

No. COMP-06/11/2022- Comp-MCA  
Government of India  
Ministry of Corporate Affairs  
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Shastri Bhawan, Dr. Rajendra Prasad Road  
New Delhi-110001  
The 4<sup>th</sup> February, 2023

**ORDER**

**Subject: Constitution of the Committee on Digital Competition Law- regd.**

A Committee on Digital Competition Law (CDCL) is hereby constituted to examine the need for a separate law on competition in digital markets with the following composition:

- |        |   |                    |
|--------|---|--------------------|
| (i)    | Secretary, Ministry of Corporate Affairs  | - Chairperson      |
| (ii)   | Chairperson, Competition Commission of India (CCI)                                  | - Member           |
| (iii)  | Dr. Saurabh Srivastava, Chairman at Indian Angel Network and Co-founder at NASSCOM  | - Member           |
| (iv)   | Dr. Aditya Bhattacharjea, Professor of Economics (Retd.), Delhi School of Economics | - Member           |
| (v)    | Shri Haigreve Khaitan, Khaitan & Co.  | - Member           |
| (vi)   | Shri Harsha Vardhana Singh, IKDHVAJ Advisers LLP                                    | - Member           |
| (vii)  | Ms. Pallavi Shardul Shroff,<br>M/s Shardul Amarchand Mangaldas & Co.                | - Member           |
| (viii) | Shri Anand S. Pathak, P&A Law Offices   | - Member           |
| (ix)   | Shri Rahul Rai, Axiom5 Law Chamber  | - Member           |
| (x)    | Joint Secretary (Competition), MCA  | - Member Secretary |

**Invitees** (not below the Rank of Joint Secretary) **to be nominated by the following Institutions/ Departments/ Ministries:**

- (xi) Niti Aayog (NITI)
- (xii) Department of Commerce (DoC)
- (xiii) Department of Economic Affairs (DEA)
- (xiv) Department of Consumer Affairs (DoCA)
- (xv) Department for Promotion of Industry and Internal Trade (DPIIT)
- (xvi) Ministry of Electronics and Information Technology (MEiTY)

2. The Chairperson of the Committee may co-opt any other person as a member/ special invitee as and when required.

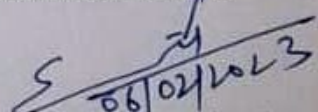
3. The terms of reference of the Committee are:-

- (i) 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;
- (ii) to examine the need for an ex-ante regulatory mechanism for digital markets through a separate legislation;

- (iii) to study the international best practices on regulation in the field of digital markets;
- (iv) to study other regulatory regimes/ institutional mechanisms/ government policies regarding competition in digital markets;
- (v) to study the practices of leading players/ Systemically Important Digital Intermediaries ('SIDIs') which limit or have the potential to cause harm in digital markets; and
- (vi) Any other matters related to competition in digital markets as may be considered relevant by the Committee.

4. The Competition Commission of India (CCI) will provide logistic support, secretarial support and research assistance to the Committee, as required. The Committee shall submit its report to the Government including a draft Digital Competition Act (DCA) within 03 Months.

5. This has the approval of the Competent Authority.

  
(Harsha N. Hedao)

Under Secretary to the Government of India

To,

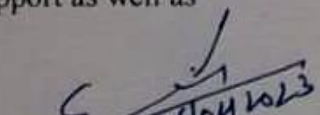
1. Secretary, Ministry of Corporate Affairs (MCA)
2. Chairperson, Competition Commission of India (CCI)
3. Dr. Saurabh Srivastava, Chairman at Indian Angel Network and Co-founder at NASSCOM
4. Dr. Aditya Bhattacharjea, Professor of Economics (Retd.), Delhi School of Economics
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8. Shri Anand S. Pathak, P&A Law Offices
9. Shri Rahul Rai, Axiom5 Law Chamber

Copy to (with the request to nominate an officer not below the rank of Joint Secretary):-

10. CEO, Niti Aayog, Niti Bhawan, New Delhi
11. Secretary, Department of Commerce, Udyog Bhawan, New Delhi
12. Secretary, Department of Economic Affairs, North Block, New Delhi
13. Secretary, Department of Consumer Affairs, Krishi Bhawan, New Delhi
14. Secretary, Department for Promotion of Industry & Internal Trade (DPIIT), New Delhi
15. Secretary, Ministry of Electronics and Information Technology (MEITY), New Delhi

Copy also to (for information):-

- a. PS to CAM
- b. PS to MOS, CA
- c. Joint Secretary (Competition), MCA
- d. Secretary, CCI (with the request to provide logistics & secretarial support as well as research assistance to the Committee)

  
(Harsha N. Hedao)

Under Secretary to the Government of India