

18 April 2024

Dr. Manoj Govil
Secretary, Ministry of Corporate Affairs
A-Wing, Shastri Bhawan, Rajendra Prasad Road
New Delhi – 110001

Open Letter by Stakeholders requesting Six Months Extension to provide inputs on the Draft Digital Competition Bill, 2024 and the Report of the Committee on Digital Competition Law.

Dear Sir,

We are writing this Joint Stakeholder Letter with regard to the Draft Digital Competition Bill, 2024 (“**the Bill**”), and the Committee on Digital Competition Law’s report (“**the Report**”) released by the Ministry of Corporate Affairs (MCA) for public consultation, with the initial deadline of 15th April, 2024, and now till 15th May, 2024 to submit comments.

At the outset, we would like to thank the Committee on Digital Competition Law (CDCL) and the MCA for carrying out an extensive, year long process to evaluate the need for a proposed ex-ante regime for digital markets in India.

We submit that the present deadline to submit comments by 15th May 2024 is insufficient to make a nuanced and informed submission, considering the technical complexity of the subject matter, cross-cutting impact of the Bill and regulatory overlaps.

The Bill will impact various sectors and domains of the digital economy, including user experience, data protection and security, supply chains, investments, business costs for MSMEs and consumer affordability. It is also likely to impact non-digital domains, owing to their inextricable relationship with digital counterparts, and thus could consequently impact jobs and income generation opportunities created across sectors.

It will overlap with existing and upcoming tech and sector-specific regulations, and cut across multiple policy areas, which necessitates a “whole of government” approach towards effective design and implementation.

Moreover, the requirement and contours of a law of this significance will need to be informed by multiple factors, such as local realities, innovations across sectors to democratise access to technology, and citizens’ ability to leverage the potential of digital economy. The law should enable the digital economy’s contribution towards inclusive and sustainable development of the country.

Owing to the Bill’s wide impact on India’s digital economy, it requires a robust, in-depth and evidence-based examination and public consultation process, which consequently requires more time for stakeholders to comment. The role of MSMEs, startups, civil society, academia and technical community, as part of this process will be critical.

To this end, many of us organised consultations on the Bill and most of the stakeholders that participated expressed concerns over the short timeline of submitting feedback.

The extension would allow the stakeholders to undertake various initiatives, including:

1. Conducting research on themes, including on various nuances of the ‘whole of government’ approach, the impact of the law on the digital economy and its role in advancing the interests of Indian citizens.
2. Involve small businesses, consumers, gig workers and other stakeholders in this development's discourse and analysis, to ensure their inputs are effectively reflected in the law.
3. Study the policy and regulatory overlaps of the Bill with existing and upcoming tech and relevant sector specific regulations in order to make the Bill more precise and focused.
4. Impact study of existing ex-ante regulations across the world and its efficacies.
5. Having regard to the above, we, the undersigned, urge the MCA to make the consultation more broad based and increase the consultation timeline to at least six months (at least till 15 October, 2024).

This submission is endorsed by the following stakeholders from India:

Sl. No	Name	Organisation/ Individual	Stakeholder Group
1	CCAOI	Organisation	Civil Society
2	Internet Society Delhi Chapter	Organisation	Civil Society
3.	Anupam Sanghi	Founder, ASA	Lawyer
4	The Dialogue	Organisation	Think Tank
5	CUTS International	Organisation	Civil Society
6	Arun Mahendru	Individual	Civil Society
7	Esya Centre	Organisation	Civil Society
8	DeepStrat	Organisation	Think Tank
9	MediaNamab	Organisation	Civil Society
10	Internet Freedom Foundation	Organisation	Civil Society
11	Kapil Goyal	Individual	Academic & Research
12	Vinay Aseri	Rashtriya Raksha University	Academic and Research
13	Dr. Swapnil Sharma	Individual	Academic and Research

Sl. No	Name	Organisation/ Individual	Stakeholder Group
14	Saquib Akhtar	Individual	Technical
15	Somasekhar V K	Organisation: State Network of Consumer Orgns	Civil Society
16	Somasekhar V K	Organisation Regional Network of Consumer Orgns	Civil Society
17	Shradha Pandey	individual	End user
18	Dr Mahesh Uppal	Consultant	Analyst and commentator
19	Dr. Narasimha Reddy Donthi	Public Policy Expert	Civil society
20	Mohammad Ali Jauhar	Individual	Technical Community, Academic & Research
21	Nikhil Gehlot	Individual	Researcher & Entrepreneur
22	New Indian Consumer Initiative	Organisation (An Initiative Led by Indicc Associates)	Public Policy Research
23	Valsa Williams	Individual	Consultant Government Affairs
24	Broadband India Forum	Organisation	Think Tank
25	ISOC India Bengaluru Chapter	Organisation	Civil society
26	Adarsh BU	Individual	Technical
27	Jay Paudyal	Organisation	Private Sector
28	Barkha Manral	Individual	End User
29	ISOC India Chennai Chapter	Organisation	Civil society
30	Dr. R.Gnanajeyaraman	Individual	Academia
31	Prof. Rajiv Gupta	Individual	Academia
32	Santanu acharya	individual	Member of ICAI
33	Drishti Parnami	Individual	Research scholar
34	ISOC India Mumbai Chapter	Organisation	Civil Society

Sl. No	Name	Organisation/ Individual	Stakeholder Group
35	Cyber Jagrithi and Safety Foundation	Organization	Civil Society
36	Ripunjay Bararia	Individual	Entrepreneur
37	BIRD	Organisation	Civil Society
38	Vibhuti Sharma	Individual	
39	K Mohan Raidu	Organisation	Technical
40	Navaneeth KT	Individual	Researcher & Entrepreneur
41	Upasana Hembram	Individual	Civil Society
42	Renu Sirothiya	Individual	Lawyer
43	Suhavi Arya	Individual	Lawyer
44	Mohammed Khalid	Individual	Technical
45	Dhruv Garg	Individual	Lawyer
46	Sushma Morthania	Director General, India SME Forum	India's largest Organisation of MSMEs
47	Vinod Kumar	Trustee, Forum for Internet Retailers, Sellers & Traders	Organisation of Retailers and Traders