own reasoning. These comparative influences, though not binding, help situate India within an evolving global conversation on digital constitutionalism.

A key comparative influence comes from the European Union's privacy framework, especially the principles reflected in the General Data Protection Regulation (GDPR). The GDPR's emphasis on informed consent, data minimisation, purpose limitation, and accountability has informed discussions in Indian courts and policy debates.³⁵ While India does not replicate the GDPR model, the recognition of informational autonomy in *Puttaswamy* demonstrates conceptual convergence. The Court referred to European jurisprudence, including decisions of the European Court of Human Rights (ECHR), to emphasise privacy as central to human

³² *Puttaswamy*, (2017) 10 S.C.C. 1; *Shreya Singhal*, (2015) 5 S.C.C. 1.

³³ *Puttaswamy*, (2017) 10 S.C.C. 1.

³⁴ *Anuradha Bhasin*, (2020) 3 S.C.C. 637.

³⁵ Regulation 2016/679, General Data Protection Regulation, 2016 O.J. (L 119) 1 (EU).

dignity and democratic participation.³⁶

The United Kingdom's experience has also shaped Indian digital rights reasoning. British courts routinely apply proportionality to assess surveillance, data retention, and restrictions on communication. Decisions such as *R (Davis) v. Secretary of State for the Home Department*, which examined the legality of surveillance measures, highlight the need for safeguards in digital monitoring frameworks.³⁷ Indian courts have drawn from these principles when evaluating the constitutionality of State actions involving bulk data collection or communication restrictions.

The United States provides another useful comparative lens, particularly in the context of free speech. The American First Amendment tradition strongly protects political and online expression. While Indian free speech jurisprudence differs—given the presence of reasonable restrictions under Article 19(2)—the Supreme Court in *Shreya Singhal* drew from U.S. precedents to highlight the dangers of vague statutes and the chilling effect they create.³⁸ The emphasis on narrow tailoring and clear statutory definitions aligns with long-standing American standards that regulate speech without stifling democratic dialogue.³⁹

The ECHR's proportionality-based approach to digital rights has also influenced Indian judicial reasoning. The Court's decisions in cases involving mass surveillance, such as *Big Brother Watch v. United Kingdom*, emphasise transparency, oversight mechanisms, and safeguards against abuse.⁴⁰ Indian courts, especially in *Anuradha Bhasin*, adopted similar concerns while insisting that internet restrictions must be temporary, reviewable, and necessary in a democratic society.⁴¹

Comparative perspectives do not dictate outcomes in Indian cases, but they enrich constitutional interpretation by offering tested frameworks. They highlight universal themes: the need for oversight in surveillance regimes, the importance of proportionality, the threat of vague criminal provisions, and the role of digital infrastructure in enabling fundamental rights.

³⁶ *Puttaswamy*, (2017) 10 S.C.C. 1 (India).

³⁷ *R (Davis) v. Secretary of State for the Home Department*, [2015] EWHC 2092 (Admin) (U.K.).

³⁸ *Shreya Singhal*, (2015) 5 S.C.C. 1 (India).

³⁹ *Id.*

⁴⁰ *Big Brother Watch and Others v. United Kingdom*, App. Nos. 58170/13, 62322/14 & 24960/15, Eur. Ct. H.R. (2021).

⁴¹ *Anuradha Bhasin v. Union of India*, (2020) 3 S.C.C. 637 (India).

These shared global concerns help Indian courts situate domestic constitutional challenges within broader democratic experiences.

Thus, comparative insights play an important doctrinal role: they help ensure that Indian digital rights jurisprudence evolves in line with global constitutional values while remaining rooted in the Indian Constitution's unique structure and history.⁴²

6. Findings

The doctrinal and case-based analysis of PIL in the digital rights context reveals several key findings about how the Indian judiciary has adapted constitutional principles to a rapidly evolving technological environment. These findings do not claim empirical finality—consistent with the nature of doctrinal research—but they offer a grounded interpretation of judicial trends that have emerged across landmark cases.

A central finding is that PIL has significantly expanded judicial engagement with digital-age rights. Petitioners have used PIL to bring issues such as online censorship, internet shutdowns, data collection, and surveillance into the constitutional domain. The Supreme Court, in turn, has demonstrated readiness to hear such matters, even when the affected parties are diffuse or when harms are collective rather than individually traceable. This openness flows from the liberalised concept of locus standi established since *S.P. Gupta and PUDR*, which continues to legitimise public interest interventions in technologically complex disputes.⁴³

Second, the analysis indicates that the privacy framework laid down in *Puttaswamy* created the doctrinal foundation for digital rights adjudication. By recognising privacy as an essential aspect of dignity and autonomy, the Court situated digital harms—such as data mining, profiling, biometric collection, and algorithmic decision-making—within a constitutional rights framework. This provides a reasoned basis for evaluating both State and private-sector practices in relation to informational privacy.⁴⁴

Third, the Court has strengthened protections for online expression, most notably through

⁴² *Puttaswamy*, (2017) 10 S.C.C. 1; *Anuradha Bhasin*, (2020) 3 S.C.C. 637.

⁴³ *S.P. Gupta v. Union of India*, 1981 Supp. S.C.C. 87 (India); *People's Union for Democratic Rights v. Union of India*, (1982) 3 S.C.C. 235 (India).

⁴⁴ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 S.C.C. 1 (India).

Shreya Singhal, where it struck down Section 66A for vagueness and its chilling effect on speech. The judgment affirmed that online speech is not a lesser form of expression and must receive the same constitutional protection as offline communication.⁴⁵ This finding aligns with global concerns about digital censorship and highlights the Court's willingness to adapt free speech doctrine to new communication technologies.

Fourth, the adoption of the proportionality test in cases such as *Modern Dental College* and its extension to digital rights in *Anuradha Bhasin* marks an important judicial trend. The proportionality framework now serves as the benchmark for evaluating restrictions on internet access, surveillance regimes, and digital infrastructure regulation. By insisting that restrictions be necessary, temporary, and reviewable, the Court has signalled a more structured approach to assessing State power in the digital domain.⁴⁶

Another finding is the Court's demonstrated openness to comparative jurisprudence, particularly from European and Commonwealth jurisdictions. This reflects a recognition that digital rights challenges transcend national boundaries, and that Indian constitutional law can benefit from global constitutional values while remaining grounded in the Indian context.

Finally, the findings suggest that while the judiciary has taken important steps, Indian digital rights jurisprudence remains in a formative stage. Questions relating to algorithmic transparency, facial recognition, data protection enforcement, and private-sector accountability are still developing. PIL continues to provide a crucial platform for raising these concerns, but much will depend on how courts balance technological innovation, individual freedoms, and democratic governance in the years ahead.

7. Conclusion

The analysis of PIL within India's digital rights landscape demonstrates that the judiciary has played a significant and evolving role in shaping constitutional protections in the digital era. While PIL originated as a tool to address social and economic injustices affecting the marginalised, it has gradually expanded to encompass questions arising from technological change, data-driven governance, and the modern information ecosystem. This evolution

⁴⁵ *Shreya Singhal v. Union of India*, (2015) 5 S.C.C. 1 (India).

⁴⁶ *Modern Dental College & Research Centre v. State of Madhya Pradesh*, (2016) 7 S.C.C. 353 (India); *Anuradha Bhasin v. Union of India*, (2020) 3 S.C.C. 637 (India).

reflects the adaptive strength of PIL as a constitutional mechanism capable of responding to new forms of rights violations.

A central conclusion emerging from this study is that PIL has enabled courts to address digital harms that would otherwise remain unchallenged, particularly in cases involving diffuse injury, structural State action, or widespread impact on public rights. Issues such as internet shutdowns, online censorship, mass data collection, and surveillance do not always lend themselves to individual litigation. PIL bridges this gap by allowing petitions in the public interest to bring systemic questions before the judiciary. This framework has been crucial in cases such as *Shreya Singhal*, *Puttaswamy*, and *Anuradha Bhasin*, where the consequences of the Court's decisions extended far beyond the immediate petitioners.⁴⁷

Furthermore, the doctrinal tools employed by the Court show increasing sophistication in dealing with digital challenges. The recognition of privacy as a fundamental right in *Puttaswamy* provided the conceptual basis for evaluating informational autonomy, profiling, digital identity systems, and surveillance technologies. The proportionality test—refined through prior constitutional jurisprudence and reaffirmed in *Anuradha Bhasin*—offers a structured framework for assessing restrictions on internet access, data retention, and other intrusive regulatory practices.⁴⁸ These doctrinal developments reflect a commitment to ensuring that the Constitution remains relevant in a rapidly transforming society.

The Court's willingness to rely on comparative constitutional reasoning further strengthens digital rights adjudication. By drawing upon international privacy norms, free speech principles, and global proportionality standards, the judiciary situates Indian constitutional law within broader democratic values while retaining sensitivity to India's specific context. This comparative openness underscores the Court's recognition that digital rights challenges are global, and solutions often emerge from shared constitutional experiences.⁴⁹

At the same time, this study acknowledges that India's digital rights jurisprudence remains an

⁴⁷ *Shreya Singhal v. Union of India*, (2015) 5 S.C.C. 1 (India); *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 S.C.C. 1 (India); *Anuradha Bhasin v. Union of India*, (2020) 3 S.C.C. 637 (India).

⁴⁸ *Puttaswamy*, (2017) 10 S.C.C. 1; *Modern Dental College & Research Centre v. State of Madhya Pradesh*, (2016) 7 S.C.C. 353 (India); *Anuradha Bhasin*, (2020) 3 S.C.C. 637.

⁴⁹ *Puttaswamy*, (2017) 10 S.C.C. 1; *Big Brother Watch and Others v. United Kingdom*, Eur. Ct. H.R. (2021).
AI Tools Disclosure: This paper and references were refined using AI-assisted tools

evolving field. Several critical questions—such as algorithmic accountability, data protection enforcement, private-sector liability, and facial recognition technologies—are still in their early stages of judicial exploration. The future trajectory will depend on how courts balance competing interests: technological innovation, national security concerns, administrative efficiency, and the preservation of fundamental rights.

In conclusion, PIL has served as an essential mechanism for adapting constitutional protections to the digital age. It has expanded judicial access, strengthened doctrinal clarity, and ensured that fundamental rights retain their substantive meaning in a technologically complex society. As India continues to navigate the challenges of digital governance, PIL will likely remain a vital pathway for safeguarding constitutional freedoms and ensuring that technological progress aligns with democratic values.

