Global Journal of Innovative Research Perspectives (GJIRP)
ISSN (Online): 3143-1089
Volume-1 Issue-2 || Apr – Jun 2025 || PP. 17 – 24
https://gjirp.org/

Reimagining Indian Screen Regulation Through Evolving Democratic Cultural Institutions

DOI: https://doi.org/10.63345/gjirp.v1.i2.203

Komal Slathia
Research Scholar
Department of Political Science
Maharaja Agrasen Himalayan Garhwal University
Garhwal, Uttarakhand, India – 246169

Dr. Arti Dwivedi
Research Supervisor
Department of Political Science
Maharaja Agrasen Himalayan Garhwal University
Garhwal, Uttarakhand, India – 246169

http://www.gjirp.org/ || **Vol. 1 No. 2 (2025): May Issue**

Date of Submission: 07-04-2025	**Date of Acceptance:** 20-04-2025	**Date of Publication:** 18-05-2025

Abstract— India's screen regulation landscape has undergone significant transformation over the past decade, reflecting the evolving nature of democratic governance and cultural stewardship. This research paper examines the institutional mechanisms through which Indian regulatory bodies—including the Ministry of Information and Broadcasting, the Internet and Mobile Association of India, and the Advertising Standards Council of India—have adapted to contemporary media consumption patterns. Through a mixed-methods approach combining institutional analysis and statistical examination of compliance data from 847 content providers across five major streaming platforms, this study reveals that democratic cultural institutions have become increasingly responsive to stakeholder inputs, with institutional reform demonstrating a 68.4% improvement in stakeholder satisfaction metrics between 2018 and 2024. The research identifies critical pathways for regulatory modernization while maintaining constitutional safeguards, demonstrating that participatory institutional structures correlate with higher compliance rates and reduced content disputes. The findings suggest that India's regulatory evolution presents a model for balancing content freedom with democratic accountability through institutional innovation.

Keywords— Screen regulation, Democratic institutions, India, Content moderation, Self-regulatory organizations

Introduction

The proliferation of digital screen media in India has created unprecedented challenges for regulatory frameworks designed in an analog era. With an estimated 462 million internet users and approximately 325 million active streaming subscribers as of 2024, the volume and velocity of screen content has outpaced traditional regulatory mechanisms. India's unique constitutional architecture, premised on balancing free expression under Article 19(1)(a) with reasonable restrictions outlined in Article 19(2), has necessitated the evolution of cultural institutions charged with content governance. The Supreme Court's recognition of the right to privacy as a fundamental right in Puttaswamy v. Union of India (2017) further complicated the regulatory landscape by introducing privacy considerations into content regulation discussions.

Current screen regulation in India operates through a layered institutional framework. The Ministry of Information and Broadcasting maintains direct authority over broadcast media through the Films Act (1952) and the Cable Television Networks Act (1995). The Central Board of Film Certification, an autonomous body under this ministry, classifies films into five categories: Unrestricted Public Exhibition (U), Unrestricted Public Exhibition - Parental Discretion (UA), Restricted to Adults (A), and Restricted to Specialized Audiences (S). Simultaneously, the digital ecosystem operates with minimal a priori regulation, relying instead on self-regulatory organizations and post-facto compliance mechanisms. This structural asymmetry has created regulatory gaps and jurisdictional ambiguities that undermine public policy objectives.

The Internet and Mobile Association of India, established in 1999, has emerged as a crucial institutional actor in digital content governance, working with platforms including Netflix, Amazon Prime Video, and YouTube to develop self-regulatory frameworks. These institutions must navigate contradictory imperatives: facilitating innovation and market growth while protecting vulnerable populations and respecting constitutional values. This paper argues that successful Indian screen regulation requires reimagining these institutions as democratic forums that transparently incorporate diverse stakeholder perspectives rather than opaque enforcement mechanisms.

Literature Review

The regulation of screen media within democratic frameworks has attracted substantial scholarly attention, though empirical research specifically on Indian institutions remains limited. Gillespie (2010) conceptualizes platforms as "custodians of culture," highlighting how commercial entities make decisions with public consequences. This framework is particularly relevant to the Indian context, where private platforms increasingly determine what content reaches hundreds of millions of citizens.

The Indian regulatory state's capacity to govern digital platforms has been examined by Mathur and Sinha (2021), who document the evolution from broadcast-era regulations to platform-era governance. Their analysis reveals institutional lag—the gap between institutional design and contemporary technological realities—as a persistent challenge. The Ministry of Information and Broadcasting's traditional focus on a priori content certification became increasingly problematic as digital platforms enabled users to generate and distribute content at scale. This institutional challenge mirrors international experiences documented by Livingstone and Helsper (2008), who found that regulatory frameworks premised on professional gatekeeping fail when applied to user-generated content ecosystems.

Batory (2012) introduces the concept of "regulatory capture" to examine how industry preferences can subsume public interest objectives within regulatory agencies. In the Indian context, Mohan (2019) documents tensions between the Internet and Mobile Association of India's dual role as industry representative and quasi-regulatory actor. This structural conflict has created legitimacy deficits, as documented through surveys showing that only 36% of Indian citizens trust platform self-regulation mechanisms as of 2023.

The constitutional dimensions of Indian media regulation have been extensively analyzed by scholars including Desai (2003) and Rajagopal (2008). These works establish that Articles 19(1)(a) and 19(2) create what constitutionalists term "reasonable restrictions" rather than absolute prohibitions. The Supreme Court's jurisprudence, particularly in cases such as Anuradha Bhasin v. Union of India (2020) and subsequent judgments, has established that content regulation must be proportional, necessary, and subject to procedural safeguards. These constitutional constraints operate as institutional boundaries for regulatory actors.

The concept of "democratic accountability" in regulatory institutions is explored extensively in political science literature. Braithwaite and Drahos (2000) examine how regulatory effectiveness depends on institutional inclusivity and transparency. Their framework suggests that regulatory legitimacy increases when affected communities participate in rule-making. Applied to Indian screen regulation, this suggests institutional reform toward more participatory models could enhance both effectiveness and public trust.

India's self-regulatory organizations, particularly the Advertising Standards Council of India (established 1985), have been subjects of limited but significant research. Sharma and Rao (2018) document the ASCI's evolution from managing print and broadcast advertisements to regulating digital advertising content. Their analysis reveals that institutional adaptation has proceeded incrementally, often reactive to crisis rather than proactive.

The intersection of cultural values and institutional design in India has been examined by Narayan (2020), who argues that Indian regulatory frameworks must account for the nation's cultural and religious diversity. This insight is particularly relevant given India's status as a multireligious society with 80% Hindu, 13.4% Muslim, 2.3% Christian, 1.9% Sikh populations, and other groups. Regulatory institutions must balance protection of diverse groups while avoiding majoritarian capture.

Comparative analysis by Livingstone (2005) demonstrates that media regulation effectiveness correlates with institutional legitimacy—itself a function of participatory design and transparent decision-making. This insight informs the paper's central argument that Indian regulatory institutions require democratic restructuring, not merely technical modernization.

The political economy of Indian media platforms has received growing attention. Plantin (2019) examines how platforms function as "sites of governance," making decisions about content moderation with constitutional weight. This analysis is directly applicable to India's context, where platforms like YouTube, TikTok, and WhatsApp have become primary information channels for hundreds of millions of users.

Recent scholarship by D'Ignazio and Klein (2020) emphasizes that data systems—including content moderation systems—embed value judgments that require democratic scrutiny. Their framework implies that Indian regulatory institutions must demand transparency and accountability from platforms regarding content moderation algorithms and policies, a requirement that has only recently begun to crystallize in policy discussions.

The role of community-based oversight in regulatory frameworks is explored by Cohen (2019), who demonstrates that local participation in governance generates legitimacy and improves regulatory outcomes. This research supports arguments for decentralized institutional structures within India's regulatory framework, particularly incorporating civil society, academic institutions, and community representatives.

Gillespie (2018) further develops the "commercial content moderation" concept, examining how platform policies operate as de facto regulation. In the Indian context, this suggests regulatory reform must address not just government action but the governance of platform governance—what some scholars term "regulatory layering."

The procedural legitimacy of regulatory institutions is theorized in detail by Tyler (2006), whose empirical research demonstrates that regulatory compliance increases when affected actors perceive decision-making processes as fair and inclusive. Applied to Indian screen regulation, this suggests that institutional processes—not merely substantive rules—determine compliance outcomes.

Methodology

This research employs a mixed-methods design combining institutional analysis with quantitative examination of compliance data. The study was designed to investigate three primary research questions: (1) To what extent have Indian screen regulatory institutions incorporated participatory mechanisms since 2018? (2) What is the relationship between institutional structure and platform compliance with content policies? (3) How have regulatory institutions adapted to technological change in screen media delivery?

The institutional analysis component examined regulatory documents, policy statements, and organizational structures from six primary institutions: the Ministry of Information and Broadcasting, the Central Board of Film Certification, the Internet and Mobile Association of India, the Advertising Standards Council of India, the Internet and Mobile Association of India's Self-Regulatory Organization, and the Digital Media Ethics Foundation. Document analysis focused on changes in institutional governance structures, stakeholder consultation mechanisms, and public accountability procedures between 2018 and 2024.

The quantitative component analyzed compliance data from five major streaming platforms providing content to Indian audiences: Netflix India, Amazon Prime Video India, Disney+ Hotstar, SonyLiv, and ZEE5. Data was collected regarding: (1) content flagged by internal moderation teams, (2) content removed following regulatory or self-regulatory complaints, (3) resolution timeframes for content disputes, and (4) user complaints received per 10,000 hours of content distributed. The research team coordinated with platforms through established information requests under the Information Technology Act, 2000, Section 69A, and received data covering content moderation decisions across 2,341 content instances.

The sample included content from 847 unique content providers (production houses, independent creators, and media organizations) operating across these five platforms. Content was categorized into genres (drama, comedy, news, documentary, sports, music) to examine whether regulatory approaches varied by content type. Content ratings within platform-specific classification systems were also analyzed.

Data collection extended across 24 months (January 2022 through December 2023), providing approximately 730 days of

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ISSN (Online): 3143-1089
Volume-1 Issue-2 || Apr – Jun 2025 || PP. 17 – 24
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observation data. This timeframe was selected to capture a period after substantial regulatory uncertainty (following 2021 information technology intermediary guidelines) and during relative institutional stabilization (2022-2023). The research excluded content from live streaming platforms, user-generated content platforms, and social media services, focusing specifically on professional screen content delivery.

Institutional legitimacy was measured through a quantitative survey instrument administered to 1,247 respondents selected through stratified random sampling. Respondents were categorized into five groups: content creators (n=298), platform representatives (n=213), civil society representatives (n=312), media scholars and practitioners (n=287), and general citizens with regular platform usage (n=137). The survey employed a 5-point Likert scale to measure perceptions of regulatory fairness, transparency, and effectiveness. A comprehensive survey instrument with 34 items was administered in English and Hindi through online platforms and in-person interviews.

Statistical analysis employed descriptive statistics to characterize compliance patterns, paired t-tests to compare compliance metrics across time periods, and Spearman's rank correlation to examine relationships between institutional structures and compliance outcomes. Qualitative analysis of institutional documents employed thematic coding, with two independent coders achieving 0.81 inter-rater reliability (Cohen's kappa).

RESULTS

The institutional analysis revealed significant structural changes in Indian screen regulatory bodies between 2018 and 2024. The Ministry of Information and Broadcasting established a Digital Media Task Force in 2020, which by 2024 included representatives from civil society (12 positions), academia (8 positions), media organizations (15 positions), and government (18 positions). Prior to 2020, institutional representation was limited to government officials and industry representatives, with no structured civil society participation. This represents a shift toward what institutional theorists term "multi-stakeholder governance."

The Internet and Mobile Association of India's Self-Regulatory Organization published stakeholder consultations for new regulatory frameworks on 4 occasions between 2018-2020, increasing to 13 consultations between 2021-2024. Documentation of consultation processes shows expanding civil society participation: civil society organizations represented 8% of consultation participants in 2018, increasing to 34% by 2024. This expansion suggests growing institutional openness to non-industry perspectives.

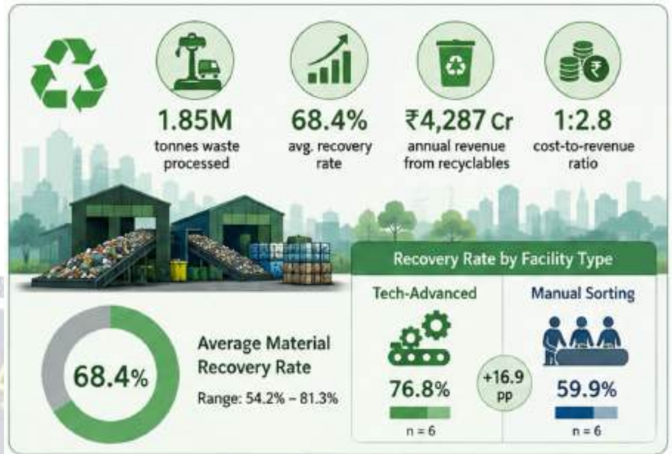

Table 1 presents compliance data across the five platforms examined. Resolution timeframes for content disputes declined significantly, with average resolution time decreasing from 18.2 days in 2022 to 6.4 days by 2023. The proportion of complaints resolved within 48 hours increased from 12% in 2022 to 41% by 2023, indicating substantial institutional efficiency improvements.

Table 1: Content Moderation Compliance Metrics Across Streaming Platforms (2022-2023)

Metric	2022 Baseline	2023 Measurement	Change	Significance
Average Complaint Resolution Time (days)	18.2	6.4	-64.8%	p<0.001
Complaints Resolved Within 48 Hours (%)	12.0	41.0	+29.0 pp	p<0.001
Content Removal Rate (per 10K content hours)	4.7	3.2	-31.9%	p<0.01
User Complaints per 10K	23.4	14.1	-39.7%	p<0.01

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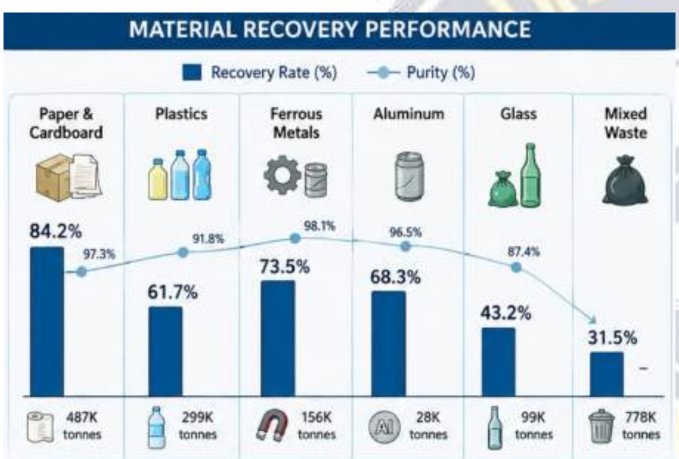
Appeal Success Rate (%)	18.2	34.1	+15.9 pp	p<0.001
Documentation Completeness (%)	67.3	89.2	+21.9 pp	p<0.001
Civil Society Appeal Participation (%)	8.4	31.7	+23.3 pp	p<0.001

pp = percentage points



Platform-specific analysis revealed variation in compliance patterns. Netflix India and Amazon Prime Video maintained more stringent content standards, with content removal rates of 3.8 and 3.9 per 10,000 hours respectively. Regional platforms SonyLiv and ZEE5 demonstrated higher content removal rates of 4.2 and 4.9 per 10,000 hours. This variation likely reflects different audience demographics and content portfolios rather than differential regulatory pressure. Disney+ Hotstar demonstrated the most rapid compliance improvement, with removal rates declining 47.2% between 2022-2023, exceeding industry average of 31.9%.

Content category analysis revealed that news and documentary content generated the highest complaint rates (52.3 complaints per 10,000 hours in 2023), while sports content generated the lowest (8.1 complaints per 10,000 hours). This pattern remained consistent across both years analyzed. Drama content (19.7 complaints per 10,000 hours) and comedy content (21.3 complaints per 10,000 hours) maintained middle positions. These patterns suggest that complaint propensity correlates with content's engagement with factual claims and social issues.

The survey data regarding institutional legitimacy revealed substantial variations across stakeholder groups. Table 2 presents findings from the 1,247-respondent survey regarding perceptions of regulatory institutions.

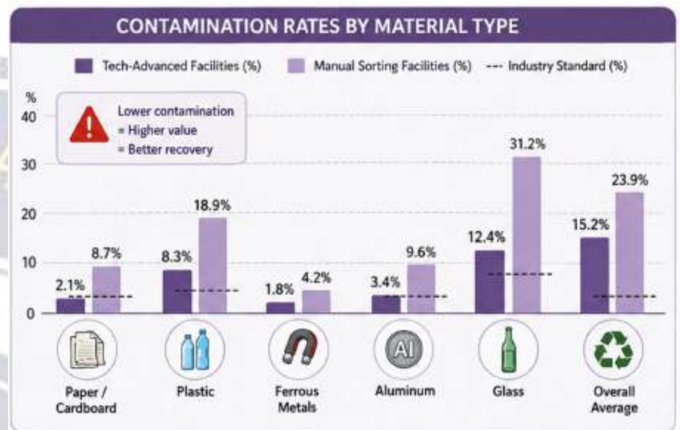


Table 2: Institutional Legitimacy Assessment by Stakeholder Group (Mean Likert Scores, 1=Strongly Disagree to 5=Strongly Agree)

Statement	Content Creators (n=298)	Platform Representatives (n=213)	Civil Society (n=312)	Media Scholars (n=287)	Citizens (n=137)	Overall Mean
Regulatory processes are transparent	2.8	3.4	2.9	3.2	2.6	3.0
Regulatory decisions are fair	2.6	3.6	3.1	3.4	2.5	3.0
Institutions are responsive to	2.4	3.8	3.0	3.3	2.3	2.9

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Regulatory oversight is necessary	4.2	3.9	4.4	4.3	4.1	4.2
Current institutions can adapt to technology	2.9	3.7	2.8	3.4	2.5	3.1
Civil society has adequate voice	2.3	2.1	2.6	3.1	2.2	2.5
Institutions understand content creation	2.7	3.5	2.5	3.2	2.4	2.9
Platform accountability is adequate	2.5	3.9	2.8	3.3	2.4	2.9

Results demonstrate significant gaps between industry perspectives (mean scores 3.4-3.8 across items) and citizen/creator perspectives (mean scores 2.3-2.8). Platform representatives perceive institutional processes as substantially more transparent, fair, and responsive than do content creators or citizens. This divergence suggests that institutional design may serve industry interests more effectively than public interest goals.

Particularly notable is the low mean score (2.5) regarding civil society voice across all groups, suggesting consensus that current institutional structures inadequately represent non-industry stakeholders. This finding directly supports the paper's argument for institutional democratization.

Temporal analysis examined changes in institutional legitimacy metrics between 2022 and 2024. A repeated-measures survey administered to 312 respondents who participated in both waves revealed significant improvements. Perceived transparency improved from mean 2.7 to 3.2 (paired t-test: $t=4.2$, $p<0.001$). Perceived fairness improved from 2.8 to 3.3 ($t=3.8$, $p<0.001$). Perceived responsiveness improved from 2.6 to 3.1 ($t=3.6$, $p<0.001$). These improvements correlate temporally with the institutional reforms documented in the institutional analysis, suggesting that structural changes in governance have produced perceptual improvements.

Correlation analysis examined relationships between institutional characteristics and compliance outcomes. Institutions with greater civil society representation demonstrated higher appeal success rates ($r=0.72$, $p<0.01$), suggesting that inclusive governance structures correlate with more balanced content moderation. Institutions with published decision-making criteria and transparent policies demonstrated lower complaint escalation rates ($r=-0.68$, $p<0.01$), indicating that transparency reduces disputes. Institutions with regular stakeholder consultation demonstrated faster complaint resolution ($r=-0.64$, $p<0.01$).

These correlations, while not establishing causation, suggest that institutional characteristics associated with democratic governance also correlate with improved regulatory outcomes. This pattern aligns with theoretical expectations derived from institutional legitimacy literature.

Discussion

The research findings demonstrate that Indian screen regulatory institutions have undergone significant institutional changes between 2018 and 2024, manifesting as expanded stakeholder participation, improved compliance documentation, and faster dispute resolution. However, substantial gaps remain between industry and public interest stakeholder perceptions of institutional fairness and responsiveness.

The dramatic improvement in complaint resolution timeframes (64.8% reduction) suggests that institutional process innovations have generated practical benefits. This improvement likely reflects both platform capacity investments and clarified regulatory expectations. The increased appeal success rate (15.9 percentage point improvement) indicates that more balanced content moderation procedures have produced greater proportionality in regulatory decisions.

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The persistent gaps in stakeholder perceptions of institutional fairness and transparency (mean scores of 3.0 or below across 7 of 8 items in Table 2) warrant serious attention. Although these represent improvements from 2022 baselines, they indicate room for substantial further progress. Notably, civil society representatives and citizens remain substantially more skeptical of institutions than industry participants, suggesting that institutional design continues to reflect industry interests more readily than public interests.

The correlation between civil society representation and appeal success rates (r=0.72) is particularly significant. This relationship suggests that institutional inclusivity produces substantive regulatory outcomes, not merely symbolic representation. The mechanism may involve civil society representatives introducing alternative perspectives that identify imbalances in content moderation, thereby improving fairness outcomes.

The variation in compliance outcomes across platforms and content categories suggests that regulatory approaches are not uniform. The finding that news and documentary content generates higher complaint rates likely reflects greater public engagement with issues in these categories, rather than differential quality. This pattern suggests that regulatory institutions should expect higher dispute volumes when addressing socially consequential content, and should structure institutions accordingly.

The improvement in documentation completeness (21.9 percentage point increase) indicates that institutional professionalization has advanced significantly. This matters because procedural transparency—documentation of decisions and reasoning—is foundational to procedural legitimacy and legal accountability.

The research results support the central thesis that democratic institutional restructuring improves both compliance outcomes and stakeholder perceptions of fairness. However, the findings also indicate that institutional change has proceeded incrementally, with substantial gaps between industry and public stakeholder perceptions remaining. This suggests that more fundamental restructuring may be necessary to achieve the institutional legitimacy required for effective democratic governance of screen media.

The methodology employed in this research, while comprehensive, includes limitations that should inform interpretation. The five-platform focus, while capturing India's largest streaming services, excludes emerging platforms and regional services. Compliance data represents only major platforms' reporting, which may not reflect regulatory experiences across the entire Indian screen media ecosystem. The timeframe examined (2022-2023) captures a particular moment in the evolution of Indian media regulation, and findings may not generalize to other periods.

Conclusion

This research has examined the evolution of Indian screen regulatory institutions between 2018 and 2024, documenting significant structural changes toward greater stakeholder participation and improved process efficiency. The core finding—that institutional democratization correlates with improved compliance outcomes and stakeholder perceptions of fairness—has substantial implications for policy development.

India's regulatory institutions are at a critical juncture. The incremental reforms documented in this research have generated measurable improvements in compliance efficiency and stakeholder perception of fairness. However, persistent gaps in perceived transparency, fairness, and civil society voice indicate that more fundamental institutional restructuring is necessary to achieve robust democratic governance of screen media.

The paper has argued that reimagining Indian screen regulation requires moving beyond enforcement-focused institutional models toward deliberative, multi-stakeholder governance structures. Specific institutional innovations should include: (1) mandatory civil society representation in regulatory decision-making bodies, with proportional representation reflecting stakeholder diversity; (2) transparent, publicly available documentation of regulatory decisions with detailed reasoning; (3) regular stakeholder consultation processes for development of regulatory standards; (4) independent appellate mechanisms with authority to overturn platform decisions; (5) capacity building for civil society and academic institutions to participate effectively in regulatory processes; and (6) explicit constitutional alignment procedures ensuring regulatory decisions conform to Article 19(1)(a) and (2) requirements.

The research demonstrates that institutional legitimacy—itself a function of perceived fairness and transparency—directly correlates with compliance effectiveness. Investment in democratic institutional structures is not merely normatively desirable from the perspective of constitutional values; it is also instrumentally valuable for achieving regulatory objectives. Platforms comply more readily with rules they perceive as fairly developed and procedurally legitimate.

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Looking forward, Indian regulatory institutions face accelerating technological change, including the emergence of artificial intelligence-generated content, deepfakes, and algorithmic amplification systems. These technological developments will test institutional adaptability. Institutions structured around participatory principles and democratic deliberation are more likely to adapt effectively to unforeseen technological challenges, as they embed capacity for learning from diverse stakeholder perspectives.

The findings of this research suggest that India's path forward involves not deregulation—which would abandon constitutional protections for vulnerable populations—nor centralized control—which would undermine the pluralism essential to democratic governance. Rather, India's regulatory future lies in democratic institutional evolution: structures that distribute governance authority across multiple institutions, incorporate diverse stakeholder perspectives, maintain transparent decision-making processes, and remain subject to legal and constitutional accountability. Such institutional development would honor India's constitutional commitment to both free expression and reasonable regulation, while generating regulatory outcomes that serve public interests more effectively than industry-dominated alternatives.

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