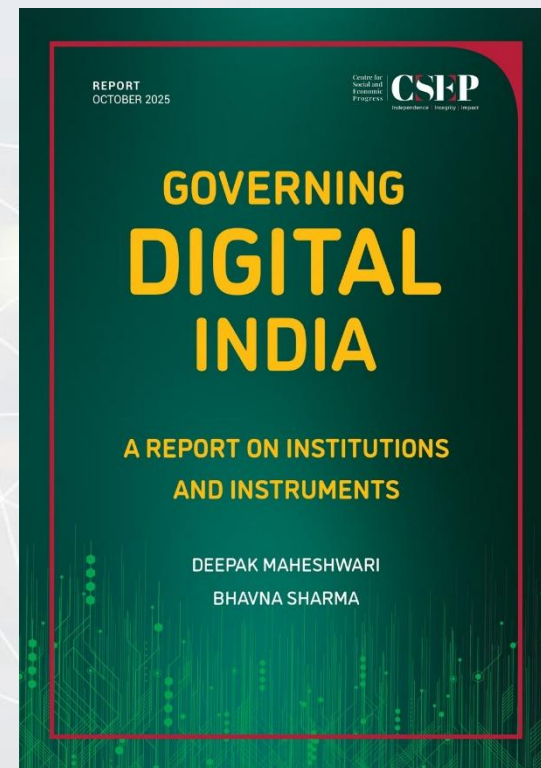


GOVERNING DIGITAL INDIA

A REPORT ON INSTITUTIONS AND INSTRUMENTS

Deepak Maheshwari
Senior Policy Advisor

Friday, 31 October 2025



Centre for
Social and
Economic
Progress

CSEP
Independence | Integrity | Impact

Overview of the Report

- **Introduction**
- **Key Research Questions**
- **Institutions and Instruments**
- **Contextualizing India's Digital Ecosystem**
- **Gaps and Overlaps**
- **Global Benchmarking**
- **Reimagined Institutions and Instruments**

Introduction

Digital India

- **A Programme to transform India into a Digitally Empowered Society and Knowledge Economy**
 - **Digital Infrastructure as a Utility to Every Citizen**
 - **Governance & Services on Demand**
 - **Digital Empowerment of Citizens**
- **943 million broadband subscriptions (TRAI)**
 - **886 million internet users (IAMAI-Kantar)**
 - **1.4 billion Aadhaar enrolment (UIDAI)**
 - **16.73 billion UPI transactions during Dec '24**
 - **Media Industry including broadcasting grew to INR 2.5 trillion in 2024 (FICCI-EY)**
 - **326 broadcasters, 887 MSO's, 5 DTH Operators (TRAI); 591 Radio stations reaching 98% population in 23 languages by AIR (PIB)**

Key Research Questions

- **Does India have the requisite institutions and instruments for the digital ecosystem that would:**
 - **Ensure pervasive and affordable connectivity for inclusive, equitable and sustainable growth?**
 - **Incentivize design, development and deployment of ethical and responsible technology?**
 - **Sustain and boost protection of individual privacy, critical infrastructure and national security?**
 - **Foster competition and innovation while also ensuring consumer protection?**
 - **Continue to see convergence across telecom, broadcasting and information technology?**
- **Where are the critical gaps and overlaps?**
- **What has been the experience so far within India and outside?**
- **Are the extant institutions and instruments adequate? If not, why and how should they be reimagined?**

Institutions and Instruments

- **Institution**

- **Formal Public Authority or Agency**

- With a codified framework of objectives and structure, functions and activities, powers and responsibilities
 - Designed for continuity and consistency, predictability and persistence
 - **Examples** – Parliament, Supreme Court, Ministry of Information & Broadcasting, Department of Telecommunications, Telecom Regulatory Authority of India, Telecom Disputes Settlement and Appellant Tribunal

- **Instrument**

- **Formal Text Adopted, Proclaimed, Prescribed or Ratified by the State**

- Constitution
 - Policies (including Programmes, Missions & Plans) – National Digital Communication Policy; Guidelines for Uplinking and Downlinking of Satellite TV Channels; Digital India Programme
 - Laws – Indian Telegraph Act, 1885; IT Act, 2000; Digital Personal Data Protection Act, 2023
 - Rules and Regulations – Business Allocation Rules, 1961; Telecom Tariff Order, 1999; Intermediary Guidelines, 2021; Media Ethics Rules, 2025
 - Treaties – Cybercrime Convention; Mutual Legal Assistance Treaty

Convergence Ahoy!

Smart Phones

Mobile is not just for making calls!
Camera, Social Media, E-Commerce

Digital Financial Services

Banking, Insurance, Payments, Credit

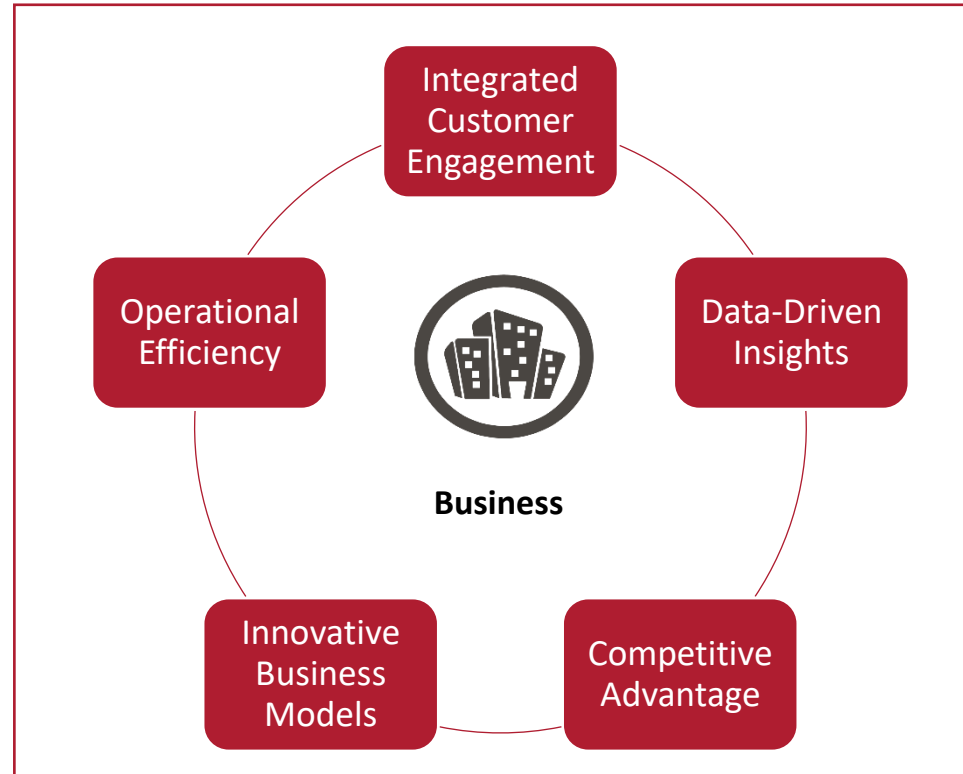
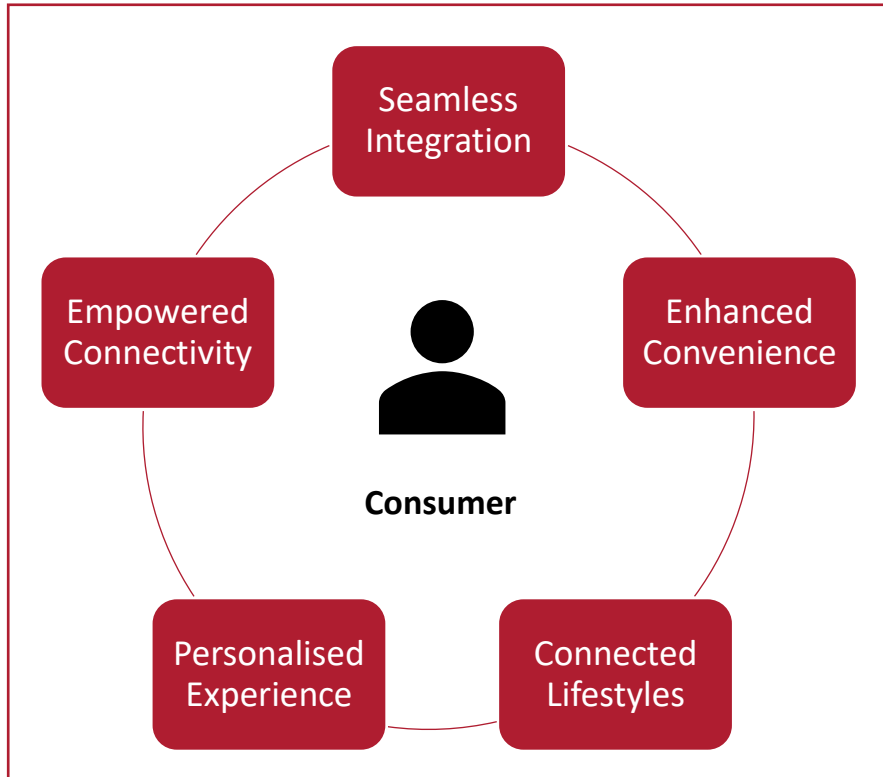
Smart Devices

Fitness trackers, Home solutions, CCTV



Image created using Bing AI

Convergence - Consumers and Businesses



Institutions and Instruments

	Telecom (Union List)	Broadcasting (Union List)	Information Technology (?)
Institutions	- Department of Telecommunications (DoT) - USO Fund, TEC, C-DoT, WPC - TRAI - TDSAT	- Ministry of Information & Broadcasting - Prasar Bharti - TRAI - TDSAT	- Ministry of Electronics & Information Technology - CCA, CERT-In - TDSAT
Instruments	- Telecom Policy, 1994, 1999, 2012 - Broadband Policy, 2004 - National Digital Communications Policy, 2018 - National Broadband Mission, 2019	- Policy for Community Radio Stations, 2018 - Policy for IPTV Services, 2020 - Draft Broadcasting Policy, 2024	- Digital India Programme, 2015 - National Cyber Security Policy, 2013 - National Policy on Universal Electronic Accessibility, 2013 - National Policy on Electronics, 2012 & 2019 - Policy on Delivery of UMANG Services, 2021 - National Policy on Software Products, 2019 - Draft Policy on Internet of Things, 2015 - Draft Encryption, 2015
	- Telegraph Act, 1854, 1860, 1876, 1885 - Wireless Telegraphy Act, 1933 - Telecom Regulatory Authority of India Act, 1997 - Communications Convergence Bill, 2001 - Telecommunication Act, 2023 – notified partially	- The Cinematograph Act, 1952 - The Cable Television Networks (Regulation) Act, 1995 - TRAI Act, 1997 - Draft Broadcasting Services (Regulation) Bill, 2007 - Draft Broadcasting Services (Regulation) Bill, 2023 - Draft Broadcasting Services (Regulation) Bill, 2024	- Information Technology Act, 2000 - Aadhaar Act, 2016 - Digital Personal Data Protection Act, 2023
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	ITU Radio Regulations	Audio-Visual Co-Production Treaties	- Global Digital Compact - UN Cyber Crime Conventions

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Gaps and Overlaps

State Capacity

Overburdened TDSAT
Underutilised Digital Bharat Nidhi

Ambiguity around ownership and accountability

AI, Non-Personal Data, Paging,
Internet Blocking, OTT

Unease of doing business

IPTV

Confusion among stakeholders

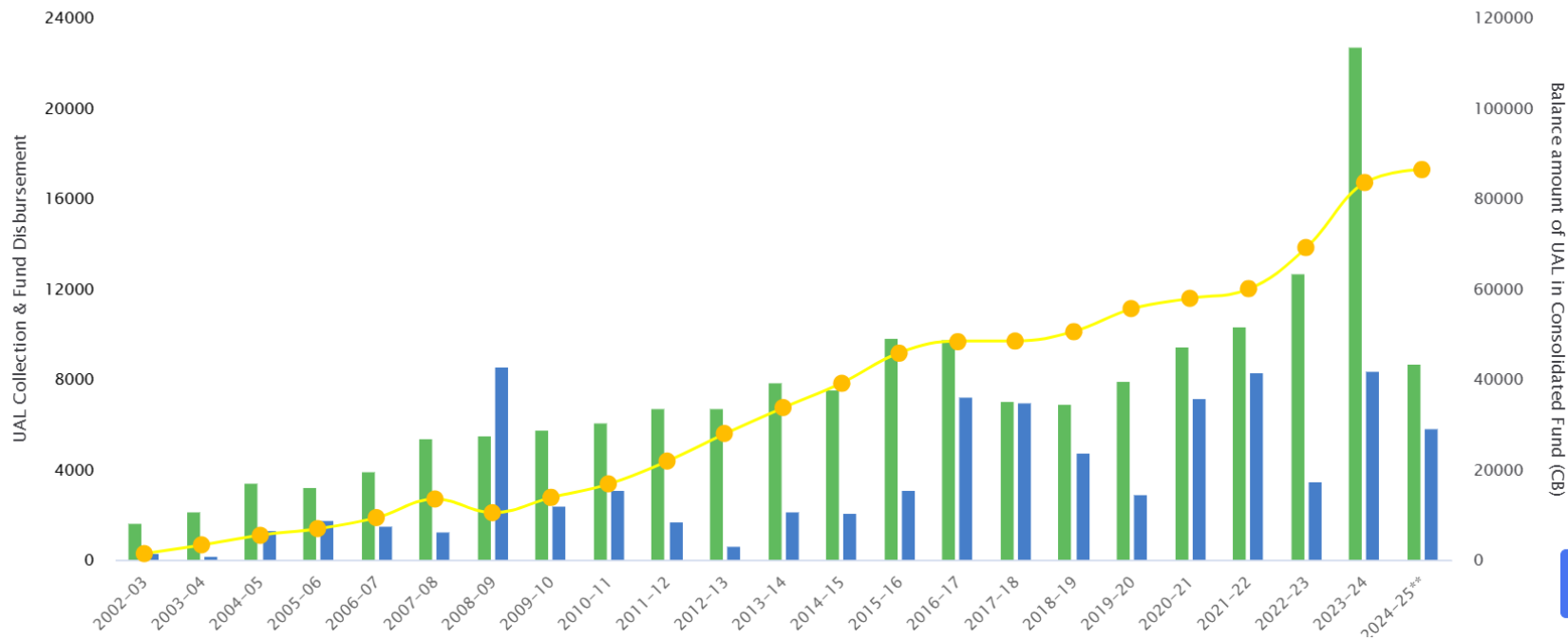
Encryption
Online content creators as
broadcasters?

Regulatory overreach

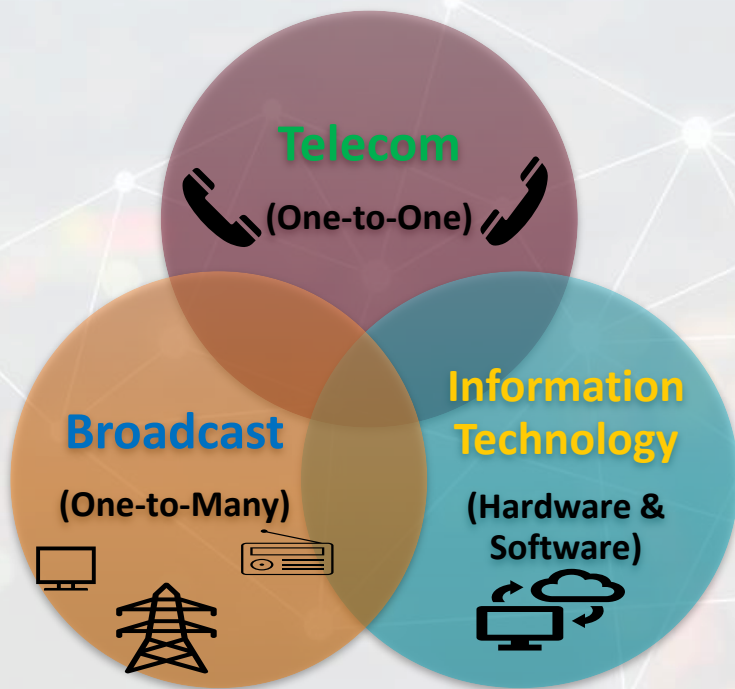
TV channel tariff, Internet
shutdown, Virtual digital assets

Adverse Impact - Fear, uncertainty, doubt (FUD); Persistent digital divide

Underutilised Digital Bharat Nidhi



Governance of Digital Ecosystem - 3C Framework



Carriage

- **Wired** – Copper, Optical Fibre, Cable
- **Wireless** – Terrestrial, Satellite

Content

- **Voice**
- **Video**
- **Data**
- **Touch, Taste, Smell**

Conduct

- **Competition**
- **Cyber Security**
- **Data Protection**
- **Sustainability**

Select Countries in Global Indices

Index/Report	Total no. of countries	India	US	China	UK	Singapore	Malaysia	Estonia
Network Readiness Index, 2024	133	49	1	17	8	2	36	18
ICT Development Index, 2024	169	N/A	96.7	85.8	93.6	97.8	95.0	97.9
Global Innovation Index, 2024	133	39	3	11	5	4	33	16
E-Government Development Index, 2024	193	97	19	35	7	3	57	2
Artificial Intelligence Preparedness Index, 2024	174	0.5	0.7	0.6	0.7	0.8	0.6	0.7
Global Cybersecurity Index, 2024	194	98.5	99.9	91.6	100	99.9	98.8	95
CHIPS Combined Rank	32	8	1	2	5	3	N/A	N/A

Global Benchmarking - Institutions

United States of America

- **Federal Communication Commission (FCC)**
 - Telecom, Broadcasting
 - Broadcast Content
- **Cybersecurity & Infrastructure Security Agency (CISA)**
- **Federal Trade Commission (FTC)**
 - Consumer Protection & Competition
- **State-level Public Utilities Commissions (PUC)**

China

- **The Ministry of Industry and Information Technology (MIIT)**
 - Telecom infra, ISPs
- **The Ministry of Public Security**
 - Cybercrime investigations
- **National Radio and Television Administration (NRTA)**
 - Public broadcasting
- **CAC**
 - Telecom & BB; Radio & TV; Post; Online content & Safety

European Union (EU)

- **European Data Protection Board (EPDB)**
 - Telecom & BB; Radio & TV; Post; Online content & Safety
 - Online content; Online safety
- **Body of European Regulators for Electronic Communications (BEREC)**
 - Online content; Online safety
- **European Commission on Competition**
 - Together with National Competition Authorities, enforces EU competition rules

United Kingdom

- **Office of Communications (Ofcom), since 2002 regulates**
 - Telecom & BB; Radio & TV; Post; Online content & Safety
 - Online content; Online safety
- **Department of Science, Innovation and Technology**
- **Competition and Markets Authority (CMA)**
 - Competition; Consumer Protection

Global Benchmarking - Instruments

United States of America

- The Communications Decency Act, 1996
- Executive Orders on Cybersecurity 2013, 2017, and 2021
- National Cybersecurity Strategy, 2023
- The Federal Trade Commission Act, 1914
- The Health Insurance Portability and Accountability Act, 1996
- Children's Online Privacy Protection Rules, 1998

China

- Telecommunications Regulations, 2000
- Internet Information Services Measures, 2011
- Information Services of Mobile Internet Application Programs, 2022
- Management of Online Publishing Services, 2016
- Cybersecurity Law, 2016
- Data Security Law, 2021
- Personal Information Protection Law, 2023

European Union (EU)

- The GDPR, 2018
- The EU Cybersecurity Act, 2019
- The Digital Services Act, 2023, and the Digital Markets Act, 2023
- The EU Data Act, 2024

United Kingdom

- The Telecommunications Act, 1984
- The Broadcasting Act, 1994
- Personal Data Protection Act, 2012
- Cybersecurity Act, 2018
- Online Safety Act, 2022
- Digital Markets, Competition and Consumers Act, 2024

Reimagined Institutions and Instruments

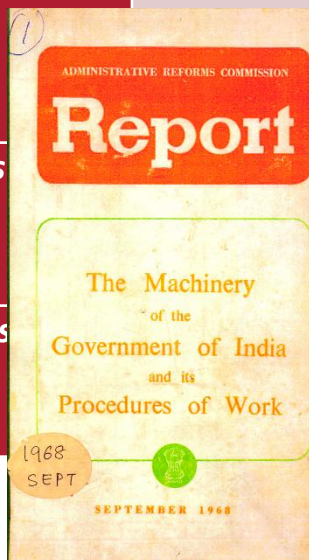
Options	Status-Quo Reconfigured	Two Ministries: One for Carriage, One for Content	One Ministry, One Law, One Regulator, One Tribunal
<i>Suggestion</i>	Improve existing information sharing and coordination mechanisms	Consolidated carriage and content in two vertical ministries	Full Integration across telecom, broadcasting and IT under a single Ministry of Digital Ecosystem (MoDE)
<i>Pros</i>	Preserves existing expertise	Carriage - telecom and broadcasting Content - MeitY, I&B, Telecom	Complete sectoral convergence
<i>Cons</i>	Stagnation and conflicting regulatory signals	Managing inter-ministerial coordination, blurring between carriage and content	Managing transition from status-quo

Reimagined Institutions and Instruments

Options	Status-Quo Reconfigured	Two Ministries: One for Carriage, One for Content	One Ministry, One Law, One Regulator, One Tribunal
Summary	(x) “Communications” should be transferred to the Ministry of Information and Broadcasting to form the Ministry of Communications, Information and Broadcasting.		
			Digital Ecosystem (MODE)
Pros	Preserves existing expertise	Carriage - telecom and broadcasting Content - MeitY, I&B, Telecom	Complete sectoral convergence
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Reimagined Institutions and Instruments

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The Lines They Are a-Blurrin'!

(Inspired by Bob Dylan)

Thanks!