



CUTS Centre for Competition, Investment & Economic Regulation

Publications Digest • 2014

*CUTS Centre for Competition, Investment & Economic Regulation
(CUTS CCIER) produces this document for informing the relevant
stakeholders its major publications in 2014*



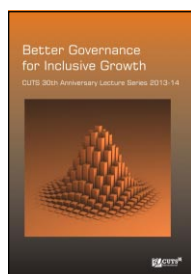
BOOK

Better Governance for Inclusive Growth CUTS 30th Anniversary Lecture Series 2013-2014

To mark its 30th Anniversary, CUTS International organised a series of lectures around the world (2013-2014), engaging eminent scholars and practitioners with the topics of its interest and work on Trade, Regulations and Governance. This Lecture Series examined whether the resources are adequate in meeting contemporary and emerging development challenges; is political will lacking and why it may be so and what are the macro-micro gaps in addressing development challenges and how they may be bridged.

The volume not only covered views/concerns of non-state actors on contemporary issues in development discourse but also provides a much needed direction to strengthen the state and civil society relationship through historical evidence, and not just views.

[www.cuts-international.org/
30thAnniversaryLectures/pdf/
Better_Governance_for_Inclusive_Growth.pdf](http://www.cuts-international.org/30thAnniversaryLectures/pdf/Better_Governance_for_Inclusive_Growth.pdf)



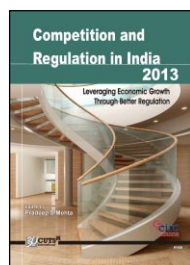
RESEARCH REPORTS

Competition and Regulation in India, 2013 – Leveraging Economic Growth Through Better Regulation

This is fourth and latest report in the series of biennial reports that cover the state of competition and regulation in select economic and social sectors in India. This report focusses on private sector-led finance and healthcare, and the public sector-led railways and coal sectors, in addition to dealing with the issues such as regulatory independence and regulatory conflicts.

The report highlights that while designing a regulator, the environment and the political-economy factors in which such regulators have to operate, must be taken into account. In addition, consumers must be centrepiece of economic regulation, and regulation must ensure competitive neutrality between the public and private sector.

[www.cuts-ccier.org/ICRR2013/pdf/
Competition_and_Regulation_in_India-
2013_Leveraging_Economic_Growth_Through_Better_
Regulation.pdf](http://www.cuts-ccier.org/ICRR2013/pdf/Competition_and_Regulation_in_India-2013_Leveraging_Economic_Growth_Through_Better_Regulation.pdf)



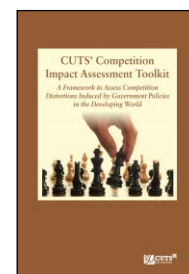
CUTS' Competition Impact Assessment Toolkit: A Framework to Assess Competition Distortions Induced by Government Policies

Due to the anticompetitive outcomes in the formulation and implementation of many government policies, there is a need to scrutinise and assess them on the touchstone of competition and the impediments they are likely to cause to the market process.

The toolkits devised earlier by countries and institutions are indeed useful in this respect. While the Competition Assessment Framework devised by DFID is a market study, the Competition Assessment Toolkit of the OECD assesses the impact of government policies on competition.

The CUTS Toolkit is a complement to the previous ones as it focuses on competition distortions caused by government policies based on additional elements of competition principles

[www.cuts-ccier.org/compeg/pdf/
CUTS_Competition_Impact_Assessment_Toolkit-
A_Framework_to_Assess_Competition_Distortions_Induced_by_
Government_Policies_in_the_Developing_World.pdf](http://www.cuts-ccier.org/compeg/pdf/CUTS_Competition_Impact_Assessment_Toolkit-A_Framework_to_Assess_Competition_Distortions_Induced_by_Government_Policies_in_the_Developing_World.pdf)



DISCUSSION PAPER

Enabling Investment Climate for Energy Sources: Focus on Sustainable Energy in Eastern and Southern Africa

Electricity is a fuel for economic development. However, several countries in Eastern and Southern Africa (ESA) are lagging far behind in meeting the minimum electricity requirements of its citizens.

This Discussion Paper looks into sustainable models of electricity infrastructure development pattern in a few selected countries of ESA. The purpose is also to help develop the basis for CUTS intervention in facilitating a multi-stakeholder-led process for reviewing country/regional approaches towards development of the electricity sector in ESA.

[www.cuts-ccier.org/pdf/
Enabling_Investment_Climate_for_Energy_Sources-
Focus_on_Sustainable_Energy_in_Eastern_and_Southern_Africa.pdf](http://www.cuts-ccier.org/pdf/Enabling_Investment_Climate_for_Energy_Sources-Focus_on_Sustainable_Energy_in_Eastern_and_Southern_Africa.pdf)



BRIEFS

Competition and Regulatory Issues in the Railway Sector in India

The Indian railways form an integral part of the transport sector and its growth, efficiency and competitiveness are essential for the rapid growth of the sector *vis-à-vis* the economy. However, recent statistics have reflected a negative growth of the monopolistic railway sector.

This Briefing Paper aims to provide an overall understanding of the railway sector and suggestions to revamp it in an inclusive and sustainable manner. Tools such as separation of powers, injection of competition and setting up of a regulator have been advocated herein as important measures to ensure an overall growth in the sector.

[www.cuts-ccier.org/pdf/
Competition_and_Regulatory_Issues_in_the_Railway_Sector_in_India.pdf](http://www.cuts-ccier.org/pdf/Competition_and_Regulatory_Issues_in_the_Railway_Sector_in_India.pdf)



Financial Regulation in India after the Crisis

After around half a decade of the financial crisis, economies across the world have started implementing reforms in financial sector regulation, on the basis of experiences and lessons learnt from the crisis. It is thus necessary to examine if India's financial regulators have learned any lessons from the crisis, and if any reforms have been introduced to avoid such crisis in the future. The Briefing Paper attempts to find an answer to this question, while analysing select policies pertaining to competition and consumer protection in areas of banking, non-banking financial companies (NBFCs) and insurance.

www.cuts-ccier.org/icrr2013/PDF/Financial_Regulation_in_India_after_the_Crisis.pdf



Regulatory Performance Independence and Competence Matters

Independent regulators insulate economic decision making from political control and contribute towards a consistent and rational policy environment that provides a level playing field to competitors and reduces regulatory uncertainty amongst private investors. However, to be truly independent from the government, not only must the regulator be an independent statutory authority, but also be financially and administratively independent from the government. This Briefing Paper makes an attempt to provide an overview of India's current scenario on the level of functional independence of regulators and presents the reason for its failure with a way forward.

www.cuts-ccier.org/icrr2013/pdf/Regulatory_Performance-Independence_and_Competence_Matters.pdf



Rooftop Technology for Power Generation in India Issues and Challenges

India faces acute shortage of energy, with a proportion of population living without access to electricity. The bulk of the responsibility for fulfilling the energy demands of the nation has been on non-renewable sources which are plagued with issues of supply and irreparable damage caused to the environment. Thus, the focus on renewable energy sources is increasing. This Briefing Paper aims to provide an overall understanding of the rooftop photovoltaic solar technology and its possible role in addressing the issue of energy security in India. It discusses policies in place in India at the Central and state-level and also the potential challenges in large scale adoption of this technology.

www.cuts-ccier.org/pdf/Rooftop_Technology_for_Power_Generation_in_India_Issues_and_Challenges.pdf



POLICY OPTIONS NOTE

The new Land Acquisition Act comes into force

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act), came in force from January 01, 2014, pursuant to a Gazette notification by the Ministry of Rural Development, Government of India. Draft rules under the Act were published on December 31, 2013, and comments were invited within one month. The rules include provisions for social impact assessment and consent requirements. CUTS have been tracking the development of the Act since its inception and have kept the stakeholders updated through its various online publications. This Policy Options Note offers brief critique of key provisions of the Act and suggests possible alternatives.

www.cuts-ccier.org/pdf/The_New_Land_Acquisition_Act_Comes_into_Force.pdf



Rethinking the Role of Planning Commission of India

The Planning Commission of India (Commission), India's central plan body, has been in the eye of storm for quite some time now. It has been accused of ignoring the concerns of states while formulating plans, functioning sans accountability, and proving to be a roadblock in the path of federalism. This Policy Options Note attempts to track growth of the Commission, since its conception, and probe into some such concerns. It concludes with providing ideas to revamp the Commission to suit the needs of modern Indian economy, while taking into account institutional knowledge accumulated by the Commission, over a considerable period of time.

www.cuts-ccier.org/pdf/Rethinking_the_Role_of_Planning_Commission_of_India.pdf



The Dilemma of Interlinking Indian Rivers

The proposed scheme of Interlinking Indian rivers has taken the centre stage because of the social and economic impacts expected to be delivered, once implemented. Proponents speak about achieving food security, economic prosperity, while opponents claim that there will be serious disadvantages of the project in relation to the environment and others. This Policy Options Note makes an attempt to raise the issue of inefficient governance structure and policy imbalance in the water sector, which might hamper the successful implementation of the scheme.

www.cuts-ccier.org/pdf/The_Dilemma_of_Interlinking_Indian_Rivers.pdf



BILL BLOW-UPS

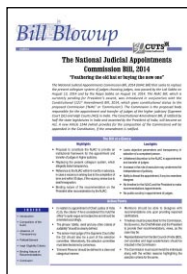
The National Judicial Appointments Commission Bill, 2014: *Feathering the old hat or buying the new one*

The National Judicial Appointments Commission Bill, 2014 (NJAC Bill) that seeks to replace the present collegium system of choosing judges, was passed by the Lok Sabha on August 13, 2014 and by the Rajya Sabha on August 14, 2014. The NJAC Bill was introduced in conjunction with the Constitutional (121st Amendment) Bill, 2014, which gives constitutional status to the proposed Commission (NJAC or Commission).

The Constitutional Amendment Bill, if ratified by half the state legislatures in India and assented by the President of India, will become an Act.

www.cuts-ccier.org/pdf/

[The_National_Judicial_Appointments_Commission_Bill_2014.pdf](http://www.cuts-ccier.org/pdf/The_National_Judicial_Appointments_Commission_Bill_2014.pdf)



The Real Estate (Regulation and Development) Bill, 2013

The Real Estate (Regulation and Development) Bill, 2013 (the Bill) seeks to regulate transactions between buyers and sellers in the residential real estate sector to ensure consumer protection and standardisation of business practices.

The Bill provides for establishment of the state-level regulatory authorities called the Real Estate Regulatory Authority (RERA) to register residential real estate projects for regulation and promotion of the real estate sector. It seeks to ensure sale of a plot, apartment or a building in an efficient and transparent manner and to protect the interests of consumers in real estate sector.

www.parfore.in/pdf/

[The_Real_Estate_\(Regulation_and_Development\)_Bill-2013.pdf](http://www.parfore.in/pdf/The_Real_Estate_(Regulation_and_Development)_Bill-2013.pdf)



NEWSLETTERS/E-NEWSLETTERS

ReguLetter

This is a quarterly flagship newsletter published by CUTS CCIER. The objective is to create awareness among the stakeholders, particularly the civil society organisations, who in turn lobby at national, regional and international level, on the issues related to competition and consumer welfare. It focuses on news, views and policies related to corporate restructuring, regulations of utilities and finances, corporate governance etc. of different countries, with focus on developing nations. Special dedicated sections showcase issues and cases thwarting competition in countries across the globe providing readers an insight into the competition scenario therein.

www.cuts-ccier.org/reguletter.htm



PolicyWatch

This is a quarterly newsletter published by CUTS CCIER. The objective is to report on policy and regulatory developments in India with the objective of informing people. This newsletter is primarily meant for Indian readers, dealing with various economic policy issues. It covers developments on policy responses, implementation and distortions. Special dedicated sections such as Good Practices, Viewpoint, and Discussion Topic raise several interesting and relevant issues drawing attention towards their implications and impact.

www.cuts-ccier.org/pw-index.htm



CUTS CCIER Activity Report

This quarterly report summarises major activities undertaken by the Centre during the period. This document referred to as 'CCIER Activity Report' provides a quick overview of the various operations of the Centre and corresponding outputs/outcomes.

www.cuts-ccier.org/CCIER_Activities.htm



CCI WATCH

The role of the Competition Commission of India is very crucial for effective competition amongst the market players. CCI's imposition of heavy penalties and probe into sectors such as real estate, entertainment, cement, petroleum, steel, travel industry, healthcare, education, etc. have kept CCI in the limelight since past three years. The aim of CCI Watch is to review and highlight the performance of CCI through the lens of media.

www.cuts-ccier.org/CCI_Watch.htm

DOSSIER

Competition Distortions in India

This quarterly dossier looks at the interface of policy issues which have an impact on competition in India and which can be both negative and positive. The purpose is to flag issues to the layman as well as to the policymakers and regulators, rather than being judgmental.

www.cuts-ccier.org/Competition_Distortions_India.htm

For further information, please contact:

Udai S Mehta

Director & Centre Head

usm@cuts.org; 098292 85926

Ashutosh Soni

Programme Officer

ash@cuts.org; 099501 77012

