

Annex I: Competition Policy 2020 Implementation and Monitoring Framework

SL.NO.	Policy Statement	Actions	Indicator	Baseline	Target	Timeline		Lead Agency	Collaborating Agencies	Funds/Committed/Uncom	Implementation Status	Remarks
						Start date	End date					
1	a. Unless for reasons of social policy or security or fall in the area of natural monopoly, there shall be no monopoly or dominant entity created or allowed to prevail in the market as an outcome of a policy or law, whether such position is enjoyed by a SOE or a private party.	Develop regulation to control the monopoly in the market.	Timeline by which the regulation is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT	Uncommitted		
2	b. The government shall encourage the entry of new players in a sector where monopoly exists. Or alternatively, the government shall consider the introduction of regulations to control the monopoly in the public interest.	Develop regulation to control the monopoly in the public interest.	Timeline by which the regulation is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT	Uncommitted		
3	c. No cartel or other anti-competitive arrangements shall be allowed to prevail as an outcome of a policy or a law.	Develop regulation/guidelines to prevent Cartel or other competitive arrangements in the market.	Timeline by which the regulation/guidelines is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT	Uncommitted		
4	d. No policy or law shall discriminate between enterprises based on ownership (government or private, domestic or foreign).	Develop regulation/guidelines to prevent discrimination among enterprises based on size or ownership. Already in place.	Timeline by which the regulation/guidelines is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT	Uncommitted		
5	e. Public sector procurement, as well as allocation of national resources by government or other public sector bodies, shall be based on market mechanisms that are transparent and non-discriminatory through a system of competitive bidding.											
6	f. In cases where an essential facility is owned / operated by a dominant enterprise, including by a SOE, except for reasons of social policy or security, a third party access to that essential facility shall be mandated by policy or law on fair and reasonable terms so as to allow competition with the dominant enterprise.	Develop regulation/guidelines to facilitate access to essential facility by a third party on fair and reasonable terms.	Timeline by which the guideline is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT/relevant agencies	Uncommitted		
7	g. Where deviations from the principles of CP are necessary to achieve certain social objectives or promote national interests, such deviations shall be allowed only for a well-defined objective, and on the basis of clearly articulated reasons. Further, the deviations shall be the one that has the least adverse effect on competition while meeting the said social objectives.	Develop regulation/guidelines to facilitate access to essential facility by a third party on fair and reasonable terms.	Timeline by which the guideline is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT/relevant agencies	Uncommitted		
8	h. The government shall work in collaboration and cooperation with other countries and organisations at the bilateral, regional and multilateral levels to respond to existing and potential cross-border anti-competitive practices, including, but not restricted to, various types of anti-competitive behaviours, abuse of the dominant position in the market, and various types of anti-competitive combinations.	Develop regulation/guidelines to facilitate access to essential facility by a third party on fair and reasonable terms.	Timeline by which the guideline is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT/relevant agencies	Uncommitted		
9	i. The principles of competition shall be considered in the process of policy making, legislation and enforcement that impact competition, and applied at both local and central government levels.	Implement CIA guidelines.	Application of CIA in the process of policy making, legislation and enforcement that impact competition.	CIA guidelines part of draft CP	NA	Jul-20	continuous process	MoEA (OCP)	Relevant agencies	Uncommitted		
10	j. The government shall ensure that all sector-specific regulatory agencies embrace the principle of CP, if relevant, while formulating and enacting sector specific policies and regulations.	Implement CIA guidelines.	Application of CIA while formulating and enacting sector specific policies and regulations.	CIA guidelines part of draft CP	NA	Jul-20	continuous process	MoEA (OCP)	Relevant agencies	Uncommitted		
11	k. The government shall ensure that the divestment of shares in SOEs does not lead to the transfer of monopoly or dominant power to private enterprises.	Develop regulation/guidelines to facilitate access to essential facility by a third party on fair and reasonable terms.	Timeline by which the guideline is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	Relevant agencies	Uncommitted		
12	l. The government shall prevent mergers likely to significantly impede effective competition in the market. To this end, the government shall, if and when necessary, review mergers and acquisitions, including joint ventures and other forms of business alliances, within the general framework of CP. The government shall develop criteria/guidelines for authorising mergers, joint ventures, and other business alliances, including thresholds triggering review, the treatment of efficiencies, and criteria to set remedies.	Develop criteria/guidelines for authorising mergers, joint ventures, and other business alliances.	Timeline by which the criteria/guidelines is developed.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT/relevant agencies	Uncommitted		
13	m. Consumers shall be protected from any deceptive and fraudulent behaviour of sellers and from unfair business practices through CP and other related legislations such as Consumer Protection Act 2012 and rules thereto.	Enforcement of Consumer Protection Act 2012 and Consumer Protection Rules and Regulations 2014.	Implementation of Consumer Protection Act 2012 and Consumer Protection Rules and Regulations 2014.									
14	n. The government shall seek to encourage small-scale firms in remote areas to generate greater competition by creating a level playing field.	On-going under Department of Cottage & Small Industries and Rural Enterprise Development										
15	o. The government shall continue to allocate budget for facilitating the provision of efficient public services and creating an enabling environment for the private sector, e.g. establishing more industrial estates through public-private partnerships, etc.	Develop industrial estates through public-private partnership.	No. of industrial estates established.	One industrial estate established in Pasakha	Dec-22	Jul-20	Dec-22	MoEA (DoI)	RTIOs/Private sector/other relevant agencies	Uncommitted		
16	p. The government shall prevent anti-competitive behaviours and practices by the business entities in the market. These include cartels and other anti-competitive agreements as well as abuses of dominance.	Develop regulation/guidelines on preventing anti-competitive behaviours	Timeline by which the regulation is developed.									
17	q. A new and existing economic policy or law proposed by any agencies of the government shall be subject to a Competition Impact Assessment (CIA) to evaluate its impact on competition in the	Train relevant officials on the implementation of CIA guideline.	Number of officials trained.	NA	Dec-22	Jul-20	Dec-22	MoEA (OCP)	DoT/RTIOs/GNHC/other relevant agencies	Uncommitted		