

Big Tech vs India

All of a sudden, global tech giants are grappling with the prospect of more stringent regulation and domestic telcos' demand for a level playing field

SURAJEET DAS GUPTA
New Delhi, 10 January

Global Big Tech in India is being subjected to increasing scrutiny — from the government, the Competition Commission of India (CCI), parliamentary committees and business lobbies, especially the telecom companies (telcos). And just like in Europe, the focus in India is similar — to rein in their growing domination in the country's digital sweepstakes.

Last month, the Parliamentary Standing Committee on Finance recommended a new digital competition law to scrutinise "systematically important digital intermediaries" that will be identified on the basis of their revenues, market capitalisation, businesses and the number of end users, putting Google, Meta, Apple Inc and even Amazon clearly in the crosshairs.

This bombshell closely follows a CCI order imposing a fine on Google for allegedly violating competition law through its Google play store policy, which gives app developers no option but to sign up through them to be present on Android devices. Apple Inc is under scrutiny by CCI on similar grounds.

The government has also upped the ante by bringing in three Bills to regulate the digital economy. The proposed telecom Bill plans to bring in OTT communications platforms such as WhatsApp, owned by Meta, under the licensing regime to ensure a "level playing field", which telcos have been demanding. The other Bills are on data privacy and a revamp of the IT Act.

Meanwhile, telcos also want Big Tech players to pay a fee and share the financial burden of running their networks on the grounds that they use most of the telcos' bandwidth to provide content to customers.



WHAT BIG TECH SAYS

- Growing scrutiny compel them to relook their India strategy and investment
- They are not against regulation but want its proper implementation
- Proposed laws are being used to equalise regulatory burden of telcos with them
- CCI action will only make mobile phones more unaffordable
- European rules cannot be replicated in India because of different economic realities
- Telcos already get data income from subscribers; they cannot ask for Big Tech to pay them to run their networks

WHAT OTHERS SAY

- There is need for a digital competition law that will identify and scrutinise large technology companies
- CCI has every right to scrutinise contracts of technology companies
- Big Tech runs messaging systems that need to be brought under light-touch regulation so that users are protected
- Telcos demand level playing field with Big Tech, which needs to pay for using their network

Big Tech players are not sitting quiet. Google has challenged the CCI decision in both the National Company Law Appellate Tribunal (NCLAT) and the Supreme Court. "The concentrated attack on Big Tech is worrisome. Don't misunderstand, we are not against regulation, but are concerned about its implementation."

It could impact both future investments and strategic goals for Big Tech in India," said a top executive of a Big Tech firm. Google Inc CEO Sundar Pichai has publicly shared his concerns during a recent visit to India.

Tech companies contend that by forcing Google to change its business model, the CCI order is likely to make

mobile phones more expensive for users.

Google signs agreements with mobile phone brands to offer its Android operating platform. In return, mobile device brands agree to include some Google apps as default options on the phone. The model is a win-win because customers don't have to pay for the operating system, which otherwise would increase the price of the phone. Instead, Google makes money from advertising its apps and telcos make money from the sale of data.

App developers' grouse is that they have no choice but to pay a steep 30 per cent commission to access the Google Play store. But in their submission to the parliamentary committee the Big Two said 97 per cent of the app developers on Google Play and 87 per cent on the Apple store do not pay anything. Those who do pay are limited to apps that make money through the platform, such as gaming or music streaming companies. "Most of them are among the world's biggest gaming and music companies. Small developers are not impacted at all," said an expert in the business.

The CCI order will force Google to charge for its operating system, so device prices will go up substantially. Two, with side-loading of apps permitted — meaning app developers need not route their products through the Play store — Google would not be able to verify the apps on the platform, which could create serious security issues. The question of who will scrutinise side-loaded apps is yet to be addressed.

In Europe, which has passed a law allowing side-loading, there are proposals that such apps will need to be scrutinised by the owners of the operating system. "The CCI has the right to explore market abuse by all players, including telecom companies, Big Tech and mobile device brands. It also has to see the overall context of what is good for consumers," telecom analyst Mahesh Uppal said.

But regulatory experts say replicating the European model in India makes no sense because Europeans, with a per capita income five times that of India, can afford to pay

higher prices for phone operating systems unlike the average Indian.

Also, internet penetration in Europe has peaked at 90 per cent, while in India it is nearly half, at 47 per cent in 2021, so there is huge catching up for the country to do. This can only happen if services are available at low prices.

There is another financial reality — market size and revenues. For Google, India accounts for around 2 per cent of its total revenues, while for Apple Inc it is around 1 per cent, and for Meta, 1.5 per cent. Europe, by contrast, accounts for 25 per cent each of Apple and Meta's revenues. Understandably, European regulators yield far more clout on Big Tech. And that is reflected in the fact that these companies are ready to pay fines and engage with regulators to implement some of the new laws such as side-loading.

Big Tech is also peeved about the Indian government's proposed laws that address telcos' demand for a level playing field. That is the only reason they say the proposed telecom Bill wants OTT communications to be licensed. Uppal pointed out that "the regulatory burden on telcos is very high. But a short cut way to equalise it by increasing the burden on OTT communications platforms makes little sense." The government says it is merely bringing OTT into a soft touch licensing ambit to protect users.

The other contentious issue is the telcos' demand that Big Tech players who use their network and data should pay a fee or support the large investments put in the infrastructure.

But Big Tech companies say that their business has expanded because of the content they offer. Uppal sums up the argument and says that telcos always have the option to increase the price of data if they feel the cost of infrastructure is rising since there is nothing to restrict them from doing so. "It is illogical to ask Big Tech to pay a fee when you are free to price your service," he said. With both sides showing signs of hardening their positions, this battle is likely to become fiercer.

Lower judiciary more socially diverse than higher courts

Not as well-represented in proportion to the population in some states like Odisha and West Bengal

ISHAAN GERA
New Delhi, 10 January

The courts have repeatedly upheld caste-based reservations, but the rule does not seem to apply to the judiciary. Although some states have a reservation policy in the lower judiciary, a nationwide analysis shows that social diversity is lagging for certain communities.

A *Business Standard* analysis of data from July 2022 on the working strength in lower courts found that only 4.9 per cent of the judges in district and subordinate courts belonged to the Scheduled Tribes (ST).

If the reservation criterion were to apply to lower judiciary across the country, the ratio would be 7.5 per cent.

The ratio for Scheduled Castes (SC) was 13.3 per cent and for Other Backward Classes (OBC), it was 23.8 per cent. The reservation limit in government jobs for SC and OBC is 15 and 27 per cent, respectively.

That said, the lower judiciary fared better than the higher courts. In a recent submission before a Parliamentary panel, the law ministry said that 78 per cent of high court (HC) judges appointed between 2018 and 2022 belonged to the upper caste.

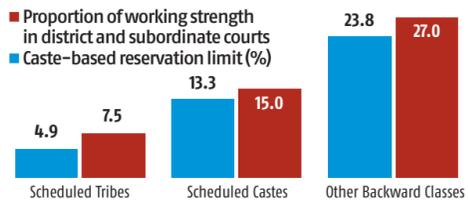
Two years ago, in its 106th report, the department-related standing committee observed that lack of social diversity in the judiciary was a concern. More so, in some states.

Take the example of Odisha. The state had 22.8 per cent of the population from the ST community, according to the 2011 Census, but no ST judge in the lower courts.

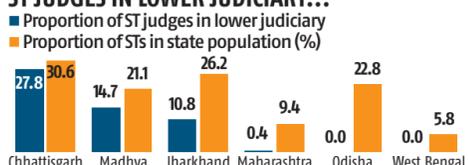
It was the same for West Bengal, which had a 5.8 per cent ST population.

And despite having a 14.8 per cent representation of STs in the state population, Gujarat had just 0.4 per cent ST

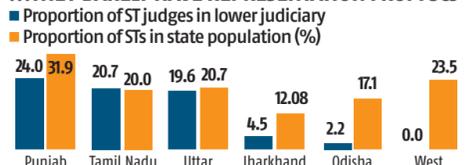
BETTER REPRESENTATION IN LOWER JUDICIARY



ODISHA AND WEST BENGAL HAVE NO ST JUDGES IN LOWER JUDICIARY...



...THEY BARELY HAVE REPRESENTATION FROM SCs



judges in its district and subordinate courts.

Maharashtra had a similar ratio, despite 9.4 per cent of the people in the state belonging to the SC community.

Chhattisgarh had better representation, with 27.8 per cent of the judges coming from the SC community. In Madhya Pradesh, the ratio was 14.8 per cent.

The representation was better when it came to Scheduled Castes. Eleven of 15 states with an SC population of over 15 per cent had over 15 per cent of its lower judiciary officers

coming from the community. Punjab had the highest share with 24 per cent representation; it also had the highest percentage of the SC population, at 32 per cent.

Meanwhile, West Bengal, with a 24 per cent share from the SC community, had no SC representation in the lower judiciary until July 2022.

Odisha was again a laggard with a 2.2 per cent representation of SCs as judges in district and subordinate courts. The community had a 17 per cent share of the state's population in 2011.

RENAISSANCE GLOBAL LIMITED
(A Government of India Enterprise)
CIN: L36911MH1989PLC054498
Regd. Office: Plot No. 36 A & 37, Seepz, Andheri (E), Mumbai - 400096
Tel: 022-4055 1200 | Fax: 022-2829 2146
Web: www.renaissanceglobal.com | Email: investors@renaissanceglobal.com

NOTICE TO SHAREHOLDERS
(Transfer of Equity Shares to the Investor Education and Protection Fund (IEPF))
(As per Section 124(6) of the Companies Act, 2013)

Members are hereby informed that in terms of Section 124(6) of the Companies Act, 2013 and the IEPF Authority (Accounting, Auditing, Transfer and Refund) Rules, 2016 as amended to date, the shares, on which dividend has not been claimed or paid for seven consecutive years from the dividend declaration date, are liable to be transferred to the Demat account of IEPF Authority, constituted by the Government of India under Section 125 of the Companies Act, 2013.

As per the said rules, the Company has sent individual communication at the latest available address of the shareholders whose shares are liable to be transferred to IEPF Demat Account for taking appropriate action and submitting requisite documents to claim the unpaid dividend before its transfer to IEPF Demat Account. Shareholders are advised to forward the requisite documents as mentioned in the said communication to the Company's Registrar and Share Transfer Agent (RTA) M/s. Link Intime India Pvt. Ltd.

The list of such shareholders who have not encashed/claimed their dividends for last seven consecutive years and whose shares are therefore liable for transfer to IEPF Demat account is displayed on website of the Company <https://renaissanceglobal.com/shares-transferred/>

Notice is hereby given that in the absence of receipt of valid documents/claims from the concerned shareholder(s) by the date mentioned in the said communication, the Company would be initiating the process of transferring said shares to IEPF Demat account, without any further notice, in accordance with the said Rules. Once these shares are transferred by the Company to IEPF Demat Account, no claim shall lie against the Company or RTA. However, the Shareholders may claim such shares by making an application to IEPF Authority in Form IEPF-5 as prescribed under the IEPF Rules. The said form is available on the IEPF website i.e. www.iepf.gov.in.

For any other information / clarification on this matter, the concerned shareholders may contact our RTA M/s. Link Intime India Pvt. Ltd., C-101, 247 Park, L B S Marg, Vikhroli (West), Mumbai - 400083, Tel. No.: (022) 49186270, e-mail: iepf.shares@linkintime.co.in or write to the Company at investors@renaissanceglobal.com.

For Renaissance Global Limited
Sd/-
CS Vishal Dhokar
Company Secretary & Compliance Officer
Mumbai, January 10, 2023

NMDC Limited
(A Government of India Enterprise)
10-3-311/A, Castle Hills, Masab Tank, Hyderabad-500 028
(CIN) - L13100TG1958GOI01674
Telephone: 0991-40-23538710/770, 23538713 to 23538721, Ext: 138/270/249,
Email: csreddy@nmdc.co.in; bnkumar@nmdc.co.in; ipsingh@nmdc.co.in

Tender No. HQMM/4003-21/110000522/93 Dated: 10.01.2023

OPEN TENDER NOTICE

Online Tenders are invited through e-Procurement Mode for the following Equipment from reputed manufacturers directly or through their accredited agents in India required for NMDC Ltd., Diamond Mining Project, Majhagan, Panna Madhya Pradesh, India.

Description of Equipment	Qty (No.)	Pre-Bid meeting	Display of Tender Document Period	Last date (Tentative) & Time for submission of offer	Earnest Money Deposit
Rear Dump Truck 40 Ton capacity along with Operation and Maintenance Spares for 6 years / 7500 Hours whichever is earlier.	1	30.01.2023 at 11.00 AM	DRAFT : 11.01.2023 to 30.01.2023 FINAL (Tentative dates) : 08.02.2023 to 24.02.2023	24.02.2023 by 02.30 PM	Rs 200000/-

Complete Tender document is available in website www.nmdc.co.in, www.mstcecommerce.com/prochome & <http://eprocure.gov.in>. Any corrigendum to the above tender will be uploaded only on our website www.nmdc.co.in and will not be published. Prospective bidders should visit the above NMDC Limited website from time to time to take note of corrigendum, if any. For further details logon to Tender Section of our website: www.nmdc.co.in.

Chief General Manager (Materials)
हर एक काम देश के नाम

Indian Overseas Bank
INFORMATION TECHNOLOGY DEPARTMENT
Central Office: 763, Anna Salai, Chennai-600002

Indian Overseas Bank (IOB) invites bids for the following:
GOVERNMENT E-MARKET PORTAL- SUPPLY, INSTALLATION AND MAINTENANCE OF CENTRALISED INFORMATION MANAGEMENT SYSTEM AND AUTOMATED DATA FLOW
BID NO:GEM/2023/B/2967069 Dated: 10.01.2023
The Above GEM Tender document is also available and can be downloaded from the following websites
www.iob.in & www.gem.gov.in
For Tender details and future amendments, if any, keep referring to the following website www.gem.gov.in

Akzo Nobel India Limited
CIN: L24292WB1954PLC021516
Tel. (033) 22267462, Fax (033) 22277925
Email: investor.india@akzonobel.com, Website: www.akzonobel.co.in

BOARD OF DIRECTORS' MEETING

This is to notify that a Meeting of the Board of Directors of Akzo Nobel India Limited is scheduled to be held on Thursday, 9th February 2023 to consider, inter alia, Unaudited Standalone and Consolidated Financial Results of the Company for the Quarter and Nine Months ended 31st December, 2022. Recommend Interim Dividend for the financial year 2022-23, if any.

Investors may visit the website of the Company www.akzonobel.co.in and the Stock Exchanges viz. www.nseindia.com and www.bseindia.com for further details in this regard.

for Akzo Nobel India Limited
Sd/-
Harshi Rastogi
Company Secretary
Membership # A13642
Registered Office: Geetanjali Apartment, 8B, Middleton Street, Kolkata - 700071
Dated: 10 January, 2023

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL DIVISION BENCH – I, CHENNAI
CP (CAA)/ 105/ (CHE)/ 2022
(Connected with CA(CAA)/ 83 to 92 / (CHE)/ 2021)
In the Matter of Section 230 to 232 of The Companies Act, 2013

And
In the matter of Scheme of Arrangement (Demerger) between Bhalakh Realtors Private Limited and Avni LivingSpace Private Limited and Bhoomi Architerior Private Limited and Earth Real Estate Private Limited and Kshetra Buildtech Private Limited and P & M Land Developers Private Limited and Petunia Constructions Private Limited and Petunia Daksha Real Estate Private Limited and Petunia Eretz Developers Private Limited and Prithvi LivingSpace Private Limited and their respective shareholders.

Petunia Daksha Real Estate Private Limited
(CIN: U45400TN2007PTC064225)
Having its Registered Office at Old no.20, Shaftee Mohamed Road, Chennai - 600006
... Resulting Company (7) and Petitioner Company

NOTICE OF PETITION

A Petition under Section 230 to 232 of the Companies Act, 2013 for sanction of the Scheme of Arrangement (Demerger) between Bhalakh Realtors Private Limited and Avni LivingSpace Private Limited and Bhoomi Architerior Private Limited and Earth Real Estate Private Limited and Kshetra Buildtech Private Limited and P & M Land Developers Private Limited and Petunia Constructions Private Limited and Petunia Daksha Real Estate Private Limited and Petunia Eretz Developers Private Limited and Prithvi LivingSpace Private Limited and their respective shareholders was presented by the Petitioner Company on the 16th day of May, 2022 and admitted on 7th day of December, 2022 and the said Petition is fixed for hearing before the National Company Law Tribunal, Chennai Bench on 8th day of February 2023. Any person desirous of supporting or opposing the said Petition should send to the Petitioner's Advocate, notice of his intention, signed by him or his Advocate with his name and address, so as to reach the Petitioner's Advocate not later than two days before the date fixed for the hearing of the Petition. Where he seeks to oppose the Petition, the grounds of opposition or a copy of his affidavit shall be furnished with such notice. A copy of the Petition will be furnished by the undersigned to any person requiring the same on payment of the prescribed charges for the same.

Dated this the 11th day of January 2023.

PAWAN JHABAKH
Counsel for the Applicant
New No. 115, First Floor, Luz Church Road, Mylapore, Chennai – 600 004.

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL DIVISION BENCH – I, CHENNAI
CP (CAA)/ 105/ (CHE)/ 2022
(Connected with CA(CAA)/ 83 to 92 / (CHE)/ 2021)
In the Matter of Section 230 to 232 of The Companies Act, 2013

And
In the matter of Scheme of Arrangement (Demerger) between Bhalakh Realtors Private Limited and Avni LivingSpace Private Limited and Bhoomi Architerior Private Limited and Earth Real Estate Private Limited and Kshetra Buildtech Private Limited and P & M Land Developers Private Limited and Petunia Constructions Private Limited and Petunia Daksha Real Estate Private Limited and Petunia Eretz Developers Private Limited and Prithvi LivingSpace Private Limited and their respective shareholders.

Bhoomi Architerior Private Limited
(CIN: U45400TN2007PTC064344)
Having its Registered Office at Old no.20, Shaftee Mohamed Road, Chennai - 600006
... Resulting Company (2) and Petitioner Company

NOTICE OF PETITION

A Petition under Section 230 to 232 of the Companies Act, 2013 for sanction of the Scheme of Arrangement (Demerger) between Bhalakh Realtors Private Limited and Avni LivingSpace Private Limited and Bhoomi Architerior Private Limited and Earth Real Estate Private Limited and Kshetra Buildtech Private Limited and P & M Land Developers Private Limited and Petunia Constructions Private Limited and Petunia Daksha Real Estate Private Limited and Petunia Eretz Developers Private Limited and Prithvi LivingSpace Private Limited and their respective shareholders was presented by the Petitioner Company on the 16th day of May, 2022 and admitted on 7th day of December, 2022 and the said Petition is fixed for hearing before the National Company Law Tribunal, Chennai Bench on 8th day of February 2023. Any person desirous of supporting or opposing the said Petition should send to the Petitioner's Advocate, notice of his intention, signed by him or his Advocate with his name and address, so as to reach the Petitioner's Advocate not later than two days before the date fixed for the hearing of the Petition. Where he seeks to oppose the Petition, the grounds of opposition or a copy of his affidavit shall be furnished with such notice. A copy of the Petition will be furnished by the undersigned to any person requiring the same on payment of the prescribed charges for the same.

Dated this the 11th day of January 2023.

PAWAN JHABAKH
Counsel for the Applicant
New No. 115, First Floor, Luz Church Road, Mylapore, Chennai – 600 004.

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL DIVISION BENCH – I, CHENNAI
CP (CAA)/ 105/ (CHE)/ 2022
(Connected with CA(CAA)/ 83 to 92 / (CHE)/ 2021)
In the Matter of Section 230 to 232 of The Companies Act, 2013

And
In the matter of Scheme of Arrangement (Demerger) between Bhalakh Realtors Private Limited and Avni LivingSpace Private Limited and Bhoomi Architerior Private Limited and Earth Real Estate Private Limited and Kshetra Buildtech Private Limited and P & M Land Developers Private Limited and Petunia Constructions Private Limited and Petunia Daksha Real Estate Private Limited and Petunia Eretz Developers Private Limited and Prithvi LivingSpace Private Limited and their respective shareholders.

Kshetra Buildtech Private Limited
(CIN: U70101TN2007PTC064035)
Having its Registered Office at Old no.20, Shaftee Mohamed Road, Chennai - 600006
... Resulting Company (4) and Petitioner Company

NOTICE OF PETITION

A Petition under Section 230 to 232 of the Companies Act, 2013 for sanction of the Scheme of Arrangement (Demerger) between Bhalakh Realtors Private Limited and Avni LivingSpace Private Limited and Bhoomi Architerior Private Limited and Earth Real Estate Private Limited and Kshetra Buildtech Private Limited and P & M Land Developers Private Limited and Petunia Constructions Private Limited and Petunia Daksha Real Estate Private Limited and Petunia Eretz Developers Private Limited and Prithvi LivingSpace Private Limited and their respective shareholders was presented by the Petitioner Company on the 16th day of May, 2022 and admitted on 7th day of December, 2022 and the said Petition is fixed for hearing before the National Company Law Tribunal, Chennai Bench on 8th day of February 2023. Any person desirous of supporting or opposing the said Petition should send to the Petitioner's Advocate, notice of his intention, signed by him or his Advocate with his name and address, so as to reach the Petitioner's Advocate not later than two days before the date fixed for the hearing of the Petition. Where he seeks to oppose the Petition, the grounds of opposition or a copy of his affidavit shall be furnished with such notice. A copy of the Petition will be furnished by the undersigned to any person requiring the same on payment of the prescribed charges for the same.

Dated this the 11th day of January 2023.

PAWAN JHABAKH
Counsel for the Applicant
New No. 115, First Floor, Luz Church Road, Mylapore, Chennai – 600 004.

NSE
National Stock Exchange of India Ltd.
'Exchange Plaza', Bandra-Kurla Complex, Bandra (E), Mumbai-400 051

NOTICE

Notice is hereby given that the following trading member of the National Stock Exchange of India Ltd. (Exchange) has requested for the surrender of its trading membership of the Exchange:

Sl. No.	Name of the Trading Member	SEBI Regn. No.	Last Date for filing complaints
1.	KEDIA FINTRADE PRIVATE LIMITED	INZ00 0300439	26-January-2023

The constituents of the above-mentioned trading members are hereby advised to lodge immediately complaints, if any, against the above-mentioned trading members on or before the last date for filing complaints as mentioned above and no such complaints filed beyond this period will be entertained by the Exchange against the above-mentioned trading members and it shall be deemed that no such complaints exist against the above-mentioned trading members or such complaints, if any, shall be deemed to have been waived. The complaints filed against the above-mentioned trading members will be dealt with in accordance with the Rules, Bye-laws and Regulations of the Exchange/NCL. The complaints can be filed online at www.nseindia.com>Domestic Investors>Complaints>Register an E-complaint. Alternatively, the complaint forms can be downloaded from www.nseindia.com>Domestic Investors>Complaints>Register a complaint offline> Complaints against Trading Members or may be obtained from the Exchange office at Mumbai and also at the Regional Offices.

For National Stock Exchange of India Ltd.
Sd/-
Place: Mumbai Associate Vice President
Date: January 11, 2023 Compliance

Nifty50

