

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 2653
TO BE ANSWER ON: 07.08.2024

BIG TECH COMPANIES IN INDIA

2653. SHRI MANISH TEWARI:

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the manner in which the Government has taken measures to address antitrust concerns and prevent monopolistic practices by Big Tech companies to ensure fair competition and consumer rights in India;
- (b) the manner in which the Government has taken steps to support and promote Indian tech companies in competing with Big Tech, both domestically and internationally; and
- (c) the manner in which Government has adopted global best practices in regulating Big Tech to keep India's digital ecosystem secure, innovative, and competitive?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI JITIN PRASADA)

(a) to (c): The Competition Commission of India is the statutory body that enforces the Competition Act, 2002 (the Act). Any agreement between enterprises that causes or is likely to cause an appreciable adverse effect on competition is prohibited under Section 3 of the Act. Section 4 of the Act prohibits abuse of dominant position by enterprises including Big Tech companies. The Commission adjudicates matters involving allegations of anti-competitive behaviour by enterprises, and intervenes, if found necessary, with appropriate remedies/directions to ensure fair competition and level playing field for all stakeholders.

The Parliamentary Standing Committee on Finance in its Report on “Anti-Competitive Practices by Big Tech Companies” presented before the Lok Sabha inter alia observed that an ex-post approach may not be sufficient to remedy conducts in fast-paced digital markets and recommended that the behaviour of large digital enterprises should be monitored ex-ante.

In this backdrop, the Committee on Digital Competition Law (Committee) was constituted by the Ministry of Corporate Affairs to inter-alia evaluate the need for an ex-ante competition framework for digital markets in India. The Committee recommended that ex-ante measures be introduced to complement the current ex-post framework by identifying large digital enterprises with a ‘significant presence’ (known as Systemically Significant Digital Enterprises (SSDEs)) in India providing Core Digital Services (CDSs) and setting pre-determined obligations for them to address anti-competitive Practices (ACPs).

A draft of the Digital Competition Bill (Draft DCB) was enclosed with the Report, which has been published for public comments on 15th March, 2024. This draft can be accessed on: <https://www.mca.gov.in/bin/dms/getdocument?mcs=gzGtvSkE3zIVhAuBe2pbow%253D%253D&type=open>

The Ministry of Electronics and Information Technology is coordinating strategic activities, promoting skill development programmes, enhancing infrastructure capabilities and supporting R&D for India’s leadership position in IT and IT-enabled Services. As per industry estimates, in FY 2023, India’s technology industry revenue including hardware was about \$ 245 billion.
