

Digital competition law: Local industry pitches for ringfencing from Big Tech

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Domestic industry stakeholders on Tuesday pitched for a comprehensive legal framework to protect them from any anti-competitive conduct of Big Tech in the booming digital markets.

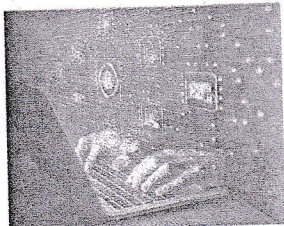
At a consultative meeting convened by the Ministry of Electronics and Information Technology (MeitY), various industry segments came up with mixed views on whether the proposed Digital Competition Bill should encompass an EU-like ex-ante framework to regulate the large systemically important digital players.

Tuesday's meeting was chaired by MeitY Secretary S Krishnan and attended by representatives of the Competition Commission of India (CCI) and the Ministry of Corporate Affairs (MCA).

MeitY is likely to prepare a note following today's deliberations and send it to the MCA for further action, sources said.

BIG TECH SKIPS

Industry associations that participated in the meeting include the Internet and Mobile Association of India (IAMAI), the Federation of Indian Fantasy Sports, CCAOI, the Digital News Publishers Association (DNPA), and the Alliance of Di-



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gital India Foundation (ADIF). No one from the Big Tech attended the meeting.

ANOTHER MEET TODAY

Further, MeitY will, on Wednesday, hold one more round of discussions with various think tanks on the draft Digital Competition Bill, sources said.

Tuesday's meeting assumes significance as it was convened at the behest of the Prime Minister's Office after several startups approached it seeking a strong legal framework to address what they called the anti-competitive conduct of Big Tech.

Big Tech are opposed to introduction of any ex-ante framework under the DCB as it could have a negative effect on innovation and investments. However, the start-up community largely favours the DCB as it will create a level playing field for them in the digital ecosystem. Prateek Jain, Associate

Director - Startup and Alliances, ADIF, said the proposed Digital Competition Law is a visionary step that will cement India's position as a global leader in the digital economy.

PUBLISHERS UNHAPPY

Digital news publishers, who also favour an ex-ante approach to regulation of digital markets, are aggrieved as the Digital Competition Bill is silent on the much-awaited Bargaining Guidelines or Code that would give them a better negotiating position with Big Tech and ensure fair share of revenues from digital advertising.

The MCA, the nodal Ministry driving the deliberations on DCL had set up a 16-member Committee on Digital Competition Law, and had fixed May 15 as the last date for sending comments on the report of CDCL as also the draft Bill prepared by this committee.

The DCB proposes an ex-ante law for digital markets to regulate enterprises that have a significant presence in India. The ex-ante measures in the form of the DCB was intended to complement the ex-post framework under the Competition Act, 2002.

The MCA is understood to have received mixed views on the CDCL and the draft DCB from players in the digital sector.