

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**RAJYA SABHA
STARRED QUESTION NO. 299
ANSWERED ON TUESDAY, THE 28TH MARCH, 2023**

ANTI COMPETITIVE PRACTICES BY FOREIGN COMPANIES

QUESTION

*299. SHRI ANEEL PRASAD HEGDE:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether Government is aware of the fact that anti-competitive practices are indulged by big Tech companies like Amazon, Flipkart, Google, Meta, Twitter, Apple, Facebook (META.O), Twitter and Google (GOOGL.O) etc. in the country;
- (b) if so, the details of the nature of such practices;
- (c) whether it is also a fact that Parliamentary panel has recommended to Government to introduce a Digital Competition Act to regulate this and ensure fair, transparent and contestable digital ecosystem; and
- (d) if so, the action taken in this regard along with the details thereof especially with regard to making the system transparent?

ANSWER

THE MINISTER OF FINANCE
AND CORPORATE AFFAIRS

(SHRIMATI NIRMALA SITHARAMAN)

(a) to (d) A statement is laid on the Table of the House.

STATEMENT REFERRED TO PARTS (a) TO (d) OF RAJYA SABHA STARRED QUESTION NO. 299 (14TH POSITION) FOR 28.3.2023 REGARDING ANTI COMPETITIVE PRACTICES BY FOREIGN COMPANIES

(a) & (b): Yes, Sir. The Competition Commission of India (CCI), after conducting inquiries in three different matters, has passed orders under Section 27 of the Competition Act, 2002 ('Act') in the matter related to Google on 31.01.2018, 20.10.2022 and 25.10.2022 and in the matter related to MakeMyTrip-Go and OYO on 19.10.2022 regarding allegation of contravention of the provisions of Section 3 and 4 of the Act. These orders are available on the website of CCI at cci.gov.in/antitrust/orders. Appeals have been filed against these orders passed by CCI. Inquiries against Amazon, Flipkart, Zomato, Swiggy, BookMyShow, Apple, WhatsApp, Facebook (Meta) and Google in matters other than where orders have been passed under Section 27 of the Act, are also being conducted for alleged contravention of the provisions of the Act.

(c) & (d): The Parliamentary Standing Committee on Finance examined the subject "Anti-Competitive Practices by Big Tech Companies" and presented its Report to Lok Sabha and Rajya Sabha on 22.12.2022. On the recommendation of the Parliamentary Standing Committee on Finance, the Government of India has constituted a Committee on Digital Competition Law (CDCL) vide an Order dated 06.02.2023. Terms of the reference of the Committee, inter-alia include, to review whether existing provisions in the Competition Act, 2002 and the Rules & Regulations framed thereunder are sufficient to deal with the challenges that have emerged from the digital economy; and to examine the need for an *ex-ante* regulatory mechanism for digital markets through a separate legislation.
