

## Curriculum Vitae: GULATI, Archana Goyal (Ms.)

### 1. Work Experience

I am a career civil servant and a telecom policy expert with almost 30 years of experience. An economist with degrees in law, management and public administration, my expertise extends to nearly all aspects of telecom / ICTs policy and regulation and includes policy, regulation and implementation in the unique context of problems faced by developing countries. I am particularly interested in Universal Service Regulation. This was the topic of my essay paper for my LLM (International IT & Telecom law) degree from the University of Strathclyde, U.K., and the subject matter of my ongoing PhD research on Universal Service Regulation with the Indian Institute of Technology, New Delhi.

My educational background when combined with my vast work experience in the sphere of ICTs policy & regulation with the Department of Telecommunications and my regulatory experience working with the Competition Commission places me in a unique position as a policy expert who is not only abreast with latest technologies and regulatory challenges and trends, but also has intensive implementation experience and the requisite legal and economic training.

My regulatory experience has also involved working with / for international organizations over past the decade. These include as the **International Telecommunications Union (ITU)**, **Commonwealth Telecom Organization (CTO)**, **International Competition Network (ICN)** and **UN Women and United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)** and the **ICT's Regulators of South Africa (as trainer)** and **Mexico (as expert panelist)**.

In particular, I have:

- Served as **ITU resource person** and presented a paper at an ITU conference on **ICTs for All** at Singapore in **2010**
- Served as ITU resource person and presented a paper at the ITU-Federal Communication Commission's M-Enabling Summit in Washington in 2011
- Worked with **UN Women** to spearhead **Sanchar Shakti** a very **successful pilot project for mobile value-added services for rural women** which was launched on the occasion of International Women's Day in **2011** by the President of India;

- **Served as ITU expert on an ITU Mission on Human Capacity Building for Digital inclusion** (Universal Service Policy and Programme on access to ICTs for PwDs to the Government of Nepal and Afghanistan) in **2012-13**;
- Served as an **expert on Disaster Risk Reduction and Financing** on a **UNESCAP** panel on Strategies towards Building Resilience to Disaster in Asia Pacific held at Bangkok in 2013 and participated as part of Indian delegation to UNESCAP in the third session of the Committee on Disaster Risk Reduction.
- **Co-chaired the International Competition Network's, Merger Working Group (MWG) along with Canadian Competition Bureau and Director General Competition, European Commission** in my capacity as Head Mergers and Acquisitions Competition Commission of India and in same capacity, **hosted the ICN MWG workshop at New Delhi in 2014**
- Participated as **resource person** in **ICN Merger Working Group** workshop in Brussels, **2015**
- Represented the Competition Commission of India as a **speaker** at the **Russian Federal Antimonopoly Service's roundtable on competition issues in the pharmaceutical sector**, in Moscow in 2015.
- **Conducted international training on behalf of the Commonwealth Telecom Organization (CTO) on Strategic Planning for ICT Policy & Regulation'** in April 2018 **for South African ICT's Regulator**, Independent Communications Authority of South Africa (ICASA). This covered contemporary issues including regulation of OTTs, IoT/M2M, Competition, Data Protection, Net Neutrality, QoS and Universal Service etc.
- **Participated as Expert/panelist** on the subject of **'Preparing the regulatory landscape for future technologies, services and business models'** in **ITU's Regional Economic Dialogue on Communications/ICT in Mexico in 2018.**
- **Participated as Expert/panelist** on the subject of **'Economic and Regulatory Issues in the Era of Free Services'** during the Session on Economic Issues in Modern Telecommunication/ICT markets at ITU, September 25, 2018
- **Participated as Expert/ speaker** on the subject of **'Big Data-Competition & Consumer Protection Issues'** in the **Mexican ICTs Regulator**, (Instituto Federal de Telecomunicaciones), **Forum on Challenges of Competition in the Digital Environment**, Mexico City, November 7-8, 2018
- **Appointed Vice rapporteur to Q.6 and Active Collaborator to Q.4 under ITU D Study Group 1 for the 2018-2021 study cycle** dealing with

Consumer information, protection and rights: Laws, regulation, economic bases, consumer networks and Economic policies, and methods of determining the costs of services related to national telecommunication/ICT networks respectively.

I have the ability to handle international relations professionally and build warm and lasting friendships with colleagues from other nations. **I have in particular recognized expertise in the area of regulatory issues surrounding digital communications markets including collaborative regulation, competition, data protection and privacy.**

A.	<b>Regulatory Experience:</b>
(i)	<p><b><i>Adviser and Head Combinations (Mergers) Division, Competition Commission of India (CCI) (July 21, 2014 to June 23, 2017).</i></b></p> <p><i>Role:</i> To head the Combination Division of CCI (dealing with approvals of Mergers and Acquisitions) and advise the Commission on (a) M&amp;A cases filed with CCI (b) legal &amp; regulatory issues relating to interpretation &amp; implementation of the Competition Act, 2002(Act) &amp; extant regulations in relation to combinations. To represent CCI in stakeholder interaction relating to combinations.</p> <p><i>Achievements:</i></p> <ul style="list-style-type: none"> <li>• Advised the Commission on around 200 out of 378 M&amp;A (combination) cases settled up to tenure including several multi-jurisdictional mergers.</li> <li>• Assisted in the investigation of the first case that was placed under Phase II review by CCI (Case No. C-2014/04/164-MAFFFL) and supervised the investigation and finalization of the first three cases that have involved detailed phase II investigations and modifications to the combination (remedies), post Phase II review. Responsible for de novo evolution of procedures for Phase II cases in CCI based on study of international best practices.</li> <li>• Responsible for interpretation of the Act &amp; regulations</li> <li>• Supervised two rounds of amendments to the Indian merger regulations (Combination Regulations) to streamline and simplify notification and processing, including the revision of the forms for filing combinations in July 2015 and January 2016, after due stakeholder consultation and benchmarking against international best practices.</li> <li>• Responsible for pre-filing consultations with stakeholders and legal representatives</li> <li>• Responsible for <i>Suo moto</i> detection &amp; investigation of cases of failure to file combinations (M&amp;A) under provisions of the Act</li> </ul>

	<ul style="list-style-type: none"> <li>• Supervised proceedings relating to contraventions of statutory provisions of the Act and finalization of directions of the Commission thereof.</li> <li>• <b>Interacted with foreign competition experts, legal firms and competition authorities during collaborations on international merger filings</b></li> <li>• <b>Represented India in its capacity as: (i) ICN co-chair in the ICN MWG for the year 2014 ; (ii) Host of ICN Merger Workshop, December, 2014 held in New Delhi and participated as resource person in the ICN Merger workshop, 2015 held in Brussels.</b></li> <li>• Represented CCI in appearances before Parliamentary Committees and stakeholder interactions (including industry and government).</li> </ul>
(ii)	<p><b><i>Financial Adviser to National Disaster Management Authority (NDMA)-February 1, 2012 to July 20, 2014).</i></b></p> <p><i>Role:</i> Responsible for finance/economic advice to Vice Chairman NDMA on implementing the National Disaster Management Act, 2005 (DM Act).</p> <p><i>Achievements:</i></p> <ul style="list-style-type: none"> <li>• Co-authored Discussion Paper on Disaster Relief &amp; Risk Transfer through Insurance-now under consideration of the Department of Financial services, Government of India. This involved also, interaction with international experts from disaster insurance sector to appreciate best practices.</li> <li>• Prepared NDMA's Memorandum to the 14<sup>th</sup> Finance Commission on the subject of grants to states for financing of disaster mitigation &amp; relief</li> <li>• Drafted the detailed project report for constitution of the National Disaster Mitigation Fund, as provided (but not yet constituted) in the National Disaster Management Act.</li> <li>• Provided inputs on Law Commission's Consultation paper on punitive measures in the Disaster Management Act in relation to manmade disasters</li> <li>• Drafted the Chapter on Financial Arrangements for the National Disaster Management Plan</li> <li>• Participation in UNESCAP deliberations</li> </ul>
(iii)	<p><b><i>Financial Adviser to India's Universal Service Obligation Fund (USOF) (May 28, 2007 to January 31, 2012):</i></b></p> <p><i>Role:</i> To head the Finance wing of the USOF and provided finance/economic advice on implementation and regulation of the Fund's activities as per the Indian Telecommunications (Amendment) Act 2003 and the Indian Telegraph</p>

	<p>(Amendment) Rules. Budget, Audit, subsidy benchmarking, disbursement and monitoring.</p> <p><b>Achievements:</b></p> <ul style="list-style-type: none"> <li>• Formulation and implementation of several Universal Service programmes for broadband, mobile connectivity and public access services including spearheading special programmes for women and the disabled (in coordination with UN Women.)</li> <li>• Pursuant to expertise, also served as resource person in International Telecommunication Union (ITU) conferences and for an ITU mission on ICTs for persons with disabilities (Nepal &amp; Afghanistan).</li> <li>• Creation of first USOF website (has been altered since) and publicity material. Also played key role in advocacy and strengthening of monitoring mechanisms including independent evaluation of USOF schemes. This effort was appreciated internationally for bringing transparency to subsidy disbursement.</li> <li>• Led presentation to the Parliamentary Public Accounts Committee, which resulted in praise for work done.</li> <li>• Participated as resource person in ITU workshops.</li> </ul>
(iv)	<p><b><i>Officer on Special Duty to the Secretary, Department of Communications and Chairperson of Telecom Commission of India</i></b></p> <p><b>Role:</b> To assist the Secretary on various matters including those relating to telecom policy and regulation. This includes contemporary issues such as Net Neutrality, Internet Telephony, OTTs, Cloud Computing, IoT/ M2M, Universal service, Mergers and Acquisitions, Foreign Direct Investment, Licensing, Data Protection etc.</p>
(v)	<p><b>Policy making and Implementation Experience:</b></p> <p>I have served the Government of India in various capacities as an Indian Civil Services (Group A) officer since January, 1990 (1989 batch of Civil services). All these have involved policy making and implementation experience and intensive interface with industry (All sectors in my capacity as Head of Combinations Division, CCI, apart from telecommunications (several tenures in Department of Telecommunications (DoT), and various sectors as Advisor, NDMA. At present I am working as Officer on Special duty to the Secretary, Department of Communications and Chairperson of Telecom Commission of India wherein my role is to assist the Secretary on various matters including those relating to telecom policy and regulation.</p>

## 2. Educational Qualifications

<b>A.</b>	<b>Law and Economics:</b>	
1.	<b>LLM (IT &amp; Telecommunications)</b> , University of Strathclyde, U.K <sup>1</sup>	2009-2011
2.	<b>Bachelor of General Law</b> , ICFAI University, India	2004-2007
3.	<b>B.A Honours (Economics)</b> , Lady Sriram College, Delhi University, <sup>2</sup>	1985-1988
<b>B.</b>	<b>Others:</b>	
4.	<b>MPhil (Public Administration)</b> , Indian Institute of Public Administration <sup>3</sup>	2016-2017
5.	<b>PhD (part time)</b> Department of Management Studies, Indian Institute of Technology, Delhi	ongoing
6.	MSc, Defence and Strategic Studies, Madras University, India	2000-2001
7.	M.B.A, Indira Gandhi National Open University (IGNOU)	2002-2005
8.	Post Graduate Diploma in Financial Management (IGNOU)	1995-1996
9.	Languages: Fluent in English, and can converse/write in French (basic)	

Note: *All courses passed with First Division and above.*

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<sup>1</sup> Awarded 70% marks for Dissertation on, "Has the legal framework of universal service in India been able to ensure that Universal Service Fund supported interventions do not harm competition in the Indian Telecommunications sector and if not, what can be done to remedy the situation." This was based on benchmarking Indian law against EU's Universal Service Directive. This was a part time distance education course.

<sup>2</sup> Stood third in (BA Honours, Economics) Lady Sri Ram college. Among top 20 of batch graduating from Delhi University in 1988.

<sup>3</sup> Thesis for MPhil was titled, 'Analysis of Regulatory Framework for Merger Review in India and Recommendations for Improvement.' It benchmarks Indian law against international best practices as contained in ICN Recommended Practices. Adjudged among top 10 dissertations.

### 3. Academic Distinctions/Scholarships

- A. Awarded 'Certificate of Merit' by Central Board of Secondary education (CBSE) for being in top one percent of successful candidates in the country in 1985 CBSE Senior Secondary Exam.
- B. Awarded Merit Certificate In lieu of Scholarship under National Scholarship Scheme- 1985 (as parents' income above economic eligibility criteria).

### 4. Publications

A.	<b>Selected Papers</b>
1.	<b>Regulation in Developing Countries - Growing Pains of the Indian Merger Review Regime, Competition and Regulation in India, 2015, <i>Leveraging Economic Growth through Better regulation, CIRC, CUTS International</i></b>
2.	<b>The Net Neutrality Debate in the Indian Context, With A Pinch of Salt, <i>CUTS Institute of Regulation &amp; Competition(CIRC), Working paper 13(2015)</i></b>
3.	<b>The State of Broadband in India: A Call for Regulatory Neutrality, <i>CIRC Working Paper 10 (2014)</i></b>
4.	<b>Why India Needs a Robust Competition Policy Framework, <i>CIRC Working Paper 5 (2013)</i></b>
5.	<b>Of Airwaves, Incumbents and Good Governance - The Urgent Need for a Robust Competition Policy Framework, <i>Indian Journal of Public Administration, April-June 2013, Vol. LIX, No. 2, ISSN 0019-5561</i></b>
6.	<b>Regulatory Framework for Universal Service in India, can we learn from EU, <i>The Indian Journal of Public Administration 256 / Vol. Lx, No. 2, April-June 2014</i></b>
7.	<b>Good Governance in the Internet Age, <i>Award Winning Case Study, 2007 published in Case Method, Concept and Cases in Public Administration, Indian Institute of Public Administration, 2011, ISBN 81-86641-45-9</i></b>
8.	<b>Using ICTs to M-power Women's Self Help Groups in Rural India <i>Kurukshetra, A journal on Rural Development, Vol. 59, No. 6, April 2011</i></b>
9.	<b>Broadband Services for Rural India: Connectivity and Content <i>Kurukshetra, Vol. 57, No. 6, April 2009</i></b>
10.	<b>Singapore an e-Government Delight and managing the same for India, <i>The Indian Journal of Public Administration, Vol. LII, No. 2, April-June 2006</i></b>
11.	Apart from the above, I have several other published articles/papers, which may be perused at <a href="http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1239033">http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1239033</a>
	I write a blog 'ICTs for all' which may be viewed at <a href="http://ictsforall.blogspot.in/">http://ictsforall.blogspot.in/</a>

## 5. References

1. Mr. D.K Sikri, Former Chairperson, Competition Commission of India, (+919810053385)
2. Mr. J.S Deepak, Indian Ambassador to WTO and former Secretary, Department of Telecommunications, Ministry of Communications & IT
3. Mr. T, Nandakumar, former Member, National Disaster Management Authority of India (+91909965566)
4. Ms. Vijayalakshmi Gupta, former Member Finance, Telecom Regulatory Authority of India, (+919868138602 ) & former Member Finance, Telecom Commission of India
5. Dr. Eun-Ju KIM, Chief, Innovation and Partnership Department (IP), BDT/International Telecommunication Union, +41 22 730 5900