MediaNama is the premier source of information & analysis on Digital Policy in India. We focus on key issues like privacy, data governance, fake news, misinformation, cybersecurity, cyber diplomacy, digital payments policy, Net Neutrality, intermediary liability, website blocking, internet shutdowns, data localisation, e-commerce policy, IoT, content regulation and censorship, among others.

**Our mission is to help build a digital ecosystem which is open, fair, competitive, and global.**

On MediaNama.com, our reportage attracts a readership of policy professionals, government officials, Members of Parliament, startup founders and business leaders, as well as investors with an eye on policy developments shaping the future of the Internet in India.

MediaNama’s events enable meaningful conversations for a high quality and curated audience to discuss opportunities, challenges and issues that they care about, in a manner that helps in building capacity. The fact that they are among peers with similar depth of understanding, and come at the same issues from a different point of view, ensures that our audience keeps coming back for more.
Introduction

Over the three month period stretching from July to September 2020, technology policy in India saw multiple upheavals. TikTok, PUBG, and over 200 other apps of Chinese origin were banned. Paytm and Paytm First Games were thrown off the Google Play Store (though Paytm returned shortly). Facebook India was accused of allegedly shielding BJP politicians and other right-wing figures from its content moderation policy.

In this new report, we have compiled key developments in the Indian Internet ecosystem between July and September (Q3, 2020).

Many of these developments are turning points. For instance, Google’s 30% cut, along with its removal of Paytm from the app store, triggered anger in the Indian start-up ecosystem. Founders and leaders huddled with one another and sprung into action: meeting the IT Ministry, meeting the competition regulator, calling for an alternative app store. Since, then the Competition Commission of India has begun an investigation into how Google operates the Play Store. Similarly, the ban on Chinese apps has led to a clarion call for self reliance among Indian startups, and renewed focus on technology nationalism.

This report will give you an overview of:

1. Key developments between July-September (Q3 2020) in India’s technology and internet ecosystem
2. Government decisions that will impact the Internet in India, around digital news, gig economy, and facial recognition, etc
3. The factors influencing India’s decisions and responses, such as Indo-China relations, the COVID-19 pandemic and need for digital health systems, demands for regulation of the streaming industry

I’ll leave you with an excerpt highlighting the shocking expansion of facial recognition systems in Telangana:

In recent months, [facial recognition has been] expanded to college admissions and road transport services, with plans to deploy it to distribute ration in the state and authenticate voters for elections to Hyderabad’s local government body – all of this without a law. This tech is part of the larger Samagra Vedika program, a collection of departmental databases with a “360 degree” view of citizens, which has been in the works since 2016. In a lengthy interview, Telangana’s top IT official Jayesh Ranjan downplayed the importance of seeking citizen consent, saying that it is implicit in government function.

This is our first attempt at creating such a report. Please do share your feedback on how we can make it more useful for you. Please feel free to share this report with others.

- Trisha Jalan

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I. Facebook’s Hate Speech Policy Implementation in India Clashes with Politics

In August, the Wall Street Journal reported that Facebook harboured a bias in favour of politicians of India’s ruling party – the Bharatiya Janata Party led by Prime Minister Narendra Modi – to protect business interests in its largest market. Ankhi Das, the company’s top public policy executive in India – whose team overlooks content moderation – intervened to shield hate speech by a BJP leader who not only violated Facebook policy, but deserved to be permanently thrown off the platform. Das also allegedly shielded at least another three Hindu nationalists and groups that were flagged internally for promoting or participating in violence.

The Journal’s report said that Das’s intervention was part of a broader pattern of favoritism by Facebook towards the BJP and Hindu nationalists. The findings blew holes into Facebook’s claims of being neutral in governing content, without favour to any group or powers. The BJP leader in question, T. Raja Singh, had said that Rohingya Muslim immigrants should be shot, called Muslims “traitors”, and threatened to burn down mosques. In the fallout of the Journal’s reports, Singh was permanently removed from Facebook and Instagram.

Opposition party Congress has called for an investigation into Facebook, and others have criticised the company. While that has not yielded an actual probe, Facebook has had to depose before the Parliamentary Committee on Information Technology, which though headed by a veteran Congress leader Shashi Tharoor, is dominated by BJP politicians.

While Facebook India’s head Ajit Mohan reiterated claims of being non-partisan and transparent, he has ignored summons from a Delhi government committee that is examining the Delhi Riots of February 2020, in which 53 people were killed. After hearing from journalists Paranjoy Guha Thakurta and Nikhil Pahwa*, the committee said it found Facebook prime facie guilty of aggravating the riots, calling for a probe and filing of a chargesheet. Instead, Mohan and Facebook have gotten the committee’s deliberations against them blocked in the Supreme Court of India by citing jurisdictional issues, leveraging an age-old political tussle between the Central government and the semi-autonomous Delhi government. Mohan has said that the Committee’s summons are an overreach as public order in Delhi is the prerogative of the Union Home Ministry – headed by Prime Minister Modi’s right-hand man Amit Shah.

Opinion: Facebook needs more regulation but there is no easy answer

*Nikhil Pahwa is the founder and editor of MediaNama.

II. India Bans Chinese Apps, Amidst Increased Protectionism and Scrutiny of China

Indo-China relations have worsened over the past months over disputes over a border in India’s northwestern frontier. In June, a few days after a violent clash that left 20 Indian soldiers dead, the Indian government banned 59 apps of Chinese origin, including the wildly popular short-video app TikTok, Shein, UC Browser, WeChat, ClubFactory, CamScanner, and ShareIt. The Indian government cited information that the apps were engaged in activities prejudicial to the security and sovereignty of India. It was perhaps the first instance of the Indian government deploying a provision of Indian IT Act, that allows it to prohibit content based on national interest, to impose such bans. Within weeks, another 47 apps – clones and lite versions of already-banned apps – were also banned. By early
September, days after yet another flare-up at the border, 118 apps, including PUBG were banned under the same provision.

However, protectionism in India is not limited to just banning apps. India’s new restrictions on FDI flow from neighbours led to Ant Group stalling its additional investment in Zomato. Of the $150 million promised to Zomato in the beginning of the year, Ant Group has only released a third. In late August, China’s Alibaba Group – also Ant Group’s parent company – paused its investments into Indian companies for six months, though it retained stakes in its investee companies, including Paytm, Zomato, and BigBasket.

Ever since, there has been scrutiny on Indian startups’ reliance on Chinese investors. Pressure groups within India, including a large traders’ body, have called for probes into Chinese investments in 140 start-ups, additionally asking for all overseas investments – not just from India’s neighbours – to mandatorily go through government scrutiny. The body asked for the storage of data collected and extent of Chinese technology used by these companies. Half of India’s 30 pre-coronavirus unicorns have a Chinese investor. Over 75 Indian companies have Chinese investors concentrated in e-commerce, fintech, media/social media, aggregation services, and logistics. BigBasket, Byju’s, Flipkart, Hike, MakeMyTrip, Ola, Paytm, PolicyBazaar, Quikr, Snapdeal, ShareChat, Swiggy, and Zomato are only a few of the start-ups that have Chinese investments. CTrip owns almost half of India’s largest online travel company MakeMyTrip.

Another instance of protectionism has been the demand for sellers to display the country of origin on their products. India’s proposed E-Commerce Policy and the consumer protection guidelines for e-commerce, both make it mandatory for country of origin labels to be displayed. The E-Commerce Policy asks for value addition done in India to be specified as well. Amazon had already begun implementing this in July.

**Opinion: An Internet Firewall for India would be unconstitutional and totalitarian**

### III. Indian Startups Gear Up to Take on Google, as 30% Cut is Announced

In September, just a day before the Indian Premier League kicked off, Google removed both Paytm and fantasy gaming app Paytm First Games from its Play Store for violating policies on gambling and real-money gaming. The Paytm app was allegedly enabling real-money gaming on Paytm First Games, a fantasy gaming app that also offered real-money gaming, which is not allowed on the Play Store. Google also barred promotions of fantasy gaming app Mobile Premier League on apps run by Times Internet, which owns 3% in MPL. Paytm CEO Vijay Shekhar Sharma was furious: “This is bullshit of a different degree,” he fumed. Paytm was eventually restored, but this would not be all.

Only days later, Google said it would start enforcing its billing system on apps downloaded from the Play Store that sell digital goods - the company gave app developers and companies a year to implement this. This change would give Google a 30% commission on all in-app purchases. The cut would apply to subscriptions, virtual coins, ad-free versions of apps, paid extra lives or characters, etc. Many apps currently bypass Google’s billing system and ask users to directly pay, such as via debit card or UPI.

The change drew the ire of the Indian start-up ecosystem. Founders and CXOs were incensed and branded the cut as a Google tax. Heads of the most significant Indian internet companies – including Vijay Shekhar Sharma, Matrimony’s Murugavel Janakiraman, GOQii’s Vishal Gondal, PolicyBazaar’s...
Yashish Dahiya – said Google was abusing its dominance by forcing companies to use its billing system. After advertising cuts and a 30% billing cut, over half of revenue on digital goods would go to Google, they said. The founders also raised concerns around arbitrary implementation by the company and national interest - Sharma declared that it was in national interest to have viable alternatives for app stores and billing. The founders discussed possible next steps: creating their own app store, complaining to the Competition Commission of India, going to court, and forming an Indian internet founders association.

Google has deals with mobile phone manufacturers to pre-install its core apps, Search, Maps, and the Play Store, in exchange for deploying the Android OS (which it owns). This has made the Play Store the de-facto place for developers to push their apps, leaving them with no real alternative. Google has also reminded everyone that developers can still use alternative payment methods outside the Play Store, such as on another Android app store or through their website – but in front of Google’s dominance, this is hardly a reprieve.

IV. IAMAI’s Self-regulation Code for Streaming Services

In early September, 15 Indian streaming services and digital companies – including Amazon Prime Video, Disney Hotstar, Netflix, Jio Cinema, Alt Balaji – adopted a self-regulatory code to pre-empt government censorship. The code was adopted under the leadership of industry body IAMAI. Two previous attempts at self-regulation, the latest being in February, have fallen through. The February code had proposed an industry wide complaints body. The new code relies on each OTT platform creating a three-member advisory panel, including an external member, that serves as an appeals body within the organisation itself. Significantly, there is no longer a list of prohibited content in the new code. The streaming platforms feel that this is a decision better left to users.

The new code emerged after weeks of internal wrangling at the IAMAI’s digital entertainment committee over the previous draft, which many members found unacceptable. After the February code, some streaming services were taken aback that the IAMAI was approaching the government, and representing them without first gaining consensus. This led the industry body’s governing council telling members to go back to the drawing board and come up with industry-level consensus.

A few days after the code was released, a Sony Liv executive had said that Sony 'hopes' to get government support for the industry’s self-regulation efforts, which was notably an indirect acknowledgement that the code has not been blessed by the government. Their approval would mean that decisions about content censorship and regulation would be left for the services to deal with themselves. The self-regulatory code also makes room for sharing information on complaints with the government – with the IT Ministry and Information & Broadcasting Ministry – only once a year, if they request for it. The only notable absentees now seem to be regional players like SunNxt and global platforms like Apple TV+ and YouTube Premium.

Tarun Katial, ZEE5 CEO and head of the digital entertainment committee at IAMAI, reiterated that both ministries are in loop and are aware of the code. Further, he hopes that any complaint will be resolved at the streaming service level and will not need to reach the government. But days after Katial’s interview, reports emerged that the I&B ministry has refused to support the code, citing several issues, including that there was a conflict of interest in the complaints system, and the fact that the list of prohibited content was not laid out. The ministry instead referred to the existing self-regulatory bodies for news and general entertainment channels - the BCCC and the NBSA - as model examples for the IAMAI to look to for creating a code it would be willing to support.
Guide: A complete guide to OTT content regulation in India
Interview: ZEE5 CEO and IAMAI executive Tarun Katial on self-regulation of streaming services

V. Indian Government’s Digital Health Mission and Data Management Policy

On Independence Day, Prime Minister Narendra Modi announced the National Digital Health Mission - it seeks to create a digital health architecture, using health IDs, unique identifiers for doctors and health facilities, personal health records, as well as telemedicine and e-pharmacies. Every Indian will be given a Health ID that will contain a person’s medical history, including tests, disease, medicines prescribed, medical reports, doctors’ appointments, payments, and so on, PM Modi had said.

The Health ID is designed as a “unique” identifier created on the basis of mobile number, Aadhaar, or a government ID. Each Health ID will be linked to a health data consent manager – a set of APIs developed by the iSPIRT Foundation along with telemedicine body Swasth Alliance. The National Health Authority, an attached office of the Health Ministry and the implementation body of Ayushman Bharat, has been given the mandate to design, build, rollout and implement the mission. Within days of the mission being announced, the government laid out a sandbox framework to test new products and services. Pilots were launched in all union territories, except for Jammu & Kashmir - the NHA had asked the central government for ₹30 lakh to implement the mission in the UTs.

The government began consultations for the Health Data Management Policy, which essentially uses India’s proposed Personal Data Protection Law as a mainframe, but is lagging as deliberations continue. The public was initially granted only a week to give comments, but eventually extended the deadline for comments to September 21. This was after a petition in the Delhi High Court complained of the short deadline.

With the escalation of the coronavirus pandemic, the government notifying the Telemedicine Practice Guidelines in March and the deployment of the contact-tracing app Aarogya Setu, digital health in the country came to a head, and work around building a digital health framework began, with the involvement of the National Health Authority. In 2018, government think tank NITI Aayog opened a public consultation for the National Health Stack – a proposal for multiple building blocks for digital health. The Health Ministry later took over the mandate and put the National Digital Health Blueprint out for consultation.

VI. Other key developments

Personal Data Protection Law | In late September, the Lok Sabha extended the deadline for the submission of the report of the Joint Parliamentary Committee on the Personal Data Protection Bill, to the Winter Session of Parliament. Once lockdown measures were relaxed, the committee reconvened. It’s July meeting focussed on central government exemptions from any and all provisions of the bill.

In three meetings held in August, the Committee heard from multiple stakeholders. L&L Law Firm and Foundation of Data Protection Professionals in India deposed on children’s privacy. The Kalam Centre also deposed, as did industry body Assocham.

Parliamentary Committee on Information Technology | In August, after Jammu & Kashmir completed a year of restricted internet access, the Parliamentary Standing Committee on Information Technology about internet shutdowns in the country and the procedure around them. The committee
repeatedly stressed that they want as few shutdowns as possible. While the DoT maintained the
government line that internet shutdowns are law & order responses, the Committee was pissed over
lack of clarity on whether states were following the Supreme Court’s directions in the Anuradha
Bhasin judgement while imposing shutdowns. The DoT said it was not aware of whether states were
compliant.

Congress leader Shashi Tharoor, who has headed the Committee for a year, will now serve another
term as its chairperson.


Technology and Internet Governance in Parliament | China dominated discussion around
technology in the monsoon session of the Indian Parliament, which was prematurely adjourned due to
multiple politicians contracting the coronavirus. While a number of MPs demanded more details
around the app bans, the IT Ministry was evasive – they didn’t say whether the banned apps actually
stole user data. Separately, the government revealed that state-owned telcos deploy a large portion of
their services on Huawei and ZTE equipment. It was found that seven mobile companies and 123
other electronics and IT goods from China failed to comply with Indian safety and quality standards
since 2015.

The government said it has no data on the impact of internet shutdowns in Jammu & Kashmir, but also
or on the contribution of startups to the GDP or on the number of startups impacted by the
coronavirus pandemic. Over 40,000 fraudulent Aadhaar numbers have been discovered and cancelled
as of August, something the government and UIDAI have been tight-lipped about earlier.

Non-Personal Data Regulation | The IT Ministry’s committee on Non-Personal Data in July
recommended a separate legislation and regulator to govern non-personal data, while also defining
that non-personal data is data that is not related to a natural person or personal data that is
anonymised. The report identifies and defines new stakeholders in the non-personal data ecosystem,
including data principal, data custodian, data trustee, and data trust, and contours their obligations
and mechanisms to enable data sharing. It also sets circumstances under which a private organisation
that collects non-personal data, needs to be remunerated.

Opinion: India must avoid Nationalisation of Data | The bad, the ugly, and the questionable about
regulating non-personal data | Five Key Concerns with India’s Non-Personal Data Report

Experts Speak

Anja Kovacs, Internet Democracy Project, on the issues with India’s Non-Personal Data report | Watch
and Read

Sameer Nigam, PhonePe, on the perils of requiring companies to sell Non-Personal Data | Watch and
Read

Intermediary Liability | YouTube removed the highest number of videos between April to June than
it did in any quarter in its history. This was the result of the service relying on automated systems, as
human reviewers were sent home due to the pandemic. The company said it chose to rely on
automated systems while being aware of potentially over-enforcing its community guidelines.
Separately, Twitter’s transparency disclosures showed that the information requests from the Indian
government increased by 66% between July-December 2019, accounting for a tenth of all such requests made to Twitter. Separately, a Mumbai court ordered that social media platforms including YouTube, Facebook, Twitter and LinkedIn to remove posts spreading rumours about FAU-G and its makers, investors or representatives connecting them to late actor Sushant Singh Rajput. FAU-G, developed by nCore Games, looks strikingly similar to the banned PUBG game.

Even as the government's December 2018 proposal to change Intermediary Liability Protections languish, BJP politician Tejasvi Surya called for a radical change that could potentially shake up the entire internet ecosystem in India. He demanded that the safe harbour protections afforded to internet intermediaries like Facebook and Twitter be repealed. He suggested that social media platforms were censoring speech, especially of those with a “nationalist” bent.

**NITI Aayog’s DEPA Framework** | Indian government think-tank NITI Aayog’s new proposed framework, the Data Empowerment and Protection Architecture (DEPA), essentially proposed implementation of the RBI’s Account Aggregator system in all sectors to manage users’ consent. Top government bodies were involved with drafting, including the finance, health, and IT ministries, as well as the banking and telecom regulators. Moreover, Bangalore-based lobby group iSPIRT has been working on it since May 2019, and signed off on the final document. It is the “final layer of IndiaStack” and envisions a new type of private Consent Manager institution. Expected to go live in 2020, the architecture will be applied to GST, finance, telecom, and health.

**Opinion:** DEPA: Unravelling the digital opportunity

**Telecom** | Lt. Gen. Dr. SP Kochhar will now head telecom lobby group COAI, replacing Rajan Mathews, who has served for a decade. Vodafone Idea finished integration and rebranded as Vi. In September, Airtel and Jio renamed data caps in a manner that misled consumers: both companies inaccurately stated that their new wireline broadband plans are unlimited, but conceal data caps within terms & conditions, without communicating this to users.

The same month, TRAI signaled that it was considering a change in the definition of broadband – this could be significant, as the current benchmark is a measly 512 kilobits per second, which is ten times lower than Bangladesh’s, and fifty times lower than the USA’s. Meanwhile, the regulator concluded its consultation on regulation of over-the-top services, and has decided to keep its hand off of regulation of services such as WhatsApp calls, rejecting telecom companies’ same-service-same-rules argument.

RS Sharma’s five-year tenure as TRAI chief ended on September 30. He has been replaced by Dr PD Vaghela, who was serving as secretary of the Department of Pharmaceuticals.

**Opinion:** Time for TRAI to revisit broadband quality of service issues

**Interviews** | Our key takeaways on how internet exchanges are operated in India, based on interviews with executives of Indian Internet Foundation and Extreme IX: What it’s like running an internet exchange in India

**Cyber Security** | India’s cyber security strategy for 2020-25 is awaiting cabinet approval and may become public in October, National Cyber Security Coordinator Lt Gen. (Dr) Rajesh Pant had said in September. National Security Advisor Ajit Doval had also sounded off a warning about increased
targeting of India’s critical infrastructure by threat groups. Phishing campaigns used COVID-19 related themes to target government, defence and critical infrastructure surged during this period, he had said. Between July and August, the IT ministry said that cyber incidents reported to CERT-in more than doubled compared to the previous quarter.

**Opinion: What are ‘offensive cyber capabilities’? Does India have them?**

**Equalisation Levy** | In July, the Indian government defended its Equalisation Levy, the 2% digital tax applicable since April 2020, in submissions made in response to the investigation of the US Trade Representative into digital services taxes under Section 301 of the US Trade Act. Even as most industry bodies called the levy discriminatory, New Delhi said that its imposition is entirely consistent with India’s commitments under the WTO and international taxation agreements.

**Government Restrictions on Internet Access** | Since August 2019, when its special status was stripped, Jammu & Kashmir has been deprived of unfettered, high-speed internet access. The territory spent seven months under a complete internet blackout. After that, each reprieve – access to a few websites, then to all websites, but only under 2G speeds – came after civil society interventions at the apex court, including by *Kashmir Times* editor Anuradha Bhasin. In August, after the court raised questions in a case filed by the Foundation for Media Professionals, the government finally agreed to restore 4G internet in two out of the territory’s twenty districts on a trial basis. This is being done in accordance with the Indian government’s submission to the Supreme Court. The internet restrictions have hit the supply of critical medical services, healthcare, and telemedicine consults; students are unable to fill out exam forms or attend online classes, and businesses have crippled under the double blow of coronavirus and communications blackouts. Meanwhile, the government continues downplay its impact, maintaining that throttling internet speeds has not impeded COVID-19 control.

**Digital Payments** | In August, the Reserve Bank of India issued a draft framework for a self-regulatory organisation for regulations payment system operators. Separately, a few days later, the State Bank of India said it was considering applying for a license under the RBI’s proposal for a pan-India umbrella entity for retail payments framework. Such an entity would compete with the National Payments Corporation of India (NPCI), which is owned by private and public banks - including by SBI.

Indian banks also geared up in August to launch Account Aggregators, a set of non-banking financial companies which work as consent managers for financial data. Banks will restrict the first phase of AA services to opening of current and savings accounts, which will be followed by opening recurring and term deposits. Banks and other companies have been experimenting with AAs for a year: four AA providers have operating licensees and 12 lenders are working with them as financial information users and providers. Back in July, the NPCI added an auto-pay feature to UPI, allowing recurring payments on UPI payments apps. Later in August, the government said it will soon launch a digital lending platform called Kashi (Cash over Internet) to approve loans to low-income households and small businesses.

**Content Regulation** | Besieged by lawsuits on its documentary series Bad Boy Billionaires - which follows four Indian tycoons, some of them fugitives - Netflix delayed the release globally. Two of the billionaires obtained legal orders staying the series’ release from courts in Hyderabad and Bihar. In September, it emerged that Information & Broadcasting Minister Prakash Javadekar himself had intervened to censor a ALT Balaji/Zee5 show; he took offence to a signboard in the show that
contained the name Ahilyabai, purporting that it defamed Ahilyabai Holkar, an 18th century Maratha ruler.

In July, the I&B Ministry said it wants to wrest back jurisdiction over online content regulation from the IT Ministry. Meanwhile, the Central Board of Film Certification - or the Censor Board - inserted itself into the online content regulation debate; chairperson Prasoon Joshi argued that online content creators need to toe the line.

**E-Commerce** | India’s latest E-Commerce Policy, released in July, wants a new e-commerce regulator that has access to source code and algorithms to mitigate biases, wants access to non-personal data for law enforcement and taxation purposes, country of origin labels and much more. The policy carves out huge mandates for e-commerce companies to share non-personal data with the government and muddies waters related to data localisation, mirroring and storage even further. Separately, India’s new e-commerce consumer protection rules, which became law in July, require e-commerce companies to direct sellers to display the country of origin - an increasingly common demand as protectionism and anti-China sentiment rises - alongside product listings. Meanwhile, India’s competition regulator, CCI, threw out an antitrust complaint against Amazon filed by an online sellers body.

**Bihar Elections** | India’s election commission chief Sunil Arora said in September that social media platforms will be held liable for misuse ahead of and during the Bihar polls. Essentially, the voluntary code of ethics by IAMAI, formed for the 2019 elections, has also been adopted for Bihar. Social media platforms which have signed it have to pre-certify political advertisers and take down violative content on an expedited basis during the silence period. Arora had declared that communal content will not be tolerated.

**Aadhaar** | The mission creep of the world’s largest biometrics database has now extended to insurance. In August, India’s insurance regulator IRDAI, in consultation with UIDAI, allowed two dozen private and state insurance companies to carry out Aadhaar authentication.

**Facial Recognition for Crime** | India’s top crime records body, which has been trying to create a national level automated facial recognition system for over a year, added another demand in September: identify people wearing masks. The proposed system would be a searchable application for faces, to be fed with data from centrally maintained databases on fingerprints, criminal records, and CCTNS. Although the Bureau’s proposal, released in July, removed CCTV integration - the project’s surveillance capability persists, especially given that the Bureau has justified the system’s legality based on a decade-old Cabinet note. In July, bidders had also raised concerns around backdoors and active user load in the proposed system.

**Facial Recognition in Telangana** | The Telangana government has leveraged the pandemic to accelerate deployment of facial recognition technology on its people. The state already uses it to authenticate pensioners and has given police access to a criminal database containing fingerprints and facial data. In recent months, it was expanded to college admissions and road transport services, with plans to deploy it to distribute ration in the state and authenticate voters for elections to Hyderabad’s local government body – all of this without a law. This tech is part of the larger Samagra Vedika program, a collection of departmental databases with a “360 degree” view of citizens, which has been in the works since 2016. In a lengthy interview, Telangana’s top IT official Jayesh Ranjan downplayed the importance of seeking citizen consent, saying that it is implicit in government function.
Interview: Telangana IT Secretary Jayesh Ranjan on facial recognition and government surveillance

Drones | Emails between the Civil Aviation ministry and civil aviation regulator DGCA, which surfaced in July, showed how rules for exempting drones to be used for COVID-19 surveillance were finalised and published within just three weeks. Drones were widely deployed for COVID-19 surveillance, containment, spraying, to ensure social distancing – including in Delhi, Amritsar, Mumbai, Kerala, and Telangana. The government had readied the GARUD platform within weeks and an effort was made not to make drone operations “too restrictive”.

Meanwhile, industry body Drone Federation of India told the government that it should refrain from regulating drone manufacturing components. DigiSky, a platform essentially made to grant clearances for flying drones, is expected to go live in October. Central government body Survey of India in July floated two tenders to procure 260 professional grade drones for a four-year central government project to digitally map all Indian villages.

Guide: A complete guide to drones in India

Opinion: Drone’s flight path needs rigour to serve India’s varied parts

Gig Economy | India’s new social security code, first proposed in 2019 and passed in September, brings gig workers into the fold of social security schemes, recognising gig workers, platform workers, aggregators, and the benefits that should be granted to workers. The Code on Social Security, 2020, empowers the central government to establish a social security fund for such workers, which can be funded by gig companies and the government itself to form schemes that would provide health cover, maternity benefits, accident cover, etc. Gig companies may have to allot 2% of their annual turnover to such funds. Incidentally, the code was finalised weeks after Swiggy delivery partners struck and protested poor earnings in multiple cities, including in Hyderabad, Delhi, Chennai, and Noida.

Digital News Regulation | In August, Information & Broadcasting Minister Prakash Javadekar said he is a man who believes in self-regulation when it comes to digital media, speaking in the context of fake news and misinformation. Less than a month later, the ministry told the Supreme Court that it wants to lay down guidelines for digital media, before doing so for mainstream electronic and print media. The ministry said that unlike electronic and print media whose regulation is covered by law or court cases, online media, which includes online magazines, news channels, and newspapers, are “completely uncontrolled” with very wide reach.

Online Gambling and Fantasy Gaming | Andhra Pradesh in September outlawed online gambling, including poker, rummy and similar games played online. The state government amended the AP Gaming Act, 1974, to prohibit online gambling, so that it can jail and penalise people caught playing gambling online, including companies offering these services. However, it will not enforce the prohibition by banning any such services. Meanwhile, a Delhi-based financial consultant has filed a challenge in the Supreme Court against a Rajasthan High Court order which declared Dream11 a game of mere skill, and did not amount to gambling.

FASTags | FASTags, intended for making digital payments at toll gates, are already mandatory for all vehicles purchased 2018 onward and to avail discounts at toll plazas. In September, the Road Transport Ministry, headed by Nitin Gadkari, proposed mandating it for older vehicles, that is, those purchased before December 2017. The government also wants to mandate it for getting third-party insurance. In July, the ministry had said that FASTag details will now be captured each time a vehicle is registered, or is issued a fitness certificate. More importantly, FASTag payments body National
Electronic Toll Collections has been integrated with Vahan, meaning that Vahan system is getting information on FASTags on the basis of a vehicle’s registration and identification number.

**Music Streaming** | The Indian Performing Rights Society in July temporarily held off on tariffs - which would have charged at least ₹20,000 for artists live-streaming a performance for free - amidst uproar from musicians and a lack of clarity on whom it would impact. The copyright society had also struck a licensing deal with Facebook the same month, allowing its members’ content to be used by people on Facebook and Instagram.

*Interview: IPRS CEO Rakesh Nigam: livestream tariff to be rationalised, free performances won’t be charged*

**Online Pharmacy** | With Reliance’s entry into the online pharmacy market, consolidation has begun: MedLife and PharmEasy are set to merge operations despite opposition from a Delhi-based chemists association. Chemists have also opposed Reliance’s purchase of 60% of NetMeds’ parent company, as the legal status of online pharmacies remains in limbo. Meanwhile, Amazon also announced its entry into the sector, starting off with a home medicine delivery service in Bangalore.

**Aarogya Setu** | The Indian government’s controversial contact-tracing app Aarogya Setu in August released an Open API Services Portal through which third party apps can check users’ health status with consent. The government envisions the API as a tool “to help the people, businesses and the economy to return to normalcy”. The integration could be a first step towards an immunity passport system that could be deployed for people’s access to services, physical spaces, and ability to earn livelihoods. Separately, the Karnataka High Court in September said the government and its agencies cannot deny people services for not downloading Aarogya Setu. In early July, the app was updated to let users sort of delete their account for good.