

A Legal And Economic Analysis Of The Draft Digital Competition Bill, 2024

Author - Aryaman Dubey¹

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Abstract

The proposed Draft Digital Competition Bill, 2021 (DDCB) holds a liberal and progressive structure as a potential legislation which enunciates to handle the issues regarding digital markets in India. The legislation identifies Systemically Significant Digital Enterprises (SSDEs) as major actors in the digital economy and placed specific constraints on them in an attempt to reduce monopolistic conduct while encouraging innovation. This paper aims to provide analyses what the DDCB wants to control which are anti-competitive strategies of overbearing technology firms; how it wants to do this by the imposition of anticipatory requirements, fines and rules on disclosure; and why such regulation is needed given that we are in the new digital economy characterized by dominance of network externalities, data advantage, and sparse competition².

Keywords:

Draft Digital Competition Bill 2021 India, Systemically Significant Digital Enterprises (SSDEs), Digital market regulation in India, Anti-competitive practices in tech industry, Digital economy competition law India

BACKGROUND DRAFT DIGITAL COMPETITION BILL, 2024

The Draft Digital Competition Bill of 2024 is a genuine and meticulous attempt by the Indian government to form laws, rules and regulations to monitor and supervise the activities in India digital economy such as in digital platforms which

¹ Advocate Aryaman Dubey is a B.A., LL.B. (2020–2025) graduate from BML Munjal University, currently an Assessment Intern with the Disputes Team at Luthra and Luthra Law Offices, New Delhi, with a strong interest in litigation, competition law, and artificial intelligence, and is an award-winning national and international academic speaker and writer.

² Singh VJ and Sharma A, 'A Deep Dive into India's Digital Competition Bill, 2024' (*Lexology* 16 May 2024) <<https://www.lexology.com/library/detail.aspx?g=5722a078-1839-4ece-aec9-49336ff53b6c>> accessed 24 November 2024

laid steps to create this bill in the first place. This part attempts to explain what events triggered the creation of this bill-

- The sudden and rapid growth of India’s digital economy is estimated and projected to reach \$800 billion by the year 2030.
- Issues like market concentration and to detect and prevent anticompetitive practices in the digital markets.
- The limited legal measures in the existing competition laws to address and resolve only digital market problems.
- Observing global scenario and recent trends such as EU’s Digital Markets Act and other similar legislations with the same aim and objective.

The draft bill displays the position of India and its current steps in regulating digital markets because their creation is inevitable hence they need to be checked and duly monitored to detect and prevent any sort of anti-competitive acts in the digital market to protect consumer, market and to preserve genuine competition.

INTRODUCTION

The digital economy growth in India has been phenomenal and digital services have become a key source of GDP, employment and innovation. Nonetheless, this growth has put much influence in the hands of the few giant digital players Amazon, Google, and Facebook, among others. These platforms have been using their scale, network effect, and data control to create and cement market domination and again at the cost of fair competition and options for the consumer. As per recent predictions and analysis “with a booming digital economy and internet user base, India is anticipated to become a global e-commerce powerhouse by 2030, leading the way in online shopping with 500 million consumers”.³

³Invest India, Team India, 29th April 2024 <https://www.investindia.gov.in/team-india-news/indian-e-commerce-market-grow-325-bn-and-digital-economy-reach-800-bn-2030#:~:text=April%2029%2C%202024-,Indian%20E%2Dcommerce%20market%20to%20grow%20to%20%24325%20Bn%20and,reach%20%24800%20Bn%20by%202030&text=With%20a%20growing%20digital%20economy,shopping%20with%20500%20million%20buyers.>

Current legal provisions under Competition Act, 2002 that were sufficient for conventional markets are not adequate to deal with the digital market structures. This is quite different from traditional industries where one company cannot self-preference, misuse data from its users or create a platform lock-in for another company. The DDCB is intended to provide the missing chapters, with reference to the EU Digital Markets Act (DMA) and the US antitrust law system⁴. This aims paper provide a critical analysis of the provisions of the DDCB, discussing its aims and purposes and its economic logic and then considering issues surrounding implementation and providing suggestions for improvement. It is an attempt by India to impose regulation on the burgeoning digital economy. The bill in turn seeks to also ensure fairness, innovation and consumer welfare in the face of anti-competitive behaviors

OVERVIEW OF THE DRAFT OF THE DIGITAL COMPETITION BILL

The Draft Digital Competition Bill, 2024 (DDDCB), presents a completely new era of handling the issues that arise due to the dynamics of the digital economy in India. Set against the growing worldwide concerns regarding monopoly of the tech giants, the DDCB casts India as alongside the jurisdictions such as the European Union and the United States and simultaneously adapts provisions to India's economic and regulation structures. The Bill envisages solutions to deliberate market imperfections resulting from the operation of dominant digital platforms, competition advocacy, and consumer welfare.

Essentially, one of the defining features of the DDCB is the identification of Systemically Significant Digital Enterprises (SSDEs). These are enterprise that are considered to exert significant control over CDS, a classification based on both quantitative and other criteria. Quantitative standards under Clause 3(2) of the Bill are as follows; **first**, an enterprise has an India turnover of more than ₹4,000 crore; **second**, an enterprise's global turnover is more than \$30 billion; **third**, the enterprise has one crore end users in India.

Rising to the occasions, the given metrics will be scalable figures that conform to the global trends with a nod to India's burgeoning and rather mammoth user

⁴ 'Overview of India's Digital Competition Bill, 2024 | GW Competition & Innovation Lab | the George Washington University' (*GW Competition & Innovation Lab2024*) <<https://competitionlab.gwu.edu/overview-indias-digital-competition-bill-2024>> accessed 24 November 2024

database. Clause 3(3) however classifies qualitative criteria that go further into issues like network effects, user lock in, and data driven advantage.

These provisions acknowledge the fact that in the actual digital economy influence generalizes beyond its monetary manifestation to control specialized consumer behavior and Market entry.

That the Bill targets SSDEs shows a very nuanced understanding of digital markets where some players hold the keys to opening or closing access to goods, services or information. To this end, the Bill introduces specific requirements to be imposed on such entities to eliminate anti-competitive practices such as self-preferencing, exclusive dealing and exploitation of data advantage.

The Clause 4 of the Bill requires that SSDEs to be designated should not engage in activities that favors their own product or service to the disadvantage of other competitors. This approach aligns with global tendencies, such as the provisions of the EU Digital Markets Act under which obligations are placed on digital gatekeepers. However, the DDCB also effectively considers some provisions regarding India's market like Digital platforms' ROLE as Enablers, Regulation should not stifle SMEs.

An important legal consequence belongs to the measures put into effect by the Bill to enhance the proactive control powers of the Competition Commission of India (CCI). Section 5 of the Bill empowers the CCI to conduct an investigation on activities that are believed to have violated the Act and amend the penalties for an SSDE convicted of failing to observe the law to up to 10% of the company's global turnover. Hence, it proposes the use of global turnover while appreciating the cross-border operations of digital marketplaces and the ability of the Indian regulators to earn revenues from other countries. It also helps make penalties stiff enough especially for technology firms with colossal revenue across the globe. Besides, section six present a mandatory notification regime for entities which meet the SSDE criteria, which puts the onus on business to notify the authorities of their activities transparently. This system relieves the CCI of the responsibility of trying to determine who a violator may be and encourages compliance.

THE LEGAL SETTING OF THE PROPOSED DRAFT OF THE DIGITAL COMPETITION BILL

The DDDCB's structure is designed to correct systemic problems with digital platforms and markets through the addition of new rules aimed at SSDEs, which are then defined by their market power and their threat to competition.

Meta or Facebook is a good example of a social media platform through which the DDDCB could shift organizational dynamics. Some of Meta's activities, such as designing its platforms such as WhatsApp and Instagram to take advantage of network effects, could fall foul of provisions included in the Bill. Through such practices, the DDDCB aims to prevent some digital players from monopolizing the market and reducing competitive force. Similarly, recent emergent experiences of e-commerce platforms under investigation in India, and fines imposed onto Google for anti-competitive behaviors within the EU also highlights the need for a laudable regulation. These cases demonstrate the importance of aligning legal and economic strategies to safeguard market fairness while promoting consumer welfare.

The DDCB also takes cognizance of international trends and domestic legal regimes when filling in gaps of existing Indian law. The Indian Competition Act, 2002, proves sufficient in dealing with conventional anticompetitive practices, but poorer in handling digitalized unequals. For example, the Act bases measures of dominance on market share, which is not relevant in the digital platforms' world where issues to do with user data, network effects, and platform integration take precedence. It does this by pro-actively defining important criteria that are more suited to the digital economy than previous less sensitive criteria. In addition, the Bill has set some conditions of thresholds and criteria reviewed from time to time and this characteristic makes the invention suitable to embark on long term viability.

The Draft Digital Competition Bill, 2024 has a suitable and visionary policy to address the competitiveness and regulation of the digital market of India. Its focus on SSDEs, enforcement measures, and compliance with best practices mean its deviation from addressing challenges of digital markets is minor.

1. Designation of SSDEs

SSDEs are enterprises that meet specific financial and operational thresholds, including:

Turnover: Rs 4,000 crore in India or USD 30 billion worldwide.

Market Presence: Indian B2C e-commerce GMV of INR 16,000 crore or global market capitalization of over USD 75 billion.

User Base: Start with at least 1 crore end-users/'10[<000 business users of the Information Technology annually in India.

Other Factors: The CCI may also examine dominance relating to network effects, data have, integrated economy power and interconnectedness. These thresholds help to keep the regulatory lens on those players who have the most power over the digital economy in India.

2. Obligations for SSDEs

SSDEs are subject to obligations that address key anti-competitive practices:

Non-Self-Preferencing: In doing so, SSDEs cannot limit general consumer choice by promoting their own offerings over competitors on their sites.

Data Governance: G a cannot use private information of business users to compete with them or allow personal identifiers to flow across services without permission.

Fair Dealing: In their operation, SSDEs have to be open and avoid discrimination when it comes to users and competitors⁵.

Interoperability: Currently, switching costs for both the consumer and businesses have to be managed by SSDEs by allowing for data portability and interoperability.

3. Anti-Circumvention Measures

The Bill also bars enterprises from reusing services or putting up flexibilities with an aim of escaping from being ranked as SSDE or associated requirements.

4. Penalties

⁵ 'Draft Digital Competition Bill, 2024' (Cyberpeace.org2024)
<<https://www.cyberpeace.org/resources/blogs/draft-digital-competition-bill-2024>> accessed 24 November 2024

This means that it will be accompanied by stiff penalties such as fines not exceeding 10% of global turnover which are indicative of the Bill's compliance measures.

ECONOMIC IMPACTS OF THE DIGITAL DAFT BILL

The key and major economic impacts are as “follows-

- **Market Structure**
The bill intends to decrease market concentration and foster greater competition.
Diverse digital economy. This could improve competition and help smaller firms and startups.
- **Innovation and Investment.**
The bill aims to level the playing field and promote innovation, but some worry that strict rules may discourage investment in the sector.
- **Consumer Welfare**
Increased competition is expected to improve services and cut prices for consumers. The influence on consumer welfare depends on how regulations are executed”.⁶

AN ECONOMIC VIEWPOINT OF THE DDDCB

Therefore, the DDDCB is founded on the rationale that digital markets need special regulatory actions that foster competitiveness and innovation necessary for their operation.

1. Market Contestability

Digital markets are also embedded with networks through networks which are self-reinforcing effects where the value increases with the number of users are. Large companies use this in a bid to cement their hold, with high barriers to entry to other businesses. For example, Amazon and Flipkart completely rule the e-commerce space because of data strengths and scale efficiencies.

⁶ Business Standard. Impact of Digital Startups. https://www.business-standard.com/companies/start-ups/impact-of-digital-competition-bill-on-india-s-homegrown-startup-ecosystem-124070101008_1.html

2. Consumer Protection

Consumers are always offered limited options and have to pay higher prices because of monopolistic methods. For instance, tying the services – streaming subscriptions with the telecom services hampers consumer choice.

3. Encouraging Innovation

The problem with too much concentration in the market is that innovation slows down because little players cannot cope with the big ones. The Bill protects and opens the markets which will spur startups and mid-sized enterprises to operate in the market.

Now “according to economists, successful implementation of the bill might increase India's digital economy development by 2-3% yearly (ICRIER, 2023). To foster innovation and attract foreign investment, laws must strike a delicate balance”.⁷

Case Study: Search abuse By Google:

In the Google Shopping case, the EU saw that Google had given more visibility to shopping services it owned and demoted competitors’ services in search result. Such abuses would be stopped by the regulatory anti-self-preferencing provisions that the DDDCB provided to do so in India.⁸

In the year of “2017, on 27th, the Commission determined that Google prioritized its own comparison-shopping tool over rival services on its general search results page. Google displayed search results from its comparison-shopping service at the top and featured them in so-called Shopping Units, which used appealing image and text content. Competing comparison shopping services featured as a blue link at the bottom of the page. Users were more likely to click on Google's comparison-shopping results than competitors.

The redirection of data traffic from Google's general results page was not due to the superior quality or any high standards of Google's comparison-shopping

⁷ State of India’s Digital Economy (SIDE) Report 2023

⁸ Advocate General Kokott proposes that the Court of Justice confirm the fine of €2.4 billion imposed on Google for favouring its own comparison-shopping service, <https://curia.europa.eu/jcms/upload/docs/application/pdf/2024-01/cp240004en.pdf>

service. Google's strong position in the search results led to self-preferencing and leveraging in the digital market for internet general search services. The Competing price comparison firms relied on traffic from Google's general search results page to thrive in the market for specialized products and services.

The Commission imposed a fine of €2,424,495,000 on Google for abusing its dominant position in online general and specialized product searches. Alphabet, Google's sole shareholder, is jointly and severally liable for €523,518,000".⁹

COMPARATIVE IMPLICATIONS DRAWN FROM OTHER COUNTRY'S REGULATIONS

Finally, as for India's own DDDCB, the regulation is influenced by legislations from the EU DMA and the trends in US antitrust laws but with circumstances of the Indian market in mind.

1. The European Digital Markets Regulation that is also known as the Digital Markets Act (DMA)

The DMA places requirements on digital 'gatekeepers' with large market power. Key features include:

Ex-Ante Regulation: It means that gatekeepers are to meet obligations actively, including performing activities according to obligations.

Transparency: Any platform has to make public the terms with the results the platform producers aspire to or the data use the platform users desire to have, or the platform provision the stakeholders wish to have¹⁰.

Strict Penalties: Failure to do so would attract fines of up to 10% of their world turnover.

2. US Antitrust Framework

⁹ Advocate General Kokott proposes that the Court of Justice confirm the fine of €2.4 billion imposed on Google for favouring its own comparison shopping service, <https://curia.europa.eu/jcms/upload/docs/application/pdf/2024-01/cp240004en.pdf> Page 2

¹⁰ European Commission, 'The Digital Markets Act' (*digital-markets-act.ec.europa.eu*2024) <https://digital-markets-act.ec.europa.eu/index_en>

The core of the US strategy is to use ex-post mode, which deals with anticompetitive conduct through law suits. Recent examples include FTC’s complaint against Facebook for acquisitions that have stayed too close to monopolies.

3. Anti-Monopoly Law (AML) of Peoples of Republic of China

China has heavily anticompetitive regulated giants such as Alibaba and Tencent through fines of the two-digit billion US Dollars. But significant controversy has arisen over the within the system.

JURISDICTION	LAW	MAJOR DIFFERENCES
European Union	Digital Markets Act (DMA)	It has more comprehensive in scope and in its application and has stricter thresholds for defining gatekeepers.
United States	American Innovation and Choice Online Act (proposed)	It focuses more on specific anticompetitive practices and has less emphasis on ex-ante regulations.
China	Anti-Monopoly Law Amendments	It has a broader scope because it is covering both online and offline sectors; and displays stronger emphasis on data and algorithm regulation ¹¹

India's strategy is a combination of EU and US models, with measures tailored to the country's particular digital economy. The bill's emphasis on ex-ante regulation

¹¹ EU Digital Markets Act and Digital Services Act explained 14th January 2021
<https://www.europarl.europa.eu/topics/en/article/20211209STO19124/eu-digital-markets-act-and-digital-services-act-explained>

is more in line with the EU's DMA, but its concentration on specific digital intermediaries is similar to features of the proposed US law.

IMPACT ON E-COMMERCE PLATFORMS IN INDIA

Potential Impact on E – commerce platforms in India-

Let us now study, predict and analyse potential impacts on the E – commerce platforms in India:

- a) Presently the e-commerce market of India is dominated by few big players and this situation raises concerns regarding bias and preferential treatment and priority given to certain / some particular sellers which can further create issues like predatory pricing and data monopolization, for example Zomato has ties up with restaurant to increase customer traffic but only Zomato has data and not the restaurant regarding customers' preferences which creates a situation of data monopolization. This is so because data is extremely valuable and cannot be quantified easily. Now with data such as customer's preferences helps to design and mould companies' service and product according to meet market standards and market demands. This also leads to Data Wars among companies which is often fought behind the curtains¹²
- b) Now under the proposed new bill we can expect the e-commerce platforms are now termed and classified as SIDI's and are mandated to provide unbiased and non-discriminatory access to their digital platforms and regulation on how the data of the user/customers or any other relevant and certain data should be shared, sent and used and the extent of use and data retention, measures of user/customers and disposal of data when usage is completed or the purpose has been achieved.¹³

¹² Control of Platform Monopolization in the Digital Economy: Volume 8, Issue 2, June 2022 The Implication of Open Innovation
<https://www.sciencedirect.com/science/article/pii/S2199853122000075>

¹³

Govt rethinking 'safe harbour' in Digital India Bill: How this could change internet landscape March 11, 2023. <https://indianexpress.com/article/explained/explained-sci-tech/digital-india-bill-new-law-internet-explained-8488748/>

- c) At last, the potential outcomes we can anticipate can be that the digital market will witness and experience more competition and this will allow the entry of new players both big and small in the digital platforms to compete with existing digital platforms. This will benefit the customers/users because they will have more choices and might get their services and commodities at affordable prices. Initially no firm will earn supernatural profits but get profits at a reduced portion in the short terms, in the long-term a firm can attain supernatural profits like Flipkart gets at the time of Diwali sales.¹⁴

POTENTIAL IMPACTS ON THE ECOSYSTEMS OF MOBILE AND APP STORES

Let us now study, predict and analyse potential impacts on the Ecosystems of Mobile and App stores in India:¹⁵

1) Now as far the current situation the market is dominated by two big app stores, which control app distribution and charge significant fees to developers.

2) We can anticipate an increased competition in app distribution may result in lower fees for developers and more download options for customers to pay for applications.

3) After the bill is implemented could compel major app stores to accept other payment methods and third-party app stores on their platforms.

Competition, Innovation, and Inclusive Growth 19th March 2021
<https://www.elibrary.imf.org/view/journals/001/2021/080/article-A001-en.xmlpdf>

¹⁴ A Tale Of Two App Stores Alden Abbott October 10 , 2024

<https://www.forbes.com/sites/aldenabbott/2024/10/10/a-tale-of-two-app-stores/>

¹⁵ App stores, antitrust and their links to net neutrality: A review of the European policy and academic debate leading to the EU Digital Markets Act 17 JANUARY 2023

<https://policyreview.info/articles/analysis/app-stores-antitrust-net-neutrality-eu-digital-markets-act>

POTENTIAL IMPACTS ON INVESTMENT, RESEARCH AND DEVELOPMENT AND INNOVATION

Let us now study, predict and analyse potential impacts on Investment, Research and Development and Innovation in India:

- i. Within the 2 years of implementation India may witness a rise and increase in Tech Startups by 20% (NASSCOM,2023).¹⁶¹⁷
- ii. We can assume and predict a 50 billion increase in expenditure spend on research and development to make and maintain a competitive edge in the digital market (FICCI,2023)¹⁸
- iii. Within the 5 years of implementation India may witness a rise and increase in number of patents filed by 30% regarding technology patents from various Indian firms and companies because innovation is celebrated in all types of market.¹⁹

These predictions indicate that in the short term both big and small will create hurdles for both new and established players but in the long-term the market will adjust to the laws and show a dynamic increase and a positive growth in the long-term.

POTENTIAL IMPACTS ON JOB, EMPLOYMENT RESEARCH AND SKILL DEVELOPMENT

Let us now study, predict and analyse potential impacts on job, employment research and skill development in India:

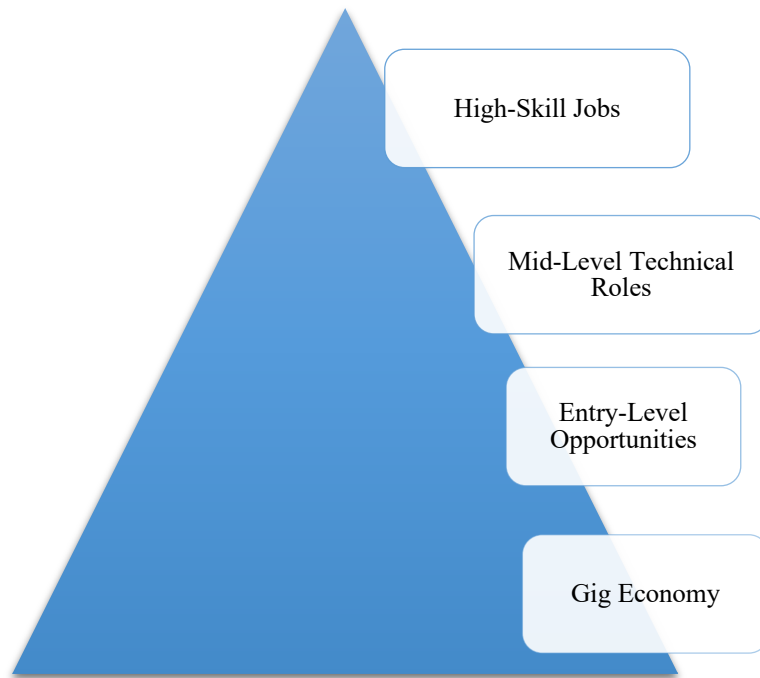
¹⁶ Above Uncertainty: The 2022 Saga of Tech Start-ups 15th February 2023
<https://community.nasscom.in/communities/nasscom-insights/nasscom-tech-start-report-2022-rising-above-uncertainty-2022-saga>

¹⁷ RISING ABOVE UNCERTAINTY: THE 2022 SAGA OF INDIAN TECH START-UPS REPORT

¹⁸ Research and development (R&D) in India 19th September 2024

<https://www.statista.com/topics/12602/research-and-development-in-india/>

¹⁹ India's patent filings double in five years, country now ranks 6th globally 11th November 2024 at: [https://economictimes.indiatimes.com/news/economy/indicators/indias-patent-filings-doubles-in-five-years-country-now-ranks-6th-globally/articleshow/115186980.cms](https://economictimes.indiatimes.com/news/economy/indicators/indias-patent-filings-doubles-in-five-years-country-now-ranks-6th-globally/articleshow/115186980.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppsthttps://economictimes.indiatimes.com/news/economy/indicators/indias-patent-filings-doubles-in-five-years-country-now-ranks-6th-globally/articleshow/115186980.cms)



High-Skill Jobs

Growing demand for AI, data science, and cybersecurity professionals²⁰

Mid-Level Technical Roles

Increase in software development and digital marketing roles²¹

Entry-Level Opportunities

Widening of customer support and content moderation posts^{22,23}

Gig Economy

²⁰ AI-Skilled Workers Are The New, Hot, In-Demand Professionals <https://www.forbes.com/sites/jackkelly/2024/08/01/ai-skilled-workers-are-the-new-hot-in-demand-professionals/>

²¹ Software Developer Roles and Responsibilities 2024 July 3 2024

<https://www.scaler.com/blog/software-developer-roles-and-responsibilities/>

²² Content Moderator Job Titles in 2024 - Most Popular Titles by Career Level

²³ Glassdoor 49 content moderator jobs in India, November 2024 | Glassdoor

New job outlook in freelance and contract work in the digital sector²⁴²⁵

According to a forecast by the National Association of Software and Service Companies (NASSCOM, 2023), implementing the bill might create 1.5-2 million new employments in the digital economy over the next five years. This encompasses both direct work in technology companies and indirect employment in industries that use digital technologies.

The measure is predicted to increase demand for advanced digital capabilities, like AI, machine learning, and data analytics, by 30%. This shift is likely to drive additional and few investments in the form of FII and FDI. In digital education and training programs throughout India.²⁶²⁷

OVERCOMING CHALLENGES OF THE DDDCB

1. Enforcement Capacity

The CCI fails to have the technological know how to properly monitor compliance as would be expected. This is even more taxing for the global platforms that are operating.

2. Ambiguities in Provisions

Terms like ‘significant presence’ ‘substantial market power’ are ambiguous and vary in essence from country to country resulting in unequal application.

3. Out in the streets here, it could conflict with global standards:

The difference between the DDDCB and certain international regulation could result in multinationals facing compliance costs. For instance, the fact that there are some differences in the rules for data management between India and the EU.

²⁴ ISB . BHARAT INSTITUTE OF PUBLIC POLICY
<https://blogs.isb.edu/bhartiinstitute/2024/09/03/indias-gig-economy-challenges-opportunities-the-future/>

²⁵ India’s Booming Gig and Platform Economy [25th June Final Report 27062022.pdf](#)

²⁶ Technology Sector in India : Strategic Review - 2024 <https://nasscom.in/knowledge-center/publications/technology-sector-india-strategic-review-2024>

²⁷ [Tech industry revenue to reach \\$245 billion in FY23, 2.9 lakh new jobs created: Nasscom](#)

4. Impact on Startups

Though the Bill aims at the dominant players, over regulation may end up strangling the lowly startup firms thereby slowing down innovation²⁸.

SUGGESTIONS ON IMPLEMENTATION

To address these challenges, the following measures are proposed:

1. Build Institutional Infrastructure

The digital markets section as part of CCI should be created with professionals in law, technology, and data. Support the enhancement of more refined institutional tools such as artificial intelligence that assists in the surveillance of compliance with the legislation against anti-competitive conduct.

2. Specify the Terms and Rules

It becomes necessary to come up with specific guidelines regarding rather vague terms such as “significant presence.” Issue general guidelines for dissemination of SSDE obligations based on the publishing sector.

3. Foster Global Collaboration

Work together with overseas and figure out how to synchronize major provisions mainly focusing on data protection and international compliance. Engage international bodies in the forum to harmonize the enforcement measures.

4. Periodic Review Mechanisms

The nine Crown Opportunities should be modified to include sunset clauses, to review the efficacy of the Bill every three years. It is therefore necessary to hold consultations to ensure the incorporation of the many stakeholders’ feedback²⁹.

²⁸ Hussain MA and Singh NP, “A Critical Study of the Challenges Encountering by DCCBs in the Current Economic Environment” (2023) 03 196
<https://www.researchgate.net/publication/378907191_A_Critical_study_of_the_Challenges_Encountering_By_DCCBs_in_the_Current_Economic_Environment>

²⁹ The, ‘REVOLUTIONIZING DIGITAL COMPETITION: UNPACKING the 2024 DRAFT BILL’S EX-ANTE & PRINCIPLES-BASED APPROACH’ (*Tccr* 7 July 2024)

5. Support for Startups

Designate different rules that reduce the pressure on small organizations and promote competition for leaders while inhibiting them.

CONCLUSION

The Draft Digital Competition Bill, 2024, is a daring and required step to regulate India's digital economy. These should include self-preferencing, monopolization of data, and lock-ins that the Bill aims at enriching competition and wellbeing of consumers. India is in the right position to play a leadership role in a digitally driven economy. The DDDCB if well and effectively adopted has the potential to place the country among the top destination countries.

But the Bill itself will only be successful if it has been implemented effectively, the provisions of the law clearly stated and if the enforcement of the law is not loop sided. While the governments grapple and attempts to tackle with delicate/sensitive issues of regulating the IT Industry, the DDCB holds direction of unfolding a competitive, consumer- friendly and innovative environment.

It also emphasizes the need for stakeholders' consultations and reviews at stated intervals to determine the efficiency of the framework especially in an environment rapidly dominated by digitalization. With such an accomplished ability to convert the market and assist the consumers, the DDCB places India in the framework of digital regulation on the same level with the global standards while taking into consideration the native preferences of the Indian economy.

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