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① The competition Amendment bill, 2022 has opened the floodgates of regulatory developments for India in various ways. Discuss.

Centre has introduced competition Amendment bill, 2022 in the monsoon session of the parliament. The bill is said to provide special catalyst ~~for~~ by providing more powers to CCI and stakeholders to keep in touch with the compliance mechanisms.

Provisions of the bill.

The bill provides some important changes.

'Deal value'

Bill introduced 'Deal value' to regulate the transaction in mergers. ~~that involve~~ Introduced conditions like, parties require CCI approval, for mergers if transaction exceeds ₹ 2000 Cr. and if the both parties ~~are~~ ^{have} SBDI.

'Timeline' - trimmed

Timeline have been reduced to 20 days for prima facie and to 150 days at phase-II of

compliance.

'control'

Interpretation of the term has been shifted from 'Decisive influence' to material influence

Easing & Standstill obligation

Bill to ease the standstill obligation, offered the acquirers to acquire the shares, but not the ^{to} enjoy the rights of shares acquired.

Settlement mechanism

(for non-cartel cases)
To ~~for~~ settle the disputes at early stage and for cooperation's coordination 'Dispute settlement mechanism' was introduced.

Facilitator.

The cartel facilitator was ~~ex~~ included in to the mechanism of cartel between the competitors.

Significance of the bill.

⇒ 'Deal value transfer' is to prevent & misuse of dominant position for mergers.

⇒ Timeline is reduced, make it easy for CCI to approve / reject the proposals

⇒ Settling mechanism enables CCI to settle disputes with minimal resources without compromise on judgement.

⇒ ~~over~~

Challenges

Search & seizure mechanism in merger cases might be opposed,

Penalty of 25% on violation for small industries tends to be too much and likely to face opposition from large industries

Trimming timeline might increase the burden on CCI may lead to cancellation of proposals.

It is not clear whether the facilitator will be exposed to damages similar like cartel member.

Overall the bill ~~is~~ has received positive signs with flood of regulatory mechanism, to enable parties to bring in compliance with the rules