



CUTS Centre for Competition, Investment & Economic Regulation

Publications Digest • 2018

*CUTS Centre for Competition, Investment & Economic Regulation
(CUTS CCIER) produces this document for informing the relevant
stakeholders its major publications in 2018*



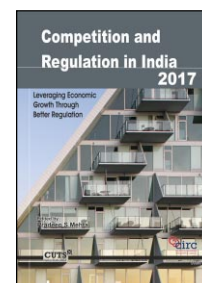
REPORTS

Competition and Regulation in India 2017***Leveraging Economic Growth Through Better Regulation***

CUTS in association with CUTS Institute for Regulation & Competition (CIRC), has been publishing biennial reports on the state of competition and regulation in India. The reports are designed to undertake reviews of level of competition and regulation to assess functioning of markets in the country. Five reports (2007, 2009, 2011, 2013 and 2015) have been published till date.

The 2017 report, released in March 2018, deals with IPR-Competition interface as well as optimal regulation, which are necessary for achieving Sustainable Development Goals (SDGs) through innovation. The report covers areas, such as agriculture marketing, GM cotton seeds, Information and Communications Technology and Department of Financial Services. A chapter is also devoted on how competition policy can help achieving SDGs.

www.cuts-ccier.org/icrr2017/pdf/Report-ICRR2017.pdf

**Digital Payments: Level the Playing Field to Leverage the Potential*****– Competing with Cash in Retail Payments***

The digital payments sector in India is facing tectonic shifts. Entities with divergent business models, subject to diverse regulations, are competing for a pie in the market share. This report takes a stock of the existing business models in the digital payments sectors and reviews the applicable regulatory framework to such business models. The objective is to ascertain if level playing field exists for the market players in the sector to compete efficiently.

The report takes a step further and analyses reasons for lack of level playing field in the sector, highlights adverse impacts of such situation on consumer welfare. The report concludes with providing specific recommendations to level the playing field for leveraging the potential of digital payments in the sector.

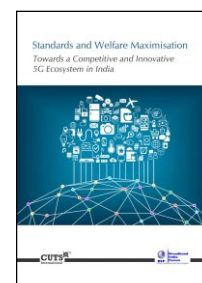
www.cuts-ccier.org/Payments-Infrastructure/pdf/Research_Report-Competition_assessment_of_payments_infra_in_India.pdf

**Standards and Welfare Maximisation*****Towards a Competitive and Innovative 5G Ecosystem in India***

Standardisation bodies, such as the 3GPP and ITU have been hard at work over the last few years in an attempt to codify the requirements and eventual construct of an ideal 5G ecosystem. At the core of such exercises is the well-founded belief that appropriately designed standardisation strategies will significantly support and accelerate the development and implementation of 5G networks.

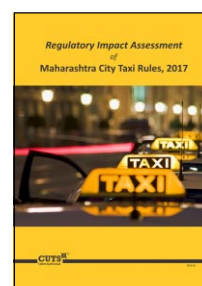
The report establishes the context and illustrates the importance of telecommunications, in general, and 5G in particular; presents a literature review of the theory and economic impacts of standardisation; and recommendations vis-à-vis creation of an overarching robust innovation and competition-friendly ecosystem which could help building and leveraging the core technological capacities of Indian firms and start-ups.

www.cuts-ccier.org/pdf/Standards_and_Welfare_Maximisation_Towards_a_Competitive_and_Innovative5G_Ecosystem_in_India.pdf

**Regulatory Impact Assessment of Maharashtra City Taxi Rules, 2017**

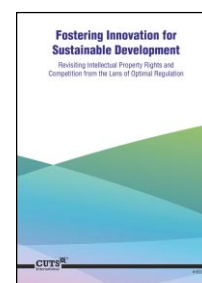
This study provides a glimpse of the unintended consequences of regulations which do not follow a transparent and structured process to assess costs and benefits of the regulatory proposals. The study points out that despite good intentions of retaining the benefits of innovation and technology in urban mobility sector and creating a level playing field between incumbent taxi providers and technology enabled new innovative players, if the Rules come into force, the cost to consumers for daily commute and the cost to the drivers are likely to increase very significantly.

www.cuts-ccier.org/RIA_Maha_City_Taxi_Rules_2017/pdf/Report.pdf

**Fostering Innovation for Sustainable Development: Revisiting Intellectual Property Rights and Competition from the Lens of Optimal Regulation**

This publication is a compendium of select papers from the conference that sheds light on some of the very technical and contentious policy issues that governments face as they try to craft a regulatory framework that fosters innovation and competition while improving consumer and environmental protection. Deliberations at the biennial conference rightly called for governments to intervene in new markets, but only after fully understanding the technology used and its effects on the economy.

www.cuts-ccier.org/5th_Biennial_Conference/pdf/Fostering_Innovation_for_Sustainable_Development.pdf



Regulatory Role and Engagement in Energy Transformation

The report analyses the mandate of select State Electricity Regulatory Commissions (SERCs) to promote renewable energy and energy efficiency as defined in the Central and state legislation and policies, SERCs performance on those mandates, variation across the states and gaps constraining regulator's engagement. The objective is to identify the potential areas of policy and practice reforms so that regulatory role and engagement can be consolidated in India's clean energy transformation.

www.cuts-ccier.org/CET/pdf/Research_Report_on_Regulatory_Role_and_Engagement_in_Energy_Transformation.pdf



Consumer Broadband Labels

Strengthening Disclosure and Transparency of Broadband Services in India

The contemporary world is showing its ever-increasing dependency on internet services. Despite such importance, often consumers do not get the optimal Quality of Service (QoS) and the Quality of Experience (QoE) with respect to wireless and wired broadband services in India. This report summarises global experiences and key recommendations to achieve effective disclosure mechanisms for Indian Broadband users as well as proposes two prototype labels for measuring QoS and QoE.

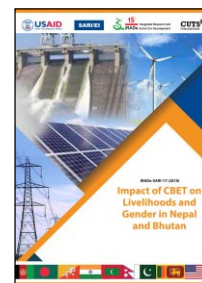
http://cuts-ccier.org/broadbandlabel/pdf/Report_Consumer_Broadband_Label.pdf



Impact of CBET on Livelihoods and Gender in Nepal and Bhutan

The study recommended that to facilitate Cross-Border Electricity Trade (CBET) in the region, governments should promote bilateral/regional agreements and treaties which promote equitable benefits. Moreover, such treaties must safeguard political interest not just at the national or regional level but also at the local level. Such policies backed by political interest will foster private investment which is essential for trade and development.

http://cuts-ccier.org/CBET/pdf/Report-Impact_of_CBET_on_livelihoods_and_Gender_in_Nepal_and_Bhutan.pdf

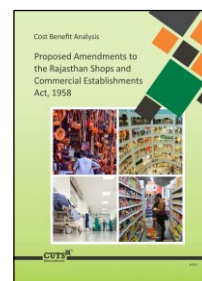


Cost Benefit Analysis

Proposed Amendments to the Rajasthan Shops and Commercial Establishments Act, 1958

This report highlights the findings and recommendations of a rapid assessment of costs and benefits of proposed amendments to the Act conducted by CUTS International, with the support from the World Bank group. The objective of this exercise is to generate awareness among stakeholders about utility of assessment of costs and benefits of regulatory proposals and whet the appetite of the Government of Rajasthan to conduct such assessments in future. For the purpose of the report, key costs and benefits were identified and assessed on the basis of qualitative interactions with and information collected from key stakeholders.

www.cuts-ccier.org/RIA_RajSCE1958/pdf/CBA_of_proposed_amendments_to_RSCE_Act_final.pdf



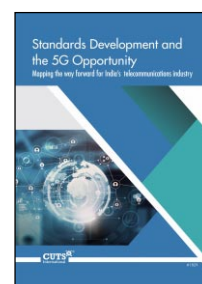
Standards Development and the 5G Opportunity

Mapping the way forward for India's telecommunications industry

Many implementers and manufacturers in India have advocated for the need to regulate licencing of the underlying patented technology of the standard, which takes the form of Standard Essential Patents (SEPs). The primary concern is that after the standard has been set through the collaborative process, licencing of SEPs is prone to abuse by its owners and SEP users are at a competitive disadvantage in the market. Keeping in mind the interests of various stakeholders, and based on various parameters of comparison, the study highlights the relative superiority of collaborative standard setting processes.

Based on this analysis, the report further highlights that instead of mulling sub-optimal regulation of SEPs, there is a need for policymakers and domestic players in India to utilise the collaborative standards development process as a ladder for growth and leverage it fully to compete in the global market.

www.cuts-ccier.org/pdf/Report-Design_in_India_to_Maximize_5G_Opportunities.pdf



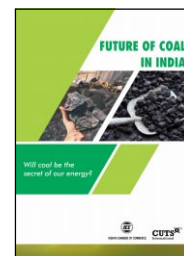
DISCUSSION PAPERS

Future of Coal in India

Will coal be the secret of our energy?

Coal, being an important source of energy generation, remains preferable to India for fueling its economic growth. Approximately, 70 percent of India's electricity generation is dependent on coal. The coal sector has several structural issues and regulatory challenges. The sector is facing numerous issues, such as lukewarm demand, regulatory bottlenecks, technological disruptions and environmental risks. The paper focusses on the 'Future of Coal' and delves deep to understand the structural issues, regulatory challenges, and technology disruptions in the sector.

www.cuts-ccier.org/pdf/Discussion_paper-Future_of_Coal_in_India.pdf



Status of Implementation of Real Estate (Regulation and Development) Act, 2016 in Select States of India

Real Estate (Development and Regulation) Act, 2016 (RERA), a pro-consumer legislation aims to protect the interest of consumers by ensuring accountability, transparency and establishing an adjudicating mechanism for speedy redressal of disputes. The paper highlights the progress made by select four States and a Union Territory with respect to adoption of the Act.

www.cuts-ccier.org/pdf/Status_of_Implementation_of_Real_Estate_Act_2016_in_Select_States_of_India.pdf



VIEWPOINT PAPERS

Regulatory Reforms Needed for Ease of Doing Business: *Learning from the Recommendations of Various Committees*

Despite India's recent leap frogging from the 130th to 100th position in the World Bank's Doing Business Rankings, the country's present business regulatory environment has significant potential to improve. Many committees have undertaken various studies at the instance of the Government to aid the 'Ease of Doing Business (EoDB)' in the country. This Viewpoint Paper aims to provide an insight into the findings of some of these committees by compiling their relevant recommendations aimed to promote 'better regulation'.

www.cuts-ccier.org/pdf/ViewPointPaper-Regulatory_Reforms_Needed_for_Ease_of_Doing_Business_in_India.pdf



Creative & Innovative India: *Overcoming barriers to women empowerment*

In order to realise and contribute to the SDG of achieving gender equality and women empowerment by 2030, it is imperative to begin the change at home, i.e. India should make the objective of eliminating gender inequality and addressing the obstacles faced by women in their pursuit to empowerment, central to its national development planning and budgeting. This Viewpoint paper identifies causes behind accelerated gender disparity in the country and their impact on women empowerment.

http://www.cuts-ccier.org/pdf/Creative_and_Innovative_India_Overcoming_barriers_to_women_empowerment.pdf



BILL BLOW-UP

National Medical Commission Bill, 2017

The Medical Council of India (MCI) was entangled in controversy for several years before the Supreme Court of India intervened in 2016 and established a court-appointed oversight Committee to oversee the MCI's affairs. This provisional arrangement was for a period of one year within which the government was mandated to come up with an alternate mechanism. Thus, the court appointed Committee was soon replaced by a high level Committee headed by the NITI Aayog Vice-Chairman. Simultaneously the government proposed the introduction of the National Medical Commission Bill, 2017.

The Bill is an effort to remove the regulatory cobwebs that cling to the medical education thereby strengthening the health system and motivating productive research. The Bill once passed will replace the Indian Medical Council Act.

www.parfore.in/pdf/Bill-BlowUp-National_Medical_Commission_Bill-2017.pdf

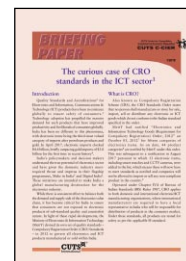


BRIEFS

The Curious Case of CRO Standards in the ICT Sector

Regulatory instruments, such as Clinical Research Organisation (CRO) Standards have widespread impacts, and affect multiple stakeholder groups in different ways. A suboptimal regulation has the potential to increase the cost of administration and compliance, have unintended outcomes and limits the likelihood of achievement of its objectives. Therefore, it is of paramount importance to understand its impacts, proposed or in operation, to achieve favourable outcomes of protecting national sovereignty and offer high quality electronic/ICT products to Indian consumers.

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



Regulatory Innovation in Urban Mobility in India

CUTS International has applied the Regulatory Impact Assessment (RIA) framework to estimate costs and benefits of select provisions of the Maharashtra City Taxi Rules, 2017. The analysis has been informed by in-person interactions with 1,000 drivers and 1,000 users of city taxi services in Mumbai Metropolitan Region and consultations with relevant stakeholders. This Policy Brief assesses the cost imposed by the Rules and gauge the potential benefits it entails.

www.cuts-ccier.org/RIA_Maha_City_Taxi_Rules_2017/pdf/PolicyBrief.pdf



Institutionalising Regulatory Impact Assessment in India

This paper reviews RIA models in different jurisdictions and recommends the way forward for India. It suggests: enacting a legislation mandating adoption of RIA; creating dedicated RIA Units within all government departments and regulatory agencies; constituting a Regulatory Productivity Commission (RPC) at the Centre and states to oversee the RIA process in government departments and regulatory agencies, and conduct an independent review of the quality of RIA statements prepared by RIA Units; and facilitating capacity building of RIA Units through the NITI Aayog.

http://cuts-ccier.org/ria/pdf/BP-Institutionalising_Regulatory_Impact_Assessment_in_India.pdf



Assessment of Socio-Economic Impact of Cross-Border Electricity Trade in BBIN Region

Studies suggest that cross-border electricity trade (CBET) in BBIN (Bangladesh, Bhutan, India and Nepal) region has brought in a sense of shared benefits and prosperity amongst the trading countries. However, the progress on CBET in the region is rather slow and currently limited to bilateral small-scale cross-border transmission interconnections and cross-border trading transactions between India-Bhutan, India-Nepal, India-Bangladesh and India-Myanmar. Thus, this Paper makes an attempt to assess the socio-economic benefits accruing due to CBET particular on livelihoods and gender, with the objective of creating a strong political narrative on CBET in the region.

www.cuts-ccier.org/CBET/pdf/BP-Assessment_of_Socio-Economic_Impact_of_Cross-Border_Electricity_Trade_in_BBIN_Region.pdf



Introduction to Blockchain Technology

The rapid evolution of Blockchain in the recent years has caused ripples in the economy and gripped the world's attention. By offering the possibility of dealing with third parties using a secure, shared, indelible decentralised ledger, blockchain technology has the potential to deliver significant value in transactions and is set to revolutionise everything from banking systems and stock exchanges to property registries, contract law and corporate sustainability. This Briefing Paper aims to introduce the concept of this emerging technology along with its ongoing and potential use cases, globally and nationally.

<http://www.cuts-ccier.org/Publications.htm>



Economic Regulations, Competition, and Consumer Protection in Ancient India

By Pradeep S Mehta

It is learned that the Ancient India was a 'mixed economy' adhering to the socio-economic philosophy of a 'welfare state'. In general, the state was both regulator and competitor, including state enjoying monopoly over certain sectors, such as mines and mineral. This article introduces the audience to the ancient Indian ethos, where dharma (duty) was the backbone of the civilisation that made the society righteous and duty-centred. The article gives an overview of ancient India's economic activities along with a short account of sectoral regulations. Besides, the article presents a competition analysis of the then regulations. It analysed the state monopolies, state as regulator and competitor, the prevalence of the guild system, differential regulatory treatments, price control, treatment of cartels and consumer protection.

This article can be accessed at:

http://cuts-ccier.org/pdf/Article-Economic_Regulations_Competition_and_Consumer_Protection_in_Ancient_India-AntitrustBulletin.pdf



NEWSLETTERS/E-NEWSLETTERS

ReguLetter

This is a quarterly flagship newsletter published by CUTS CCIER. The objective is to create awareness among stakeholders, particularly CSOs, who in turn lobby at national, regional and international level, on the issues related to competition and consumer welfare. It focusses 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.

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. It covers developments on policy responses, implementation and distortions. Special dedicated sections 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. It provides a quick overview of various operations of the Centre and corresponding outputs.

www.cuts-ccier.org/CCIER_Activities.htm

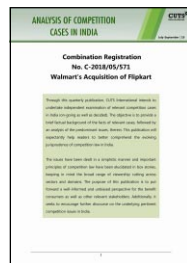


DOSSIERS

Analysis of Competition Cases in India

Through this publication, CUTS intends to undertake independent examination of relevant competition cases in India. The objective is to provide a brief factual background of the facts of relevant cases, followed by an analysis of the predominant issues, therein. This publication will expectantly help readers to better comprehend the evolving jurisprudence of competition law in India.

www.cuts-ccier.org/Publications.htm



Information and Communications Technology

This quarterly dossier captures relevant news to trigger an informed debate on key issues on Information and Communication Technologies. It will focus on four verticals, namely; IPR and Competition Laws; Innovation and Disruption; Connectivity; and Privacy and Data Ownership.

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



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



Future of Jobs in India

This quarterly dossier provides readers important information and trends on the topic through carefully selected news reports, articles, op-eds, reports and other relevant content. The need for this dossier has risen in the wake of challenges in jobless growth and imminent threat of increased automation and digitisation on job creation. Therefore, it is imperative for us to not only take stock of the situation but also act accordingly

http://www.cuts-ccier.org/foji/pdf/Discussion_Paper-foji.pdf

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