



Fair Competition
for Greater Good

*A Journey
Through
Years ^{the}
2009–2022*

Competition Commission of India

*A Journey
Through
Years ^{the}*

2009–2022



Fair Competition
for Greater Good

Competition Commission of India

Disclaimer

This publication has been conceptualised and developed for outreach purposes. The contents should not be deemed to be substitute for appropriate and relevant legal advice.

Published by

Competition Commission of India

9th Floor, Office Block - 1, Kidwai Nagar (East)
New Delhi - 110023, India

Copyright

Competition Commission of India.

2022. All rights reserved.

No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopy, recording or otherwise without the permission of the publisher.

Design by GENESIS

98100 33682 | genesisadvt@hotmail.com



Fair Competition
for Greater Good



Shri Narendra Modi

HON'BLE PRIME MINISTER MODI ON *Competition*

“ The government is working at four different levels to achieve the goal of an economy of US\$ 5 trillion. First – Connect with private sector; Second – Fair Competition; Third - Wealth Creation; and Fourth – Deletion of Archaic Laws. ”

“ Government is opening more and more sectors of the economy to the private sector. Corruption and Cronyism would be strictly dealt with, to promote fair competition. ”

- at The Economics Times Global Business Summit
on 6th March 2020

“ Today, the growth vehicle in India is running on 4 Wheels with new thinking and a new approach. One wheel is Society, which is aspiring. The second wheel is Government, which is encouraging for New India. The third wheel is that of Industry, which is daring and the fourth wheel is of Knowledge, which is sharing. ”

“ Now governments are coming forward in the competition to build this eco-system. They are simplifying the system, changing the laws and eliminating the unnecessary rules. The more this competition increases among the states, the more capable our industries will become on the global platform. ”

- at the Rising Himachal Global Investors'
Summit on 7th November 2019



Smt. Nirmala Sitharaman

Message



HON'BLE UNION MINISTER OF FINANCE AND CORPORATE AFFAIRS REPUBLIC OF INDIA

I am truly delighted to witness the journey of the Competition Commission of India (CCI) in acting as a bulwark against anti-competitive behaviour in the markets.

Although CCI is still a young and evolving institution, it is heartening that it has established itself as a credible and effective regulator within a short span of time. Through its nuanced and calibrated interventions, CCI has been able to bring out market corrections in a timely and targeted manner.

The publication of this book, on the occasion of Azadi Ka Amrit Mahotsav, would go a long way in spreading awareness about the importance and role played by a competition regulator in a market economy.

I would like to take this opportunity to compliment CCI and convey my best wishes for its future journey.

Nirmala Sitharaman



Rao Inderjit Singh

Message



सत्यमेव जयते

HON'BLE MINISTER OF STATE FOR FINANCE & CORPORATE AFFAIRS REPUBLIC OF INDIA

The Competition Commission of India (CCI), since its inception, has made major contributions in ensuring fair play in markets. This has helped spur growth and innovation in the economy.

I am glad that CCI has been responding effectively to the challenges posed by new age markets and evolving business models. This has been possible due to the consistent hard work and investment in capacity and institution building. I am confident that CCI will continue to discharge its mandate diligently and live up to stakeholders' expectations.

I congratulate CCI for the publication of this rich souvenir on the occasion of Azadi ka Amrit Mahotsav and wish them greater achievements ahead.

Rao Inderjit Singh

THINK ZENITH CONCEPTS

HON'BLE
PRIME MINISTER
Modi ON
COMPETITION

MESSAGES

FOREWORD

GLIMPSES

CCI LEADERSHIP
OVER THE YEARS

HISTORICAL
CONTEXT

01

03

07

13

VISION &
MISSION

14

INTRODUCTION:
SETTING THE
STAGE

16

PART ONE:
THE EARLY
YEARS

21

PART TWO:
ORGANISATIONAL
STRUCTURE

39

PART THREE:
ENFORCEMENT
& IMPACT

55

PART FOUR:
EVENTS

65

PART FIVE:
MEMORANDUMS
OF UNDERSTANDING

105

PART SIX:
EMPLOYEES WELL
BEING & TRAINING

117

PART SEVEN:
THE WAY
FORWARD

127

Foreword

Dear Friends,

The Competition Commission of India, established under the Competition Act, 2002, joined the group of nations implementing a modern competition law on 20th May 2009, when the substantive provisions of anti-competitive conduct came into force. Subsequently, the provisions relating to the regulation of combinations came into effect on 1st June 2011.



We are a young agency. Over the past thirteen years, the Commission has created a large body of jurisprudence in several sectors of the economy, including pharmaceuticals, aviation, agriculture, cement, sports and real estate, addressing competition concerns therein. The guiding principle of our enforcement actions, inspired by the Preamble of the Act, is to keep in view our nation's economic development and market realities. Not only are we moving forward persuasively in our enforcement activities, but we have also striven to

build a culture of competition in markets by laying considerable emphasis on our advocacy and advisory mandate.

The initial years of any institution's life are extremely important as they help shape its mission and vision. As part of the Azadi Ka Amrit Mahotsav, it is a matter of great pride for us to bring out this book capturing the journey of this institution and chronicling the formative years of the Commission. Bringing out the journey thus far through pictures, it is a saga of our accomplishments, aspirations, celebrations and domestic and international events – a mélange of memories. Filled with vignettes, this book takes us all the way back to the birth of this institution.

Over the past three decades, there has been a spectrum of reforms that have altered the economic architecture of our country and increased market contestability with far-reaching impacts on the competitiveness of the Indian industry and overall economic growth. The establishment of the Competition Commission of India was an institutional response to this new economic order. This publication is, in some sense, a tribute to our predecessors who, with their vision and intellect, have built this institution brick by brick and provided a strong edifice on which to build upon.

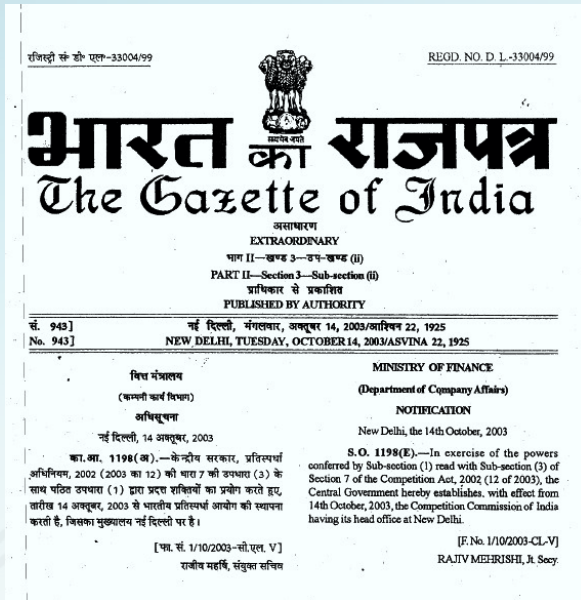
I sincerely hope the spirit of competition pervades across all sectors of the economy, eradicating the legacy issues that temper competition, and that the Commission grows from strength to strength. I congratulate all the officers and staff of the Commission, past and present, on the publication of this book and sincerely hope that we continue with the tradition of institution building.



(Ashok Kumar Gupta)
Chairperson, CCI

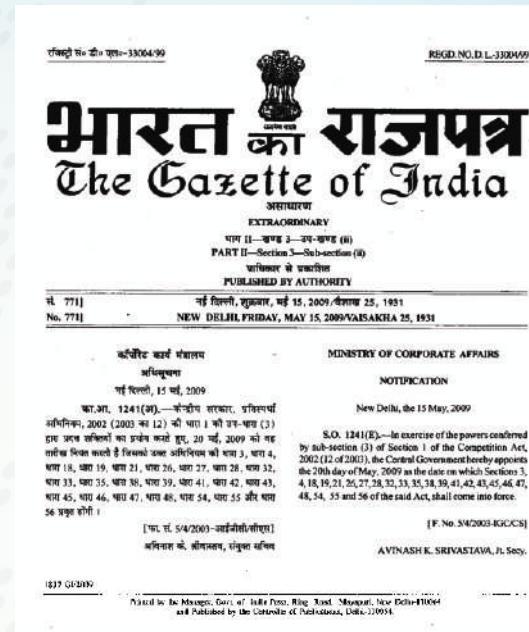
Glimpses

▶ CCI established on 14.10.2003



01

▶ SECTIONS 3 AND 4 OF THE COMPETITION ACT, 2002 WERE NOTIFIED ON 15.05.2009 AND CAME INTO EFFECT ON 20.05.2009



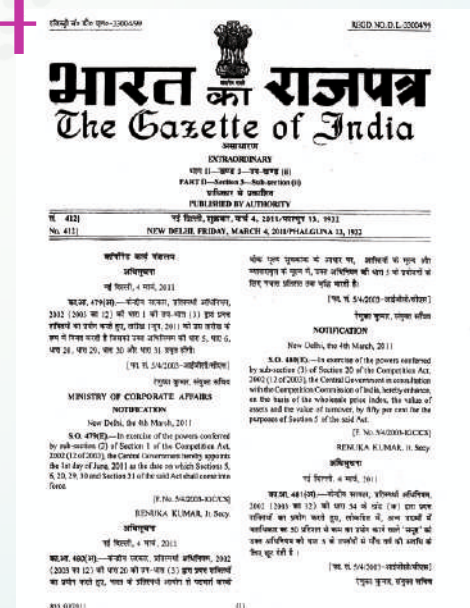
03

02



Shri DHANENDRA
KUMAR appointed
CHAIRPERSON ON
28.02.2009

04



▶ SECTIONS 5 AND 6 OF THE COMPETITION ACT, 2002 CAME INTO EFFECT ON 01.06.2011

▶ SHRI ASHOK CHAWLA TAKES OVER AS CHAIRPERSON ON 20.10.2011



▶ CCI HOSTS THE 2014 INTERNATIONAL COMPETITION NETWORK (ICN) MERGER WORKSHOP ON 01.12.2014



05

07

06 CCI HOSTS THE 3rd BRICS INTERNATIONAL COMPETITION CONFERENCE FROM 21.11.2013 TO 22.11.2013



08

▶ SHRI DEVENDER KUMAR SIKRI TAKES OVER AS CHAIRPERSON ON 11.01.2016





▶ CCI HOSTS THE ICN ANNUAL CONFERENCE FROM 21.03.2018 TO 23.03.2018

SHRI ASHOK KUMAR GUPTA TAKES OVER AS CHAIRPERSON ON 12.11.2018



09

11

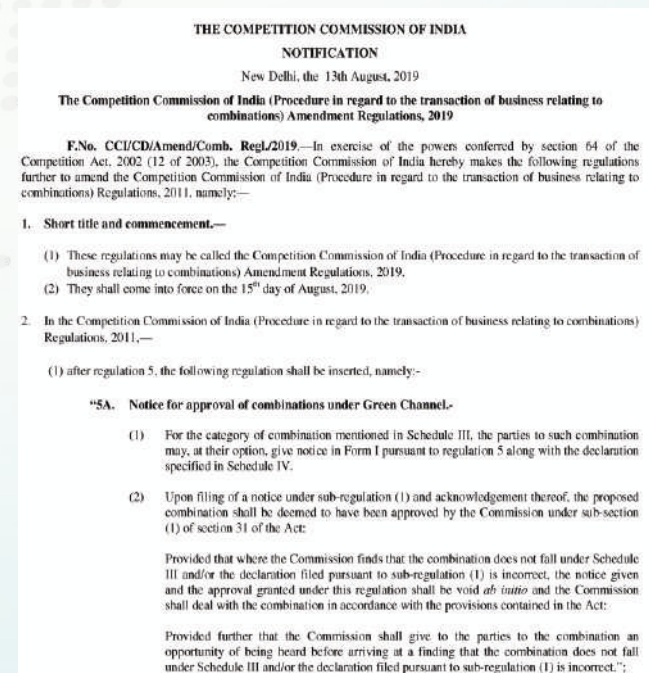
10

12

GREEN CHANNEL NOTIFICATION FACILITATING FASTER M&AS CLEARANCES COMES INTO EFFECT ON 15.08.2019



▶ CCI MOVES ITS PREMISES TO EAST KIDWAI NAGAR ON 30.08.2018



▶ CCI COMMENCES THE STATE RESOURCE PERSON SCHEME IN FEBRUARY 2020



13

▶ Hon'ble UNION MINISTER of FINANCE AND CORPORATE Affairs SMT. NIRMALA SITHARAMAN VIRTUALLY INAUGURATES CCI'S REGIONAL Office (EAST) AT KOLKATA ON 20.05.2022



15

14



▶ Hon'ble UNION MINISTER of FINANCE AND CORPORATE Affairs SMT. NIRMALA SITHARAMAN INAUGURATES CCI'S REGIONAL Office (SOUTH) AT CHENNAI ON 26.02.2021

16



▶ RAO INDERJEET SINGH, UNION MINISTER of STATE (I/C), MINISTRY of STATISTICS and PROGRAMME IMPLEMENTATION; PLANNING and UNION MINISTER of STATE, MINISTRY of CORPORATE Affairs, delivers the inaugural address during the NATIONAL CONFERENCE on COMPETITION LAW, ORGANISED as PART of the ICONIC WEEK CELEBRATIONS UNDER AZADI KA AMRIT MAHOTSAV ON 11.06.2022

CCI LEADERSHIP *Over The Years*



(From Left to Right)

Shri S. L. Bunker, Secretary
Shri P. N. Parashar, Member
Shri Anurag Goel, Member
Shri H. C. Gupta, Member
Shri Dhanendra Kumar, Chairperson
Smt. Geeta Gouri, Member
Shri M. L. Tayal, Member
Shri R. Prasad, Member

THE COMMISSION AS OF
31ST MARCH, 2010 &
31ST MARCH 2011



(Standing Left to Right)

Shri S. L. Bunker, Member
Shri S. N. Dhingra, Member
Shri Anurag Goel, Member
Shri H. C. Gupta, Member

(Sitting Left to Right)

Smt. Geeta Gouri, Member
Shri Ashok Chawla, Chairperson
Shri M. L. Tayal, Member

THE COMMISSION AS OF
31ST MARCH 2013





(From Left to Right)
 Shri U. C. Nahta, Member
 Shri Augustine Peter, Member
 Shri Sudhir Mital, Member
 Shri Ashok Chawla, Chairperson
 Shri S. L. Bunker, Member
 Shri M. S. Sahoo, Member

THE COMMISSION AS OF
 31ST MARCH 2015

(From Left to Right)
 Shri U. C. Nahta, Member
 Shri S. L. Bunker, Member
 Shri Augustine Peter, Member
 Shri D. K. Sikri, Chairperson
 Shri Sudhir Mital, Member
 Shri M. S. Sahoo, Member
 Shri G. P. Mittal, Member



THE COMMISSION AS OF
 31ST MARCH 2016

(From Left to Right)
Shri G. P. Mittal, Member
Shri Sudhir Mital, Member
Shri D. K. Sikri, Chairperson
Shri S. L. Bunker, Member
Shri Augustine Peter, Member
Shri U. C. Nahta, Member

THE COMMISSION AS OF
31ST MARCH 2017



(From Left to Right)
Shri U. C. Nahta, Member
Shri Sudhir Mital, Member
Shri D. K. Sikri, Chairperson
Shri Augustine Peter, Member
Shri G. P. Mittal, Member

THE COMMISSION AS OF
31ST MARCH 2018



(From Left to Right)
Dr. Sangeeta Verma, Member
Shri Ashok Kumar Gupta, Chairperson
Shri U. C. Nahta, Member

THE COMMISSION AS OF
31ST MARCH 2019

(From Left to Right)
Dr. Sangeeta Verma, Member
Shri Ashok Kumar Gupta, Chairperson
Shri Bhagwant Singh Bishnoi, Member

THE COMMISSION AS OF
31ST MARCH 2020



(From Left to Right)
Dr. Sangeeta Verma, Member
Shri Ashok Kumar Gupta, Chairperson
Shri Bhagwant Singh Bishnoi, Member

THE COMMISSION AS OF
31ST MARCH 2021



(From Left to Right)
Shri Bhagwant Singh Bishnoi, Member
Shri Ashok Kumar Gupta, Chairperson
Dr. Sangeeta Verma, Member

THE COMMISSION AS OF
31ST MARCH 2022



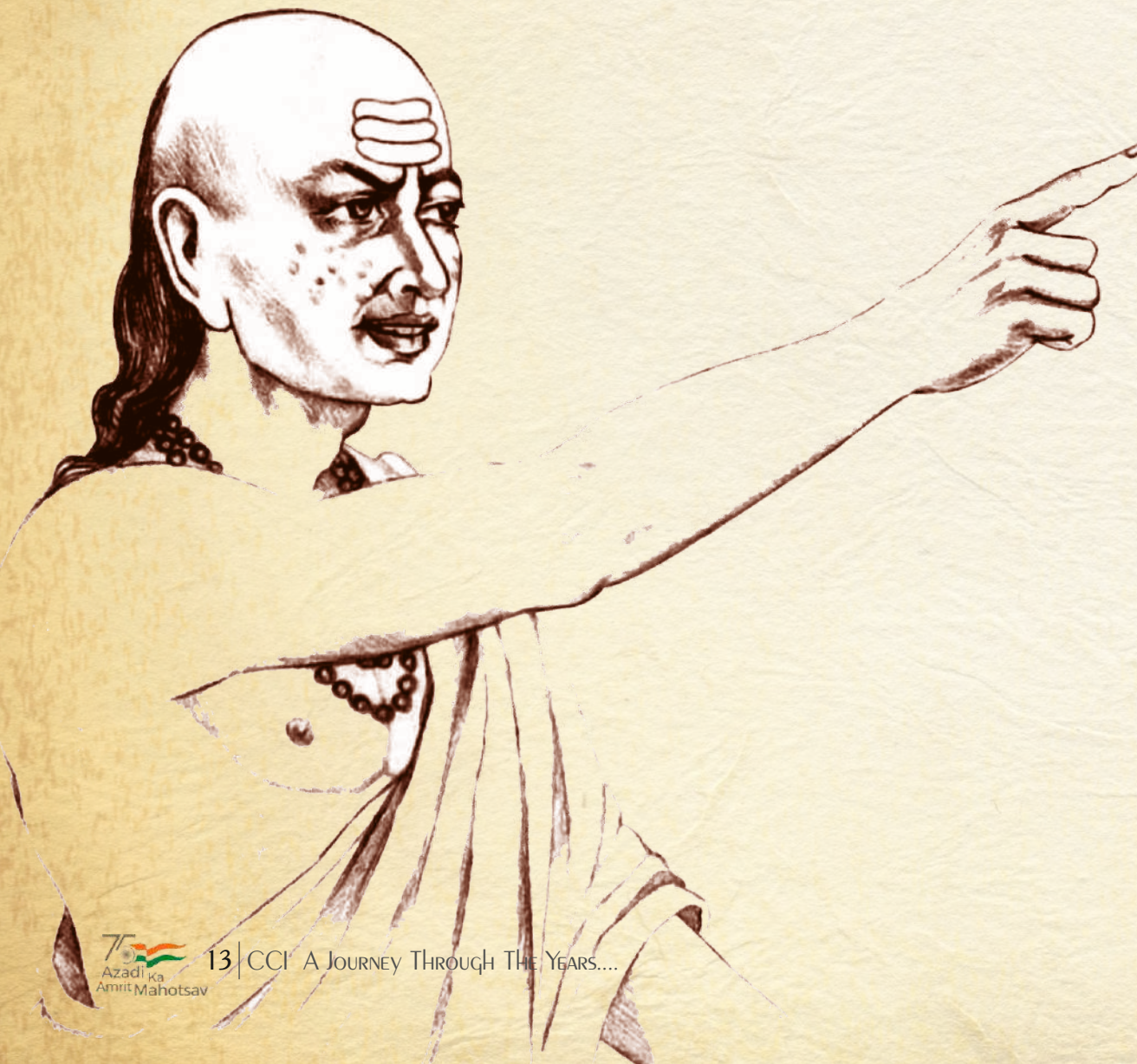
HISTORICAL CONTEXT

Indian Origin

“Traders, joining together and raising or lowering the prices of goods, make a profit of one hundred panas on one pana or of hundred kumbhas (unit of weight) on one kumbha.” - Kautilya

Anti-competitive practices are not a new phenomenon. References have been found in historical accounts which allude to the existence of these practices centuries ago.

In his monumental treatise *Arthashastra* (an ancient Indian treatise on economic governance), Chanakya (Kautilya), the philosopher, jurist and royal adviser to the Mauryan King Chandragupta's Indian empire in 400 BC, talks about traders' propensity to form cartels in order to fix prices and make excessive profits. To curb such practices, he prescribed heavy fines to discourage such offences with a view to protect consumers.



Vision

TO PROMOTE AND SUSTAIN AN ENABLING COMPETITION CULTURE THROUGH ENGAGEMENT AND ENFORCEMENT THAT WOULD INSPIRE BUSINESSES TO BE FAIR, COMPETITIVE AND INNOVATIVE; ENHANCE CONSUMER WELFARE; AND SUPPORT ECONOMIC GROWTH

Mission

COMPETITION COMMISSION OF INDIA AIMS TO ESTABLISH A ROBUST COMPETITIVE ENVIRONMENT THROUGH:

- ▶ PRO-ACTIVE ENGAGEMENT WITH ALL STAKEHOLDERS, INCLUDING CONSUMERS, INDUSTRY, GOVERNMENT AND INTERNATIONAL JURISDICTIONS;
- ▶ BEING A KNOWLEDGE INTENSIVE ORGANISATION WITH HIGH COMPETENCE LEVELS;
- ▶ PROFESSIONALISM, TRANSPARENCY, RESOLVE AND WISDOM IN ENFORCEMENT.







Introduction

SETTING THE STAGE



Genesis of COMPETITION COMMISSION of India

The genesis of competition regulation can be found in the enactment of the Monopolies and Restrictive Trade Practices (MRTP) Act in 1969. The MRTP Act reflected the ideal of preventing the concentration of economic power and focussed on curbing monopoly power. Post liberalisation, with the integration of the economy with the global market, a need was felt for a competition law tuned to modern economic realities, and designed towards the promotion of competition. In 2002, the Competition Act was enacted by the Parliament as a modern competition law, mandating the establishment of CCI. The Act, being a modern legislation, outlined both the enforcement and advocacy functions of CCI and endowed it with the legislative framework to steer the competitive environment of the Indian economy.

THE MONOPOLIES AND RESTRICTIVE TRADE PRACTICES ACT, 1969

(54 of 1969)

[27th December, 1969]

An Act to provide that the operation of the economic system does not result in the concentration of economic power to the common detriment, for the control of monopolies, for the prohibition of monopolistic and restrictive trade practices and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Monopolies and Restrictive Trade Practices Act, 1969.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date¹ as the Central Government may, ²[by notification], appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “agreement” includes any arrangement or understanding, whether or not it is intended that such agreement shall be enforceable (apart from any provision of this Act) by legal proceedings;

(b) “Commission” means the Monopolies and Restrictive Trade Practices Commission established under section 5;

³[(c) “Director General” means the Director General of Investigation and Registration appointed under section 8, and includes any Additional, Joint, Deputy or Assistant Director General of Investigation and Registration appointed under that section;]

(d) ⁴[“dominant undertaking” means—
⁵[***]]

1. Came into force on 1-6-1970, vide S.O. 1981, dated 30th May, 1970, published in the Gazette of India, Extra., 1970, P. II, Sec. 3 (ii), p. 833.
2. Subs. by Act 30 of 1984, sec. 2, for “by notification in the Official Gazette” (w.e.f. 1-8-1984).
3. Subs. by Act 30 of 1984, sec. 3, for clause (c).
4. Subs. by Act 30 of 1982, sec. 2, for certain words (w.e.f. 18-8-1982).
5. Sub-clauses (i) and (ii) omitted by Act 58 of 1991, sec. 2 (w.r.e.f. 27-9-1991).

1991 Reforms

“No one can resist an idea whose time has come.”

Victor Hugo

The 1991 economic reforms set the stage for a new competition legislation, although its passage and subsequent coming into force would take another decade. The 1991 reforms were unveiled by Union Finance Minister Shri Manmohan Singh in his seminal budget speech on 24th July 1991, where he noted that India should "*welcome, rather than fear foreign investment*" that "*would provide access to technology, capital and markets*".

These economic reforms placed Indian economy on the path of liberalisation, privatisation and globalisation, whereby the government sought to establish a level playing field for domestic and foreign companies by eliminating quantitative restrictions on imports. Domestic companies, in order to meet the challenge, would have to expand inorganically through the route of mergers and acquisitions. In such a scenario, a law that promotes competition instead of one that curbs monopolies was envisaged.

Raghavan Committee

On 27th February, 1999, - Union Finance Minister Shri Yashwant Sinha highlighted in his Budget Speech the need for a new competition law to respond to new international economic developments. Accordingly, a High Level Committee (HLC) on Competition Policy and Law was constituted under the chairmanship of Mr. S. V. S. Raghavan to examine the MRTP Act and propose a new competition law in light of the changed economic milieu. The Raghavan Committee submitted its report in 2000 and recommended that a fresh competition law was necessary.



The Committee on Competition Policy and Law headed by Mr. S. V. S. Raghavan (extreme left) submitting its report to Prime Minister Shri Atal Bihari Vajpayee, in the presence of Union Minister of Law, Justice and Company Affairs Shri Ram Jethmalani, in New Delhi in August 2000





PART ONE



The Early Years



TAXATION
 PROPERTY LAW
 MERGERS & ACQUISITIONS
 HUMAN RIGHTS SUPREME COURT
 COMPETITION LAW
 JURISPRUDENCE
 ADMINISTRATIVE LAW
 INTERNATIONAL LAW
 DISTRICT COURT
 MEDICAL JURISPRUDENCE
 CIVIL LAW
 LEGAL RESEARCH CIVIL LAW EVIDENCE
 PROPERTY LAW
 COMMON LAW MARRIAGE
 MEDICAL JURISPRUDENCE
 COMPETITION LAW
 HUMAN RIGHTS
 LEGAL RESEARCH
 ANTITRUST
 DISTRICT COURT PUBLIC LITIGATION
 PROPERTY LAW HUMAN RIGHTS
 CARTELS INTERNATIONAL CRIME COURT WRIT
 DISTRICT COURT TAXATION
 CIVIL LAW
 ADMINISTRATIVE LAW
 STATUTE
 MEDICAL JURISPRUDENCE
 FAMILY COURT
 LEGAL RESEARCH
 SUPREME COURT
 CYBER LAW
 COMMON LAW MARRIAGE
 MOOT COURT
 LABOUR LAW
 CARTELS
 JUSTICE
 DISTRICT COURT
 ACQUITTED
 CIVIL LAW
 IMPEACHMENT
 EVIDENCE
 MAGISTRATE
 CRIME PSYCHOLOGY
 ANTITRUST
 TRESPASS
 WITNESS TORTS
 LABOUR
 BAIL ASSAULT
 JUVENILE LAW
 PERJURY SUMMON
 NEGLIGENCE
 TORTS VOID
 BENCH
 CONVICT
 BENCH
 CRIME
 EVIDENCE
 LAW
 CONTRACT SUE MEDICAL
 ABUSE OF DOMINANCE
 CIVIL LAW TRESPASS SOLICITOR
 CONVICT
 CULPRIT COMMON LAW MARRIAGE
 SENTENCE
 ADJUDICATE MAGISTRATE BAR
 VOID
 BAR
 MERGERS & ACQUISITIONS
 ABUSE OF DOMINANCE
 CONSTITUTIONAL GOVERNANCE
 JUVENILE LAW SUMMON
 ACQUITTED
 PROPERTY LAW
 WRIT
 MOOT COURT
 CRIME PSYCHOLOGY
 ABUSE OF DOMINANCE
 CRIMINAL LAW
 TAXATION



LEGISLATIVE PROCESS & JUDICIAL CHALLENGE

Consequent to the HLC report on competition law, the Competition Bill, 2001 was introduced in the Parliament in August 2001. Subsequently, it was referred to the Parliamentary Standing Committee, which held wide-ranging discussions with stakeholders over the course of 13 meetings. Finally, in December 2002, the Competition Bill, 2001 was passed by the Parliament. The President of India gave his assent to the Bill in January 2003.

Before the Central Government could notify the substantive provisions of the Act, a legal challenge was lodged in the Hon'ble Supreme Court on the regulatory architecture of the Commission.

The Hon'ble Supreme Court observed that since the Central Government had given an undertaking to amend the appointment rules, a ruling on the legality of the legislative apparatus could only be done after the proposed amendments were introduced. The Central Government eventually introduced the Competition (Amendment) Act, 2007 which sought to resolve these concerns. Accordingly, the enforcement functions of the Commission commenced from 20th May 2009.



ENFORCEMENT OF KEY SUBSTANTIVE PROVISIONS

On 15th May 2009, the Central Government notified Sections 3 and 4 of the Competition Act, 2002, effective from 20th May 2009. These provisions dealt with anti-competitive agreements and abuse of dominance, respectively. Subsequently, on 4th March 2011, the provisions relating to combinations (Sections 5 and 6, among others), effective from 1st June 2011, were also notified.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 771]

नई दिल्ली, शुक्रवार, मई 15, 2009/वैशाख 25, 1931

No. 771]

NEW DELHI, FRIDAY, MAY 15, 2009/VAISAKHA 25, 1931

कॉर्पोरेट कार्य मंत्रालय

अधिसूचना

नई दिल्ली, 15 मई, 2009

का.आ. 1241(अ).—केंद्रीय सरकार, प्रतिस्पर्धा अधिनियम, 2002 (2003 का 12) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 20 मई, 2009 को यह तारीख नियत करती है जिसको उक्त अधिनियम की धारा 3, धारा 4, धारा 18, धारा 19, धारा 21, धारा 26, धारा 27, धारा 28, धारा 32, धारा 33, धारा 35, धारा 38, धारा 39, धारा 41, धारा 42, धारा 43, धारा 45, धारा 46, धारा 47, धारा 48, धारा 54, धारा 55 और धारा 56 प्रवृत्त होंगी।

[फा. सं. 5/4/2003-आईजीसी/सीएस]

अविनाश के. श्रीवास्तव, संयुक्त सचिव

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 15 May, 2009

S.O. 1241(E).—In exercise of the powers conferred by sub-section (3) of Section 1 of the Competition Act, 2002 (12 of 2003), the Central Government hereby appoints the 20th day of May, 2009 as the date on which Sections 3, 4, 18, 19, 21, 26, 27, 28, 32, 33, 35, 38, 39, 41, 42, 43, 45, 46, 47, 48, 54, 55 and 56 of the said Act, shall come into force.

[F. No. 5/4/2003-IGCCS]

AVINASH K. SRIVASTAVA, Jt. Secy.

1837 GI/2009

Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054.

भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 412]

नई दिल्ली, शुक्रवार, मार्च 4, 2011/फाल्गुन 13, 1932

No. 412]

NEW DELHI, FRIDAY, MARCH 4, 2011/PHALGUNA 13, 1932

कॉर्पोरेट कार्य मंत्रालय

अधिसूचना

नई दिल्ली, 4 मार्च, 2011

का.आ. 479(अ).—केंद्रीय सरकार, प्रतिस्पर्धा अधिनियम, 2002 (2003 का 12) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वारीख 1 जून, 2011 को उस वारीख के रूप में नियत करती है जिसको उक्त अधिनियम की धारा 5, धारा 6, धारा 20, धारा 29, धारा 30 और धारा 31 प्रवृत्त होंगी।

[फा. सं. 5/4/2003-आईजीसी/सीएस]

रेणुका कुमार, संयुक्त सचिव

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 4th March, 2011

S.O. 479(E).—In exercise of the powers conferred by sub-section (3) of Section 1 of the Competition Act, 2002 (12 of 2003), the Central Government hereby appoints the 1st day of June, 2011 as the date on which Sections 5, 6, 20, 29, 30 and Section 31 of the said Act shall come into force.

[F. No. 5/4/2003-IGCCS]

RENUKA KUMAR, Jt. Secy.

अधिसूचना

नई दिल्ली, 4 मार्च, 2011

का.आ. 480(अ).—केंद्रीय सरकार, प्रतिस्पर्धा अधिनियम, 2002 (2003 का 12) की धारा 20 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के प्रतिस्पर्धा आयोग से परामर्श करके

शेक मूल्य सूचकांक के आधार पर, आदित्यों के मूल्य और प्यापादापुत्र के मूल्य में, उक्त अधिनियम की धारा 5 के प्रवेजनों के लिए पचास प्रतिशत तक वृद्धि करती है।

[फा. सं. 5/4/2003-आईजीसी/सीएस]

रेणुका कुमार, संयुक्त सचिव

NOTIFICATION

New Delhi, the 4th March, 2011

S.O. 480(E).—In exercise of the powers conferred by sub-section (3) of Section 20 of the Competition Act, 2002 (12 of 2003), the Central Government in consultation with the Competition Commission of India, hereby enhance, on the basis of the wholesale price index, the value of assets and the value of turnover, by fifty per cent for the purposes of Section 5 of the said Act.

[F. No. 5/4/2003-IGCCS]

RENUKA KUMAR, Jt. Secy.

अधिसूचना

नई दिल्ली, 4 मार्च, 2011

का.आ. 481(अ).—केंद्रीय सरकार, प्रतिस्पर्धा अधिनियम, 2002 (2003 का 12) की धारा 54 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोकरहित में, अन्य उद्यमों में मताधिकार का 50 प्रतिशत से कम का प्रयोग करने वाले 'समूह' को उक्त अधिनियम की धारा 5 के उपधाराओं से पाँच वर्षों की अवधि के लिए छूट देती है।

[फा. सं. 5/4/2003-आईजीसी/सीएस]

रेणुका कुमार, संयुक्त सचिव

835 GI/2011

(1)

A FRESH START HINDUSTAN TIMES HOUSE



hindustantimes

CCI shifts to new office in CP

NEW DELHI: The Competition Commission of India has shifted its office from Bhikaji Cama Place to The Hindustan Times House, 18-20, Kasturba Gandhi Marg, New Delhi, from February 1, 2010. The new office of CCI was inaugurated by Salman Khurshid, Union Minister of State for Corporate Affairs (independent charge). **HTC**

The Commission commenced its operations from CGO Complex, New Delhi, and the office was later shifted to HUDCO Vishala at Bhikaji Cama Place, New Delhi.

However, as the scale of work handled by the Commission grew at a rapid pace, there was a need for a bigger office space, and it was decided to shift the office of the Commission to Hindustan Times House, located in the heart of New Delhi on Kasturba Gandhi Marg.

The Commission's office in the premises of the Hindustan Times House was inaugurated on 1st February 2010 by Shri Salman Khurshid, Hon'ble Union Minister of State for Corporate Affairs and Minority Affairs. The Commission conducted its proceedings and carried out its functions from these premises until August 2018, when it moved to its present Kidwai Nagar premises.

INAUGURATION of CCI Office AT HT HOUSE



*Hon'ble Union Minister of State for Corporate Affairs and
Minority Affairs Shri Salman Khurshid and Justice Arijit Pasayat,
Chairman, COMPAT inaugurating the new CCI office at HT
House on 1st February 2010*

DIRECTOR GENERAL Office

The Director General (DG) Office is the investigative wing of the Competition Commission of India, which commences investigation once the Commission passes a *prima facie* order directing the DG to do so.





INAUGURATION OF THE DG OFFICE

Hon'ble Minister of State for Company Affairs Shri Prem Chand Gupta, Ms. Komal Anand, Secretary, Ministry of Company Affairs and Shri Vinod Dhall, Member, CCI at the inauguration of the DG Office at Bhikaji Cama Place



Office complex at Bhikaji Cama Place

MOVE TO EAST
Kidwai NAGAR
Office Complex





Shri Arun Jaitley, Hon'ble Union Minister of Finance and Corporate Affairs, inaugurating the new office premises of CCI on 30th August 2018, accompanied by Shri Injeti Srinivas, Secretary, Ministry of Corporate Affairs, and Shri Sudhir Mital, Acting Chairperson, CCI

Given the growing gamut of activities over the years, a need was felt for CCI to have larger office premises. The new CCI premises at East Kidwai Nagar has state-of-the-art facilities such as a dedicated hearing room, inspection rooms, a library as well as cordoned off areas to maintain confidentiality.



▲
Meeting Room

Conference Room
▼





PLEASE SIGN. HERE

INITIAL *Advocacy* EVENTS



Shri Vinod Dhall, Member, CCI, Ms. Komal Anand, Secretary (MCA), Shri T. C. A. Anant, Member (Advisory Committee to CCI) and Shri Amitabh Kumar, Director General, CCI, at the Competition Advocacy Seminar with Professional Bodies held in New Delhi on 2nd March 2005



Shri Vinod Dhall, Member, CCI, at the Competition Advocacy Seminar for State Governments held in New Delhi on 19th May 2005



Mr. J. William Rowley QC (Co-Chairman of the Global Competition Forum of the International Bar Association), Hon'ble Justice Shri A.S. Anand, Shri Vinod Dhall, Member, CCI and Shri Lalit Bhasin, President (Society of Indian Law Firms) at the International Conference on India's New Merger Notification Regime held at New Delhi on 15-16th March 2008



Shri Vinod Dhall, Member, CCI, with the delegates of the International Conference on India's New Merger Notification Regime



Dr. Frederic Jenny, Chairman of the OECD Competition Committee, with another delegate



PART TWO



Organisational Structure



ORGANISATIONAL STRUCTURE of CCI





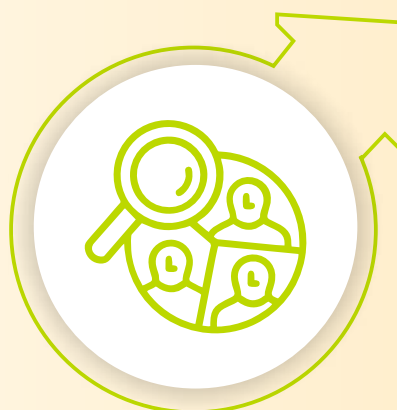
SECRETARIAT, HR,
FINANCE AND SERVICE DIVISION



ADVOCACY
DIVISION



ECONOMICS
DIVISION



ANTITRUST
DIVISION



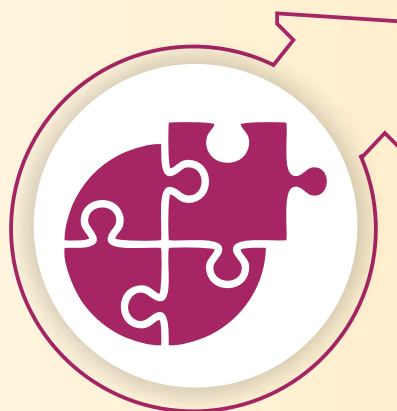
COMBINATION
DIVISION



LEGAL
DIVISION



INTERNATIONAL
COOPERATION
DIVISION



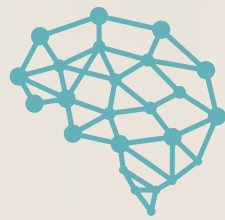
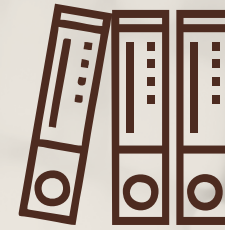
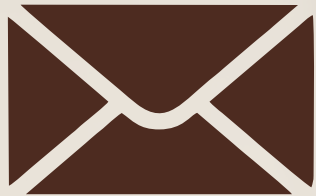
CAPACITY
BUILDING
DIVISION



RESEARCH & TREND
ANALYSIS DIVISION

Secretariat

The Secretariat is the Division within the Commission responsible for handling administrative matters and carrying out the day-to-day affairs of the Commission. The responsibility of communicating with parties in proceedings before the Commission or corresponding with other regulatory bodies, *inter alia*, is discharged by the Secretariat.



Advocacy Division



01

Creating awareness

Creating awareness about the Commission's activities through publication and dissemination of advocacy material

02

Training Programmes

Conducting training programmes on competition law

03

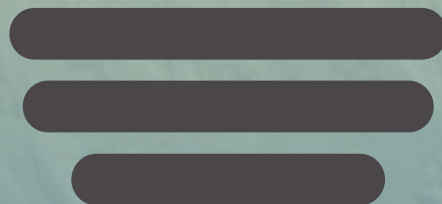
Academic Events

Sponsoring Moot court events/seminars/lectures on competition law at premier academic institutions

04

Conferences

Regularly scheduling roadshows and conferences to engage with stakeholders



Advocacy LITERATURE

ASSAMESE VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
প্রতিযোগিতা আইন, ২০০২

প্রতিযোগিতা প্রবর্তন

বৃহত্তর হিতের বাবে ন্যায্য প্রতিযোগিতা

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

ODIA VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
ପ୍ରତିଯୋଗିତା ଆଇନ, ୨୦୦୨

ପ୍ରତିଯୋଗିତା ଆରମ୍ଭକେନ୍ଦ୍ରା ।

ବୃହତ୍ତ ନିଜର ପାଇଁ ଯଥାର୍ଥ ପ୍ରତିଯୋଗିତା

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

GUJARATI VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
પ્રતિଯોગિતા આઈન, ૨૦૦૨

પ્રતિસ્પર્ધા વકીલાત

સાંવેદિક સમાક્રમી માટે ન્યામી સ્પર્ધા

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

MALAYALAM VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
പ്രതിଯୋଗିତା আইন, ୨୦୦୨

മനുരക്ഷമതാ പരാമർശം

ശരിയായ മതം, ശരിയായോ മറ്റേതെങ്കിലും

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

KANNADA VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
ପ୍ରତିଯୋଗିତା ଆଇନ, ୨୦୦୨

ಸ್ಪର୍ಧା ಅನୁಷ୍ଠାନୀୟତା ಅಭିନୟନ

ಸର୍ବତ୍ର ಹಿತಕ್ಕಾಗಿ ನ್ಯಾಯାବଳି ಸ୍ପର୍ಧା

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

BENGALI VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
প্রতিযোগিতা আইন, ২০০২

প্রতিযোগিতার প্রচার

প্রতিযোগিতা আইন, ২০০২

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

SAVITHI VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002

स्पर्धा समर्थन

ନିରାପତ୍ତ ହିତାଶୀ ନ୍ୟାୟୋଚିତ ସ୍ପର୍ଧା

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

TAMIL VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
ପ୍ରତିଯୋଗିତା ଆଇନ, ୨୦୦୨

வணிகப் போட்டியினை ஆதரித்தல்

ନିରାପତ୍ତ ହିତାଶୀ ନ୍ୟାୟୋଚିତ ସ୍ପର୍ଧା

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

TELUGU VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002
ପ୍ରତିଯୋଗିତା ଆଇନ, ୨୦୦୨

పోటీ తర్ఫీ

నిజాల హితం కోసం నిష్పక్షపాత పోటీ

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

ENGLISH VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002

COMPETITION ADVOCACY

Fair Competition For Greater Good

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

HINDI VERSION

75 Azadi Ka Amrit Mahotsav

Competition Act, 2002

प्रतिस्पर्धा परामर्श

बृहत्तर हित हेतु उचित प्रतिस्पर्धा

**भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA**

COMPLIANCE MANUAL FOR ENTERPRISES

भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA

Fair Play

100 QUESTIONS
Competition and Fair Trade
Competition Law Enforcement
August 2017

100 QUESTIONS
Competition and Fair Trade
Competition Law Enforcement
August 2017

Diagnostic Toolkit
Towards Competitive Tenders

For Public Procurement Officers

भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA

FREQUENTLY ASKED QUESTIONS

- Filing Information
- Leniency
- Confidentiality
- Combinations

Providing Guidance Through Advocacy

भारतीय प्रतिस्पर्धा आयोग
COMPETITION COMMISSION OF INDIA

Economics Division

The Economics Division, a cross-cutting Division within CCI, facilitates the Commission arriving at well-considered decisions by providing economic analysis on both antitrust and combination cases. Additionally, the division is also entrusted with the responsibility of conducting market studies, which help ascertain the Commission's enforcement and advocacy priorities in different sectors. It is involved in the preparation of responses to inter-ministerial and inter-regulatory references, besides serving as a nodal point in promoting research and scholarship in competition law and economics, such as the annual National Conference on Economics of Competition Law.



International Cooperation DIVISION

The establishment of an International Cooperation Division within CCI is an attempt to follow a phased, flexible and planned approach to global antitrust cooperation. This is usually done via the signing of Memorandums of Understanding (MoUs) with various competition authorities, in addition to participating in various multilateral fora like the International Competition Network (ICN), the Organisation of Economic Cooperation and Development (OECD) and the BRICS grouping.



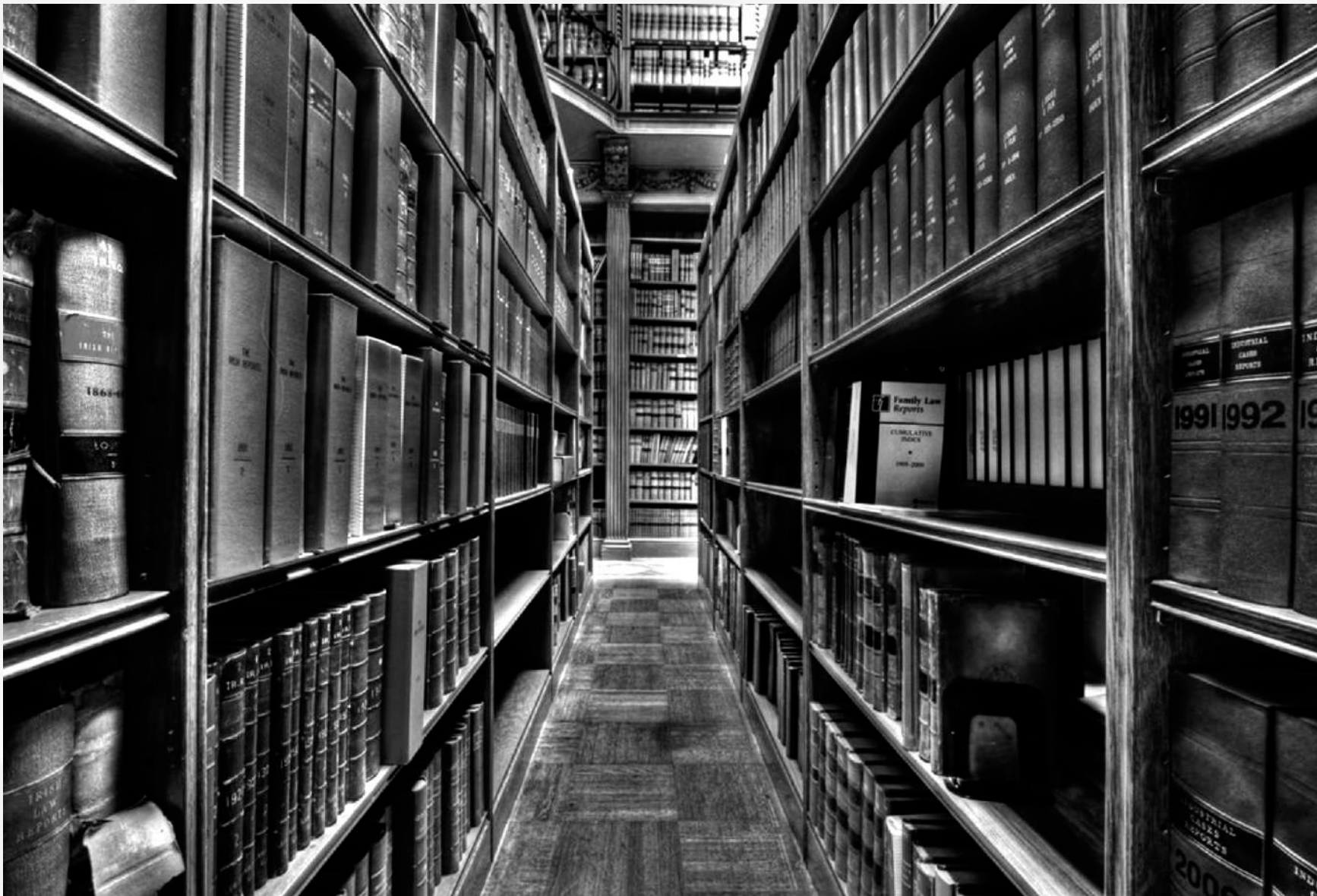


Combination Division

The Combination Division facilitates the Commission in its role as an ex-ante regulator of acquisitions, mergers and amalgamations. All combinations above a certain financial threshold are mandatorily required to be notified to the Commission and cannot be consummated until approved by the Commission. The Division assists the Commission in processing combination notices.

The Division keeps abreast of the changing business environment and assists the Commission in its endeavours to streamline procedures and promote ease of doing business by amending combination regulations from time to time. The division also initiates *suo motu* inquiries in cases where the parties fail to notify reportable combinations.

Legal Division



The Legal Division is the repository of all information and documentation regarding legal challenges or appellate matters in courts, tribunals and other judicial forums. It is also responsible for charting out the strategy when it comes to the resolution of contentious matters before various judicial forums involving the Commission. Over the years, the appellate authorities and other judicial forums have increasingly confirmed the vast majority of orders of the Commission that had been litigated. This has helped clear the air on various issues and will accordingly provide much-needed clarity going forward.

Research & Trend Analysis Division

The responsibilities of Research & Trend Analysis Division include undertaking sectoral trend analysis (both in-house and through external agency, in appropriate cases) for the purpose of gaining an insight of the concerned sector, development of suo motu cases on the basis of general complaints received and market intelligence, tracking of international development both in the areas of policy matters and enforcement.



Capacity Building DIVISION

Capacity Building Division (CBD), organises training programmes such as induction training, lectures by external resource persons and training for employees conducted in collaboration with premier academic institutions. CBD under the aegis of its Distinguished / Special Lecture Series (DVKS/SLS) programme, invites eminent experts in various fields to deliver lectures which have benefitted the Commission's employees.

SHRI AMITABH KANT,
CEO, NITI AAYOG,
DELIVERING A LECTURE



SHRI MARK TULLY, JOURNALIST, WRITER
AND FORMER BUREAU CHIEF OF THE
BBC NEW DELHI, DELIVERING A TALK
ON THE TOPIC - "THE PROBLEM WITH
COMPETITION"



Prof. William Kovacic,
EX CHAIRPERSON,
FEDERAL TRADE
COMMISSION, USA
DELIVERING A LECTURE ON
"DEVELOPMENT OF AN
EFFECTIVE MERGER
CONTROL REGIME"



DR. RAJIV KUMAR, VICE
CHAIRMAN, NITI AAYOG,
DELIVERING A TALK TO THE
COMMISSION'S OFFICERS



SHRI BIBEK DEBROY, CHAIRMAN, ECONOMIC
ADVISORY COUNCIL TO THE PRIME MINISTER,
DELIVERING THE DVKS LECTURE

DR. ASHOK GULATI,
CHAIRMAN, COMMISSION
FOR AGRICULTURAL COSTS
AND PRICES, DELIVERING A
LECTURE ON "BUILDING
COMPETITIVE AGRICULTURE
IN INDIA"



DR. ASHOK KUMAR MISHRA,
MEMBER, NATIONAL
COMPANY LAW APPELLATE
TRIBUNAL (NCLAT),
DELIVERING A LECTURE ON
"INSOLVENCY AND
BANKRUPTCY CODE 2016"



SHRI SANJEEV SANYAL,
PRINCIPAL ECONOMIC
ADVISOR (MINISTRY OF
FINANCE), DELIVERING A
LECTURE ON THE
TOPIC "RETHINKING
ECONOMICS FOR A
NEW INDIA" AT THE
COMMISSION



PROF. RANBIR SINGH, VICE-
CHANCELLOR, NATIONAL LAW
UNIVERSITY, DELHI, DELIVERING
A LECTURE ON THE TOPIC
"ARTIFICIAL INTELLIGENCE AND
COMPETITION LAW -
CHALLENGES AHEAD"



SHRI G.N. BAJPAI, FORMER
CHAIRPERSON, SEBI AND LIC,
DELIVERING A LECTURE AT THE COMMISSION



PART THREE



Enforcement & Impact



CCI by THE NUMBERS

(AS OF MARCH 31, 2022)

01

NO. OF
ANTITRUST
CASES
DISPOSED
1,054



02

COMBINATIONS
APPROVED
908



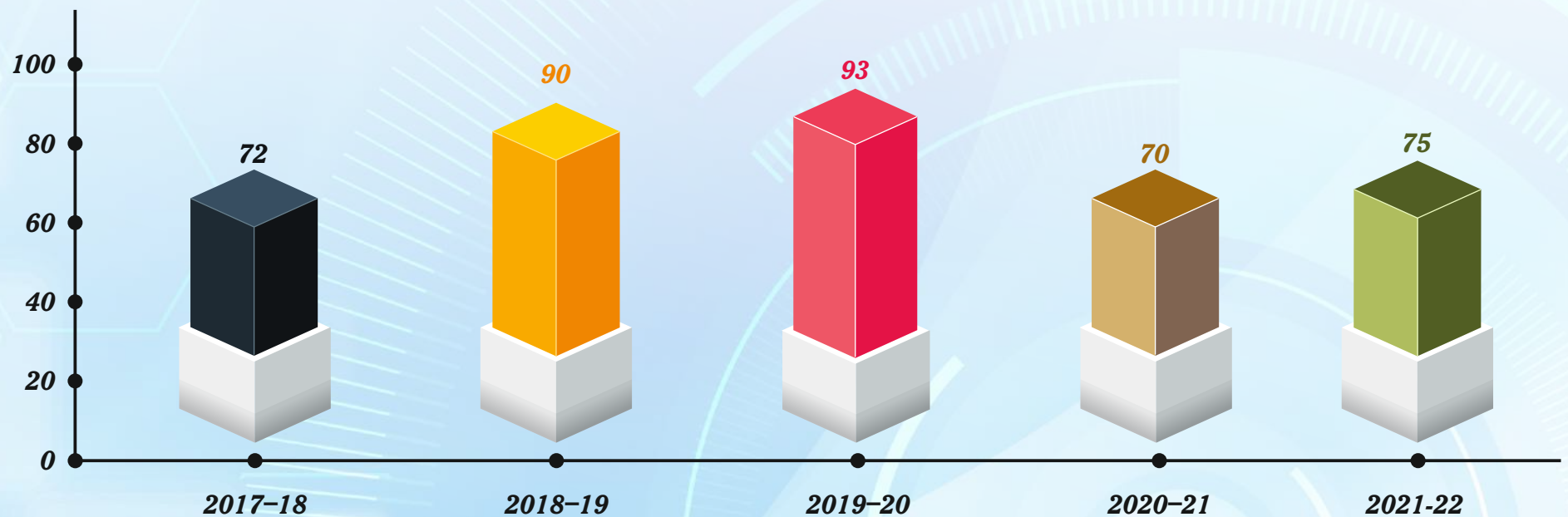
03

PENALTY
IMPOSED
Rs. 17,459.04
CRORES



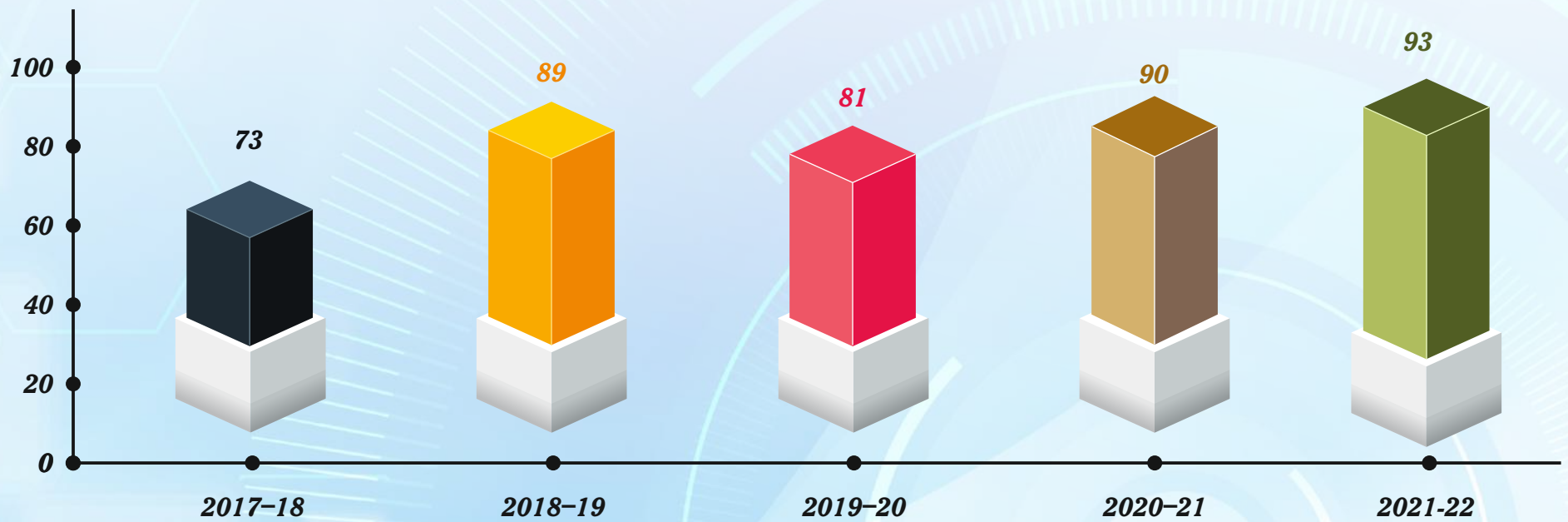
CCI by THE NUMBERS: A GRAPHIC REPRESENTATION

Number of Cases in Which Orders Were [under Sections 26(2), 26(6), 27 and Other/Misc. Order] Passed with Respect to Anti-competitive Conduct



CCI by THE NUMBERS: A GRAPHIC REPRESENTATION

Number of Combinations Approved



ENFORCEMENT ACTIONS SPANNING VARIOUS SECTORS

I & B (FILM/ ENTERTAINMENT/ TV/PRINT MEDIA)
Power & Power Generation
Media & Entertainment
AUTOMOBILES
Information Technology & Services
Auto & Auto Components
Mining & Metals Iron & Steel Railways
PHARMACEUTICALS & HEALTHCARE
Information Technology
Food & Refined Oil

REAL ESTATE
Railways
FINANCE & MARKETS
Iron & Steel Media & Entertainment

Chemicals & Fertilisers Coal
PVC & CHEMICALS Mining & Metals
Health/Pharmaceuticals
FINANCIAL SECTOR
E-Commerce
Petroleum/Gas Food & Refined Oil
Civil Aviation Power & Power Generation

Competition Law Bill in winter session

By J. Venkatesan

NEW DELHI, NOV. 15. The Government, keen on introducing the Competition Law Bill in the coming winter session of Parliament, has put the draft Bill on the website of the Department of Company Affairs, www.nic.in/dca, inviting suggestions for improvement, if any.

The draft Bill approved by the Union Law Minister, Mr. Arun Jaitley, in consultation with the core group, seeks to foster and maintain competition in the Indian market to subserve consumers, while protecting the freedom of economic action of various market participants.

It also seeks to prevent practices which affect competition and to establish the Competition Commission of India (CCI) which is vested with powers to implement the proposed Indian Competition Act (ICA) and also play

want Sinha, who is said to be keen on seeing the ICA passed to give an impetus to the second generation economic reforms, according to Government sources.

The sources added that by April 2001, all Quantitative Restrictions (QRs) will have been phased out and with low level tariffs already negotiated during WTO rounds, India would be facing stiff competition from abroad. Practically, the entire range of consumer goods would bear the brunt of open imports, combined with a lowering of tariff walls in future. It is for this reason that the Government is keen on enacting the CCI.

The Bill, based on the report of the S.V.S. Raghavan committee, suggests several pre-requisites for competition policy, contours of competition policy, agreement among enterprises, abuse of dominance, acquisitions and mergers to be dealt with by the proposed CCI.

Competition Commission of India fully functional

Special Correspondent

CHENNAI: The Competition Commission of India (CCI) is now fully functional with five out of its six members and the chairman joining the team, said its Member, P.N.Parashar on Tuesday.

Delivering the inaugural address at a seminar on Competition Law organised by the Madras

Chamber of Commerce and Industry and Fox Mandal Little, Solicitors and Advocates, he said the Commission Appellate Tribunal had also been established and was headed by Arijit Pasayat, retired Supreme Court Judge.

Powers and functions

Elaborating on the powers and functions of the CCI, he said they were

meant to protect the interests of consumers, ensure freedom of trade carried on by other participants in markets in India, eliminate practices having adverse effect on competition, promote and sustain competition, undertake competition advocacy, create public awareness and impart training in competition issues.



WEDNESDAY, JULY 4, 2001

COMPETITION LAW MOVES FORWARD

THE UNION CABINET'S approval of the draft competition bill is a major step forward. Principally meant to correct the irrelevance of the 1969 Monopolies and Restrictive Trade Practices (MRTP) Act, the competition bill is a welcome though belated attempt to change the way the Government interacts with business. That the MRTP Act had outlived its purpose is beyond doubt. Essentially a product of the times when the state had to decide on major economic issues, the MRTP provisions were in retrospect regressive and failed to achieve even the minimal objectives set out. But the big impetus to change has come from the dramatically altered and dynamic economic environment of the 1990s compared to the decades earlier. Recognition of the benefits of competition has been one of the most significant consequences. All the major parameters that have a bearing on competition will therefore need to be looked into afresh.

For instance, the size of a firm or a business unit, for long a touchy area and subjected to many stipulations, need not by itself be an issue for the regulators. Far more relevant now is to examine whether at a particular size a company achieves market dominance and abuses that strength to nullify the benefits of competition. Not surprisingly, neither a legal definition of terms such as dominance nor its practical interpretation will be easy. Inevitably, the competition bill will be viewed from many standpoints, but even the fairly large numbers that seek greater clarity or a modification in its key provisions do not discount its significance.

Increasingly, in these days of globalisation and far more liberal trade environment, the debate over parameters such as size of the firm, market share or dominance will be on the basis of international standards. One crucial issue: even granted that some Indian companies can, dominate the domestic market, can the possible scope for abusing their strength be kept under

check by resorting to imports? Another tantalising area is to find the means to rein in international cartels. The Law Ministry has since clarified that these questions will be addressed satisfactorily in the new dispensation. Most important, according to the Law Ministry the competition bill will in contrast to the MRTP legislation be flexible and therefore react swiftly to changes. Other advantages claimed are that the new bill will be far less onerous in its operation. For instance, unlike the MRTP Act which listed 14 offences the new competition bill recognises just four. Moreover, in the new setup, registration of agreements will not be compulsory.

However, for all the advantages claimed, the new competition law will be judged almost entirely in its practical application. Of particular interest will be the constitution and working of the enforcing agency, the Competition Commission of India. Compared to the MRTP Commission which dealt with labyrinthine rules but could issue only specific cease and desist orders, the Competition Commission can initiate *suo motu* action and further the cause of competition for which it will have access to a dedicated corpus. In the coming weeks, it is hoped that many more clarifications will be issued, even as the Government strives to get the bill passed. One remaining worry concerns the application of the competition law on mergers and acquisitions, which are going to occur with an ever-increasing frequency in the days to come. The competition bill requires proposals beyond preset thresholds of Rs. 500 crores of global assets or a turnover of Rs. 1,500 crores to be notified beforehand to the Competition Commission. Critics say that these limits are puny by global standards and in any case another regulator, the SEBI, already monitors such activities. At this stage, it is important to see the bill through and carry out the modifications as and when they become necessary.

CCI clearances for M&A deals may be fast-tracked

QUICK APPROVALS Panel calls for overhaul of the way the competition watchdog works

Gireesh Chandra Prasad
gchandra@rediffmail.com

NEW DELHI: A government panel that reviewed the framework for competition regulation in the country has recommended fast track clearance of mergers and acquisitions that do not stifle competition in the market, but remained silent on the curbs the government placed on e-commerce companies last year to appease their old school rivals.

The competition law review committee led by Injeti Srinivas, secretary in the corporate affairs ministry, on Wednesday submitted a set of recommendations on revamping competition regulation to Nirmala Sitharaman who heads the ministry.

An official statement said that the panel has proposed 'a green channel' for fast paced clearance of a "vast majority of M&As that may have no major concerns regarding appreciable adverse effects on competition."

It also said that mergers and acquisitions (referred to as 'combinations' regulatory jargon) arising from the rescue of bankrupt companies under the Bankruptcy Code are also eligible for fast paced clearance.

The move is part of the Narendra Modi administration's



The competition law review committee led by Injeti Srinivas, secretary in the corporate affairs ministry, submitted a set of recommendations on revamping competition regulation to Nirmala Sitharaman. MNT FILE

THE PANEL SUGGESTED THAT THE OFFICE OF THE DIRECTOR GENERAL BE MERGED WITH THE COMMISSION AS AN

chandise.

The panel, the report of which has been made public, recommended an overhaul of the way the watchdog, the Competition Commission of India (CCI) works.

new economy," the official statement said.

The panel also suggested a ranking system for states on the basis of competitiveness of the laws and policies in the context of competition.

Hefty fine slapped on DLF

NEW DELHI: the Competition Commission of India (CCI) on Tuesday imposed a hefty penalty of Rs.630 crore on real estate giant DLF for abusing its dominant position and issued a 'cease and desist' order against imposing unfair conditions on the buyers of its flats.

The penalty was imposed

on DLF following an enquiry by the CCI on a complaint filed by a Belaire Owners' Association in Gurgaon.

"The Commission considers it appropriate to impose penalty at the rate of 7 per cent (totalling Rs.630.43 crore) of the average of the turnover for the last three preceding

financial years on OP-1 (DLF)," the CCI said in its order.

"We are reading the CCI order. We are consulting legal experts for options available, and we believe we have a strong case," DLF Group Executive Director Rajeev Talwar said while commenting on the CCI order.

CCI fines Google ₹136 crore for unfair business practices

Press Trust of India

feedback@livemint.com

NEW DELHI: India's antitrust regulator on Thursday imposed a fine of ₹136 crore on Google Inc. for unfair business practices in the local market for online search.

Passing the order on complaints that were filed back in 2012, the Competition Commission of India (CCI) said the penalty is being imposed on Google for "infringing anti-trust conduct".



■ The penalty amount translates to 5% of Google's average total revenue from India operations

MINT/FILE

sions made by Google on issue of penalty and found it appropriate to impose a fine. The ruling has come on complaints filed by Matrimony.com and Consumer Unity and Trust Society (CUTS) — back in 2012 — against Google LLC, Google India Pvt. Ltd and Google Ireland Ltd.

A Google spokesperson said the regulator has found that the company's conduct on majority of issues examined were in compliance with Indian laws.

"We have always focused on innovating to support the evolving needs of our users. The Competition Commission of India has confirmed that, on the majority of issues it examined, our conduct complies with Indian competition laws. We are reviewing the narrow concerns identified by the Commission and will assess our next steps."

A Mint staff writer contributed to this story.

CCI probes if Google abused Android to block competitors

Reuters

feedback@reuters.com

NEW DELHI: India's antitrust commission is looking into accusations that Alphabet Inc.'s unit Google abuses its popular Android mobile operating system to block its rivals, four people with direct knowledge of the matter told Reuters.

The Competition Commission of India (CCI) has for the past six months been reviewing a case similar to one Google faced in Europe that led to a fine of 4.34 billion euro by antitrust regulators last year, three of the people said. Google has challenged that order.

The European Commission found Google had abused its market dominance since 2011 with practices such as forcing manufacturers to pre-install Google search and its Chrome browser, together with its Google Play app store on Android devices.

"It is on the lines of the EU case, but at a preliminary stage," said one of the people, who is aware of the CCI investigation.

Google declined to comment. The CCI did not respond to Reuters' queries.

The watchdog's enquiry into allegations against Google over its Android platform has not previously been reported.



■ CCI may ask probe unit to further investigate the charges against Google, or throw out the complaint if it lacks merit.

BLOOMBERG

Google executives have in recent months met Indian antitrust officials at least once to discuss the complaint, which was sent to the CCI to further investigate the accusations against Google, or throw out the complaint if it lacks merit.

The watchdog's investigations have historically taken years to complete.

Android features on about 85% of the world's smartphones. In India, about 98% of the smartphones sold in 2018 used the platform, Counterpoint Research estimates.

In October, Google said it them to use rival versions of Android to comply with the EU order. The change, however, cov-

ered only the European Economic Area, which comprises the 28 EU countries and Iceland, Liechtenstein and Norway.

"The CCI will have a tough time not initiating a formal investigation into Google given the EU case, unless they can show the problem has been addressed (by remedies)," one of the people said.

The Indian complaint presents the latest regulatory headache for the Mountain View, California-based company in a key growth market.

Last year, the Indian antitrust watchdog imposed a fine of \$19 million on Google for "search bias" and abuse of its dominant position.

Vodafone-Idea merger gets CCI approval

The merger between Vodafone and Idea will create an entity with over Rs 80,000 crore revenue.

The Competition Commission of India (CCI) has given approval for the Vodafone-Idea merger.

According to sources, the CCI has sent approval letters to both Idea Cellular and Vodafone India.

Vodafone India and Aditya Birla Group-promoted Idea Cellular on March 20 announced their much-awaited amalgamation.

Kumar Mangalam Birla, chairman of the Aditya Birla Group, will be its chairman.

CCI orders anti-trust probe against Flipkart, Amazon

Madhurima Nandy

madhurima.nandy@mint.com

BENGALURU: The Competition Commission of India (CCI) on Monday ordered a probe into alleged competition law violations by Amazon and Walmart Inc.-owned Flipkart over allegations that the e-commerce majors promoted and gave discounts to 'preferred' sellers, entered into exclusive partnerships with smartphone brands and abused their dominant position.

CCI noted four alleged practices—exclusive launch of mobile phones, preferred sellers on the platforms, deep discounting and preferential promotion of private labels.

The anti-trust body said such exclusive arrangements between smartphone or mobile phone brands and e-commerce platforms or select companies selling exclusively on either of the platforms merits an investigation.

"...It needs to be investigated whether the alleged exclusive arrangements, deep discounting and preferential listing by the OPs (opposite parties) are being used as an exclusionary tactic to foreclose competition and are resulting in an appreciable adverse effect on competition contravening the provisions of Section 3(1) read with Section 3(4) of the Act," the CCI order stated.

CCI has directed its director general to complete the investigation and submit the report in two months from the receipt of the order.



■ CCI's order comes ahead of Amazon founder Jeff Bezos' visit to India this week.

MINT

The order for investigation however doesn't come entirely as a surprise—CCI issued a warning on Saturday to dominant e-commerce platforms that they could face an investigation into charges of opaque behaviour and unfair practices such as exclusive tie-ups with certain sellers on items like mobile phones if they do not refrain from these practices.

A Flipkart spokesperson said: "We are currently reviewing the document. The Flipkart group is fully compliant with all applicable laws and FDI (foreign direct investment) regulations. We take pride in democratising e-commerce in India and giving market access to lakhs of MSMEs (micro small and medium enterprises), sellers, artisans and small businesses, making quality and affordable goods available to consumers through our transparent and efficient marketplace while creating lakhs of jobs."

CCI's order comes ahead of Amazon founder Jeff Bezos' visit to India this week.

An Amazon spokesperson said, "We welcome the opportunity to address allegations made about Amazon; we are confident in our compliance, and will cooperate fully with CCI".

Fashion and smartphones have been the two top sellers for e-commerce firms. In September, Amazon.in said it sold premium smartphones worth ₹750 crore within 36 hours of the start of its festive sale.

On January 15, when Bezos visits, more than 500,000 traders are expected to stage protests across India over predatory pricing, hefty discounts and exclusivity given by e-tailers and to tell them to comply with FDI guidelines in e-commerce, Mint reported on Monday.

Praveen Khandelwal, secretary general, Confederation of All India Traders (CAIT), said CCI's order was long-awaited by traders.

"...Both Amazon and Flipkart have left no stone unturned in destroying the e-commerce and retail trade market by indulging into all kinds of malpractices including causing huge GST (goods and services tax) and income tax revenue loss to the government. Their business model has resulted into closure of thousands of shops

CCI SLAPS ₹55.5 CR PENALTY ON NSE

HT Correspondent

letters@hindustantimes.com

NEW DELHI: The Competition Commission of India (CCI), the country's anti-trust body, has slapped a penalty of ₹55.5 crore on National Stock Exchange (NSE) for abuse of its dominance and predatory pricing in its currency derivatives segment.

CCI asked the bourse to pay the penalty within 30 days and stop subsidising services. "There was a clear intention on the part of NSE to eliminate competitors," it said.

The Multi-Commodity Exchange (MCX) had sought CCI's intervention to prevent NSE from offering several services at sharply lower charges. "Our next course will be to claim compensation for the losses and damages that we have incurred," said Joseph Massey, managing director and CEO of MCX.

NSE said it will decide its course of action after reviewing the order and getting legal advice.

mint

CCI Finds Seven Entities Guilty Of Bid Rigging In Sbi Tender

Competition Commission of India (CCI) said on Friday it has found seven entities guilty of bid rigging in case of a tender floated by an arm of SBI and ordered them to desist from such anti-competitive practice.

Given that one of these entities was a lesser penalty applicant before the regulator by reporting about the cartel and most of the parties were micro, small and medium enterprises (MSMEs) and some of which acknowledged their conduct during the enquiry, CCI took a lenient view on the penalty, said the statement.

The tender was for supplying signages for branches, offices or automated teller machines of State Bank of India (SBI).

CCI started the probe on the complaint received in 2018 alleging bid-rigging and cartelisation in the tender floated by SBI Infra Management Solutions Pvt. Ltd. The investigation found e-mails exchanged between the parties which formed the basis for manipulation of the bidding process.

ET THE ECONOMIC TIMES

PMP Infratech, Rati Engineering fined for rigging GAIL tender in 2017-18

The competition watchdog has held PMP Infratech and Rati Engineering guilty for rigging a tender floated by state-run natural-gas company GAIL in 2017-18 for the restoration of well sites located in Gujarat.

The Competition Commission of India imposed a penalty of Rs 25 lakh on PMP, Rs 2.5 lakh on Rati and Rs 1 lakh and Rs 50,000 on the individuals who managed and controlled the firms, besides passing a cease-and-desist order, an official statement said.

The statement said based on investigation and electronic and documentary evidence collected by the CCI's director-general as well as other evidence available on record, the watchdog found that the two firms were in regular touch with each other regarding the tender and even after the submission of their bids.

THE HINDU
BusinessLine

FCI tender: CCI issues cease and desist order against firms found guilty of bid rigging and cartelisation

The Competition Commission of India (CCI) has issued "cease and desist" orders against six firms that were found guilty of bid rigging and cartelization in the tenders floated by Food Corporation of India (FCI).

However, CCI refrained from imposing any monetary penalty considering that four out of six firms had filed lesser penalty applications and admitted their conduct, confessed their modus operandi during investigation thereby fully cooperated with CCI.

TOI

CCI closes case against Intel; finds no evidence of unfair biz practices

The Competition Commission on Friday closed a four year-old case against Intel Corporation after concluding that there was no abuse of dominant position by the chip maker.

"The Commission is of the opinion that no case of contravention of the provisions of Section 4 of the Act by the OP is made out in the present matter," as per the order.

Section 4 of the Competition Act pertains to abuse of dominant position. Opposite party (OP) refers to Intel.

**INDIA
TODAY**

Competition Commission of India orders probe against Apple

CCI orders probe against Apple for 'unfair practices'

The Competition Commission of India (CCI) on Friday ordered a detailed probe against technology major Apple for alleged unfair business practices with respect to its App Store.

In a 20-page order, the CCI said that Apple's App Store is the only channel for app developers to distribute their apps to iOS consumers which is pre-installed on every iPhone and iPad.

mint

Competition Amendment Bill referred to parliamentary panel

The Competition (Amendment) Bill introduced in the Lok Sabha during the recently concluded monsoon session of Parliament has been referred to the Parliamentary Standing Committee on Finance led by BJP leader Jayant Sinha for review, showed an official communication.

The Bill seeks to fine tune the regulatory framework in line with the changes in business models that have emerged over the last two decades.

ET THE ECONOMIC TIMES

CCI imposes Rs 6,700 crore fine on 10 cement companies, including ACC, Ultratech and Lafarge for cartelization

The Competition Commission of India asked 11 cement companies and their lobby group Cement Manufacturers Association (CMA) to pay a fine of Rs 6,714 crore (see graphic) for alleged cartelisation, standing by its previous orders that the antitrust watchdog was asked to reconsider. It also held the lobby group of these manufacturers guilty of facilitating price collusion.

NEWS 18

CCI Orders Investigation Into WhatsApp's 'Exploitative and Exclusionary' Policy Changes

Fair trade regulator CCI on Wednesday ordered a detailed probe into Facebook-owned messaging platform WhatsApp's updated privacy policy and terms of service after finding that the "exploitative and exclusionary conduct" in the garb of the policy update prima facie violated competition norms.

The Competition Commission of India's investigation also comes against the backdrop of concerns raised in various quarters about Facebook-owned WhatsApp's updated privacy policy.

HT Hindustan Times

CCI penalises Amazon, suspends Future deal

CCI levies ₹202 crore penalty on Amazon for not being upfront about the deal's scope

The Competition Commission of India (CCI) on Friday kept Amazon group's 2019 purchase of 49% stake in a Future group entity in abeyance and ordered a penalty of ₹202 crore for allegedly not being upfront about the actual scope and purpose of the deal.

The CCI referred to various agreements between the entities of Amazon and the Future group and said that Amazon allegedly failed to notify certain shareholder agreements and commercial arrangements involving Future group as part of the combination between the parties and allegedly suppressed the actual purpose and particulars of the deal.



PART FOUR



Events



ROADSHOWS ON COMPETITION LAW

'Roadshows' provide a platform for vital dialogue between all stakeholders so as to enable the Commission to present its perspectives and views on latest developments in competition enforcement and receive suggestions from stakeholders. They also provide an opportunity to create awareness among stakeholders, with the ultimate objective of encouraging effective competition compliance.



Shri Injeti Srinivas, Secretary, Ministry of Corporate Affairs, addressing the Mumbai Roadshow held on 15th October 2018



Shri Arun Jaitley, Hon'ble Union Minister of Finance and Corporate Affairs, addressing the Delhi Roadshow, which was dovetailed with the National Conference on Public Procurement and Competition Law held on 5th November 2018



Shri Vijay Rupani, Hon'ble Chief Minister of Gujarat, addressing the Ahmedabad Roadshow held on 18th December 2018



Dr. M.S. Sahoo, Chairperson, Insolvency and Bankruptcy Board of India, addressing the 5th Roadshow held in Mumbai on 30th November 2019



Shri Jayant Sinha, Hon'ble Minister of State for Finance, addressing the 2016 National Conference



Smt. Nirmla Sitharaman, Hon'ble Minister of State (Independent Charge) of the Ministry of Commerce and Industry, addressing the 2017 National Conference



Dr. Aditya Bhattacharjea, Professor, Department of Economics, Delhi School of Economics, delivering the keynote address at the 2018 National Conference



Dr. Krishnamurthy Subramanian, Chief Economic Adviser to the Government of India, delivering the keynote address at the 2019 National Conference



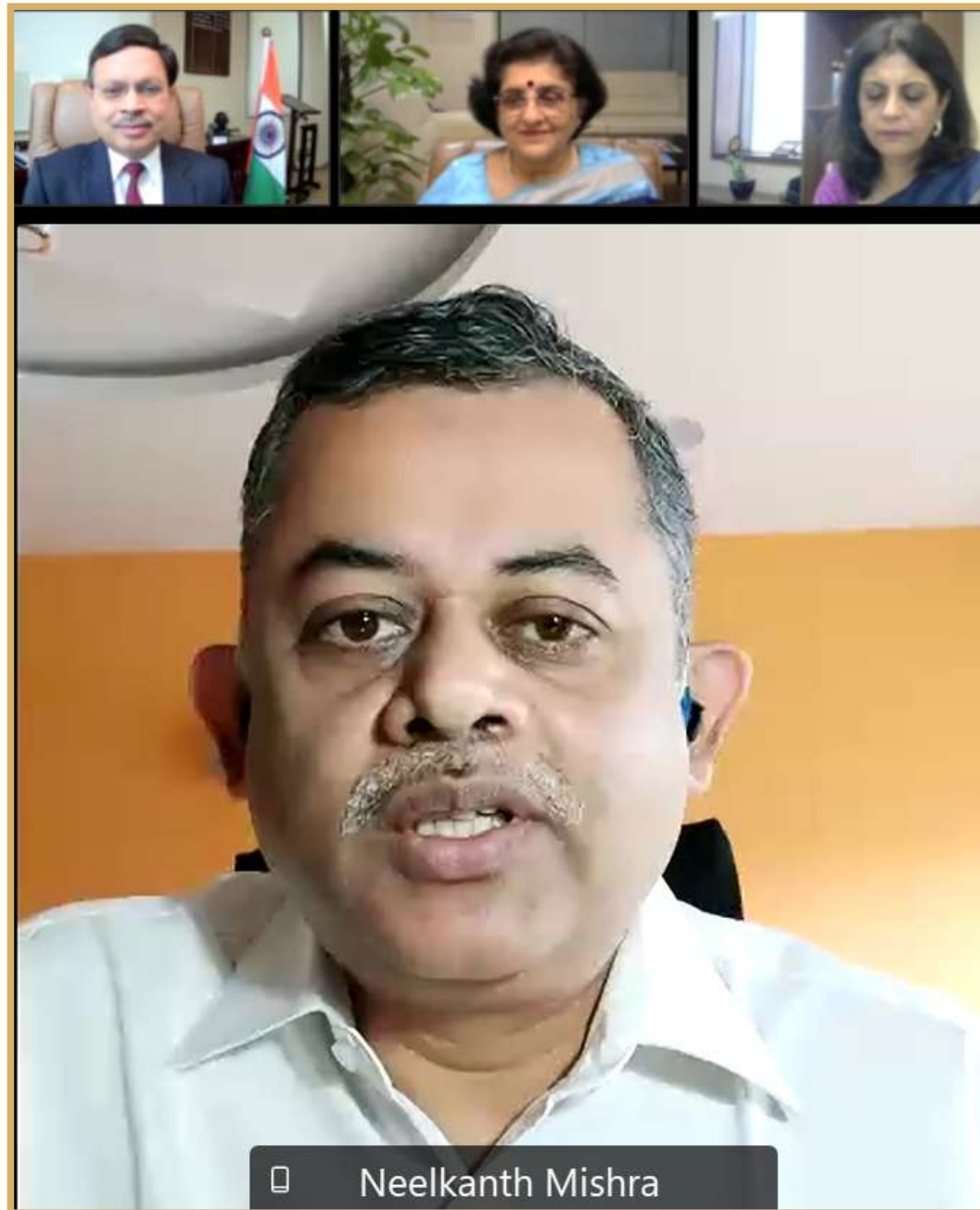
*Shri Bibek Debroy, Chairman, Economic Advisory Council to the Prime Minister,
delivering the keynote address at the 2020 National Conference*

National Conference ON ECONOMICS OF COMPETITION LAW, 2021



*Shri N K Singh, Chairman, Fifteenth Finance Commission delivering the keynote address
at the National Conference 2021*

National Conference ON ECONOMICS OF COMPETITION LAW, 2022



*Shri Neelkanth Mishra, Member, Economic Advisory Council to the Prime Minister
(EAC-PM) delivering the Keynote Address at the National Conference 2022*



Shri V. K. Paul, Member, NITI Aayog, addressing the audience at the workshop on the healthcare and pharmaceutical sector held in 2018



Shri Rajiv Kumar, Vice-Chairman, NITI Aayog, delivering the keynote address at the e-commerce workshop held in 2019

Startup WORKSHOP



Shri Nandan M. Nilekani delivering the keynote address during the Workshop on “Startup Ecosystem and Competition” held in 2022

ANNUAL DAY *Event*

Every year on 20th May, the Commission celebrates its Annual Day to mark the beginning of competition law enforcement in the country. During this event, the Annual Day Lecture is delivered by the Chief Guest. Over the years, the Annual Day Lectures have been delivered by noted luminaries such as the Chief Justice of India, Union Ministers, the Comptroller and Auditor General of India, the Governor of the Reserve Bank of India, renowned industry leaders, and various other dignitaries.



Shri Arun Jaitley, Hon'ble Union Minister of Finance and Corporate Affairs and Information & Broadcasting, delivering the 2016 Annual Day Lecture



Hon'ble Justice J.S. Khehar, Chief Justice of India, delivering the 2017 Annual Day Lecture



Shri Rajiv Mehrishi, Comptroller and Auditor General of India, delivering the 2018 Annual Day Lecture



Shri N.K. Singh, Chairman, 15th Finance Commission, delivering the 2019 Annual Day Lecture



Hon'ble Minister of State for Finance & Corporate Affairs Shri Anurag Singh Thakur addressing the audience as the Guest of Honour in the inaugural session of 12th Annual Day in 2021.



Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman delivering the inaugural address at 12th Annual Day in 2021.



Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman addressing the audience during the 13th Annual Day of CCI in 2022.

EMINENT PERSONS

Advisory Group Meetings



Shri N.R. Narayana Murthy and Shri Ratan Tata attending the Eminent Persons Advisory Group Meeting at the Commission

In May 2012, the Competition Commission of India constituted an Eminent Persons Advisory Group (EPAG) to give inputs and advice on larger issues impacting markets and competition, good international practices, improved advocacy, etc., to the Commission.

(From left to right) Dr. Baqul H. Dholakia, Dr. S.L. Rao, Ms. Rohini Nilekani, Ms. Rama Bijapurkar, Shri Gurcharan Das, Prof. Ranbir Singh and Shri Devender K. Sikri, the then- Chairperson, CCI, attending the Eminent Persons Advisory Group Meeting



(From left to right) Shri Gurcharan Das, Shri N.R. Narayana Murthy, Shri Ratan Tata, Prof. Ranbir Singh and Shri V.N. Kaul attending the Eminent Persons Advisory Group Meeting at the Commission





International Conference 2013



Hon'ble Prime Minister of India Dr. Manmohan Singh inaugurating the 3rd BRICS International Competition Conference

The 3rd BRICS International Competition Conference was organised by the Competition Commission of India in New Delhi on 21–22 November 2013. The theme of the conference was “Competition Enforcement in BRICS Countries: Issues and Challenges”. Nearly, three hundred delegates from India and other jurisdictions, including delegates from the BRICS competition authorities, participated in the conference. The conference was inaugurated by Hon'ble Prime Minister of India Dr. Manmohan Singh and Hon'ble Minister of State for Corporate Affairs (Independent Charge) Shri Sachin Pilot delivered the keynote address.



Chairperson, Members of the Commission and other delegates at the 3rd BRICS International Competition Conference



Members, officers of the Commission and other delegates at the conclusion of the 3rd BRICS International Competition Conference

ICN MERGER *Workshop* 2014

The 2014 ICN Merger Workshop was hosted by the Competition Commission of India under the auspices of the ICN and was a continuation of a series of agency-led conferences that began in 2002. During the two-day workshop, discussions focused on the role of international cooperation in merger enforcement. The workshop took stock of the extant mechanism for international cooperation between competition agencies in merger enforcement and focused on building an effective framework for international cooperation in the areas of merger remedies and outreach initiatives in the context of merger control.





Hon'ble Union Minister of Finance and Corporate Affairs Shri Arun Jaitley inaugurating and lighting the lamp at the ICN Merger Workshop

*Members of the Commission
along with delegates at the
2014 ICN Merger Workshop*



*Ms. Ania Thiemann, Head
of Global Relations,
Competition Division,
OECD, addressing the
delegates at the 2014 ICN
Merger Workshop*





Hon'ble Union Minister of Finance and Corporate Affairs Shri Arun Jaitley addressing the delegates at the 2014 ICN Merger Workshop

2018 ICN *Annual Conference*

As part of its efforts to play a vital role on the global stage, the Commission successfully hosted the ICN Annual Conference from 21–23 March 2018 at New Delhi. More than 500 delegates from over 73 countries and 3 multilateral agencies participated in the conference. At the event, India presented the ‘Special Project’ on cartel enforcement with a focus on how an emerging jurisdiction like India detects cartels.



Shri P.P. Chaudhary, Hon'ble Union Minister of State for Law and Justice and Corporate Affairs, inaugurating the 2018 ICN Annual Conference



Shri Devender Kumar Sikri, Chairperson, CCI, and Members Shri Sudhir Mital, Shri Augustine Peter and Shri G.P. Mittal at the 2018 ICN Annual Conference



Shri Manoj Sinha, Hon'ble Minister of State for Railways and Communications (Independent Charge), at the 2018 ICN Annual Conference



Delegates at a Pre-ICN event organised by CCI



The Commission and CCI Officers at the 2018 ICN Annual Conference



Delegates of the ICN Annual Conference at the Rashtrapati Bhavan

Virtual Workshop

BRICS COMPETITION AGENCIES ON “COMPETITION ISSUES IN AUTOMOTIVE SECTOR”

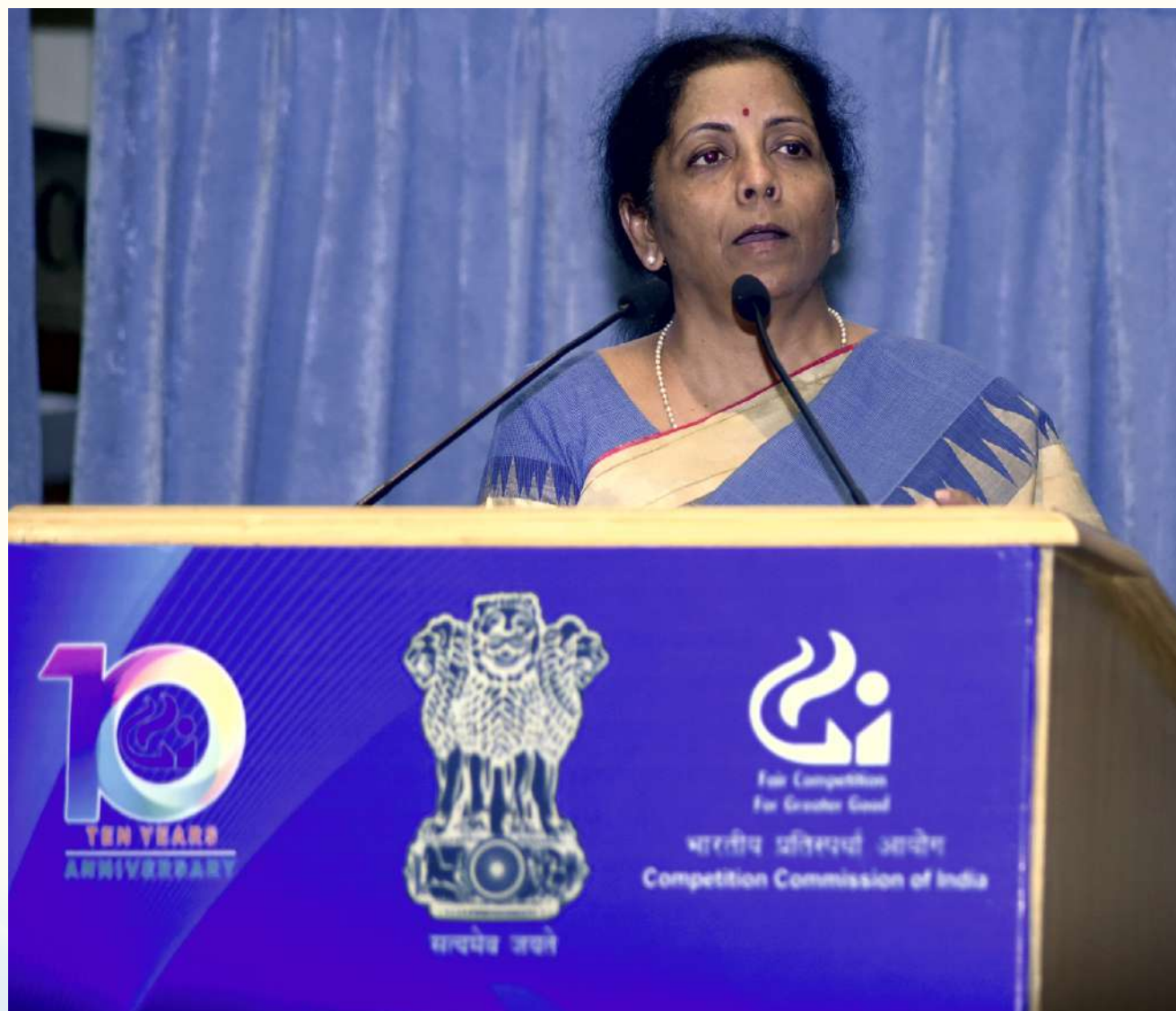


CCI organised a virtual workshop of BRICS Competition Agencies on “Competition Issues in Automotive Sector” during 05–06 November 2020. CCI was the project co-lead of the BRICS Competition Agencies’ Automotive Working Group (AWG) along with the Competition Commission of South Africa. Shri Ashok Kumar Gupta, Chairperson, CCI, virtually addressed the workshop in the presence of Members of the Commission Dr. Sangeeta Verma and Shri Bhagwant Singh Bishnoi.

BRICS Competition Agencies have an existing MoU under which the BRICS Competition Agencies have created Working Groups to better understand and cooperate with each other on specific sectors such as Pharmaceuticals, Food, Automotive and Digital Markets.

10 YEARS of COMPETITION LAW

Enforcement



The Competition Commission of India celebrated the milestone of ten years of competition law enforcement on 23rd August 2019 at Dr. D.S. Kothari Auditorium, DRDO Bhawan, Central Secretariat, New Delhi. The Chief Guest, Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman delivered the keynote address on this occasion.

Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman addressing the audience at the function to mark ten years of competition law enforcement



Smt. Nirmala Sitharaman, Hon'ble Union Minister of Finance and Corporate Affairs, Shri Anurag Singh Thakur, Hon'ble Minister of State for Finance and Corporate Affairs, Shri Injeti Srinivas, Secretary, Ministry of Corporate Affairs, and Shri Ashok Kumar Gupta, Chairperson, CCI, releasing the 'Diagnostic Toolkit' for procurement officers



Hon'ble Minister of State for Finance and Corporate Affairs Shri Anurag Singh Thakur addressing the audience at the function to mark ten years of competition law enforcement

CCI ICONIC DAY UNDER *Azadi Ka Amrit Mahotsav*



Rao Inderjit Singh, MOS (I/C) Ministry of Statistics and Programme Implementation; Planning and MOS M/o Corporate Affairs addressing the audience during the CCI Iconic event for Azadi Ka Amrit Mahotsav at Hotel Ashoka, New Delhi on 11th June 2022

Competition Commission of India celebrated the Iconic event for Azadi Ka Amrit Mahotsav on 11th June 2022 at Hotel Ashoka, New Delhi. The event was inaugurated by Chief Guest, Rao Inderjit Singh, MOS (I/C) Ministry of Statistics and Programme Implementation; Planning and MOS M/o Corporate Affairs.


The event featured a National Conference on Competition Law, distribution of prizes for essay and quiz competition, release of advocacy booklets in three regional languages i.e. Assamese, Gujarati and Odia and release of a special edition of Commission's quarterly newsletter - Fair Play.




(From left) Dr. Sangeeta Verma, Member CCI Hon'ble Dr. Ashok Kumar Mishra, Member (Technical), National Company Law Appellate Tribunal, Shri Ashok Kumar Gupta, Chairperson, CCI, Rao Inderjit Singh, MOS (I/C) Ministry of Statistics and Programme Implementation; Planning and MOS M/o Corporate Affairs, Shri Rajesh Verma, Secretary, Ministry of Corporate Affairs, Hon'ble Mr. Justice Rakesh Kumar, Member (Judicial), Hon'ble Member (Judicial), National Company Law Appellate Tribunal and Shri Bhagwant Singh Bishnoi, Member, CCI releasing CCI's Competition Advocacy Booklet translated in Regional languages of Assam, Gujarati and Odia



PART FIVE

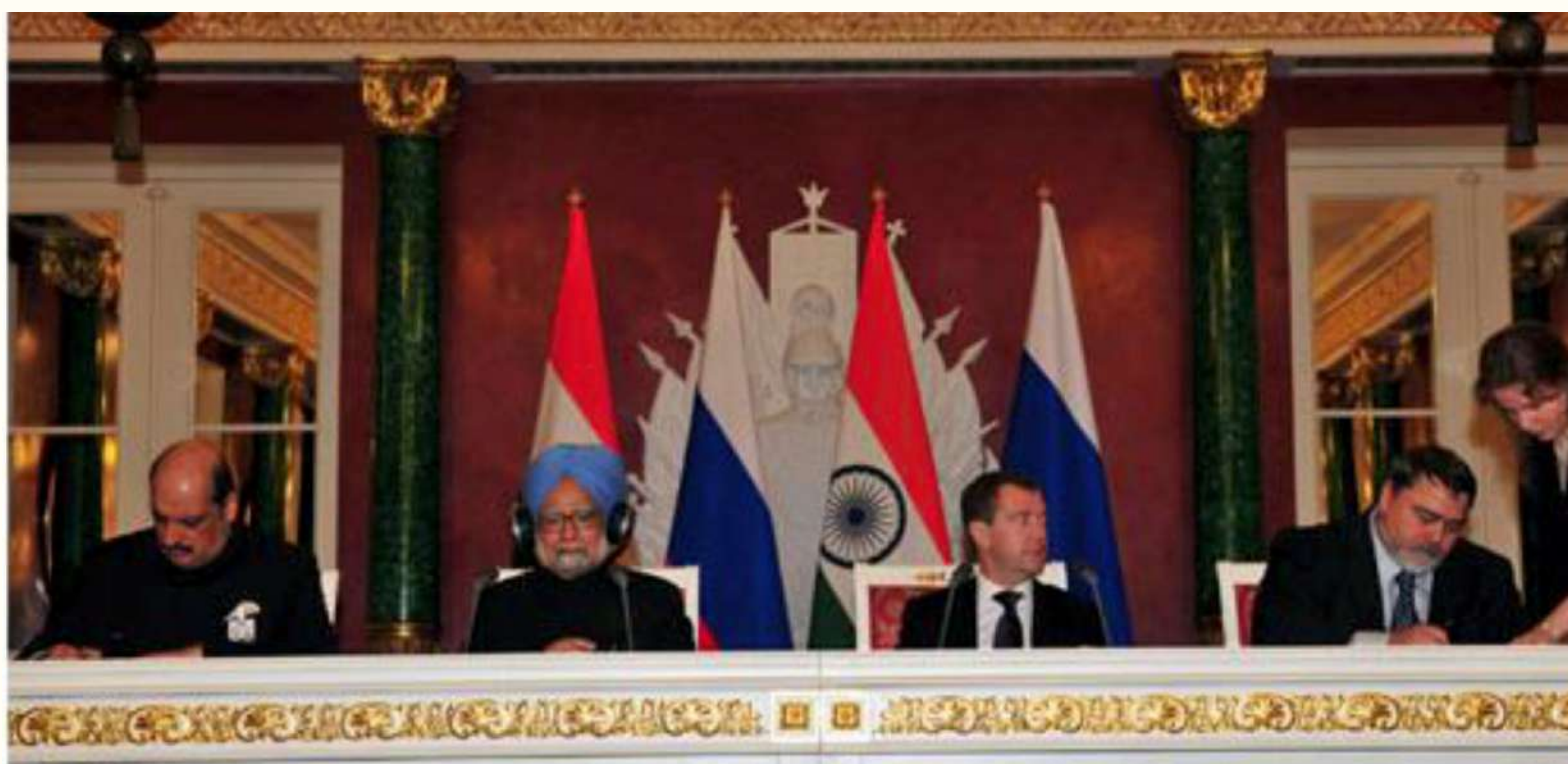


*Memorandums of
Understanding*




MoU with FAS (Russia)

MoU between the Competition Commission of India and the Federal Antimonopoly Service (Russia) was signed on 16th December 2011 in the presence of Prime Minister Dr. Manmohan Singh and Russian President Mr. Dmitry Medvedev in Moscow. The MoU covers experience sharing in the field of competition policy and in conducting investigations, developing joint consultative processes and sharing information regarding legislations.



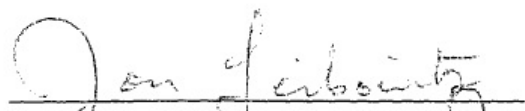

For the Competition
Commission of India.

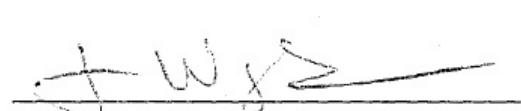

For the Federal Antimonopoly
Service (Russian Federation)

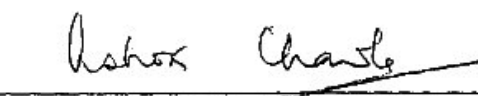
MoU with Federal Trade Commission and Department of Justice (United States)

MoU between India and the United States on competition law cooperation was signed on 27th September 2012 in Washington D.C. The Chairperson of the Competition Commission of India Shri Ashok Chawla and the Ambassador of India Smt. Nirupama Rao signed for the Indian side, and the Chairperson of Federal Trade Commission (FTC) Mr. Jon Leibowitz and the United States Department of Justice Acting Assistant Attorney General Mr. Joseph Wayland signed for the US side. The MoU establishes a framework for voluntary cooperation between US antitrust agencies and Indian competition authority.




United States Federal Trade Commission

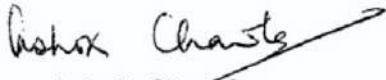

United States Department of Justice


Competition Commission of India

MoU with ACCC (Australia)

MoU on cooperation was signed between the Competition Commission of India and the Australian Competition and Consumer Commission (ACCC) at Canberra, Australia, on 3rd June 2013. The MoU was signed by Mr. Ashok Chawla, Chairperson, CCI, and Mr. Rod Sims, Chairman, ACCC. The signing took place in the presence of Mr. Sachin Pilot, Hon'ble Minister of State for Corporate Affairs (Independent Charge).




Ashok Chawla
Chairperson
Competition Commission of India


Rod Sims
Chairman
Australian Competition and Consumer
Commission

MoU with DG COMP (European Commission)

On the sidelines of the 3rd BRICS International Competition Conference, the Competition Commission of India and the Directorate General for Competition of the European Commission (DG COMP) signed an MoU on cooperation between the EU and the Indian competition authorities on 21st November 2013. The MoU was signed by Mr. Joaquín Almunia, Vice President and Competition Commissioner of the European Commission, and Mr. Ashok Chawla, Chairperson, Competition Commission of India. The signing of the MoU reiterates the importance of cooperation for effective enforcement of competition law and policy.



MoU with Competition Bureau (Canada)

MoU on cooperation in the field of competition was signed between the Competition Commission of India (CCI) and Competition Bureau (CB), Canada, on the sidelines of 2014 ICN Merger Workshop on 1st December 2014 in New Delhi. The MoU was signed by Mr. Ashok Chawla, Chairperson, CCI and Mr. John Pecman, Commissioner, CB.



ASHOK CHAWLA

For the Competition Commission of India

JOHN PECMAN

For the Commissioner of Competition,
Competition Bureau Canada

ASHOK CHAWLA

Chairman

JOHN PECMAN

Commissioner

MoU with BRICS Competition Authorities

MoU between the competition authorities of the Federative Republic of Brazil, the Russian Federation, the Republic of India, the People's Republic of China and the Republic of South Africa was signed on 19th May 2016 during the International Legal Forum held in Saint Petersburg, Russia. The MoU was signed by Mr. Marcio de Oliveira Junior, Commissioner of Brazil's Administrative Council for Economic Defense, Mr. Igor Artemiev, Head of the Federal Antimonopoly Service of the Russian Federation, Mr. S.L. Bunker, Member of the Competition Commission of India, Mr. Tembinkosi Bonakele, Commissioner of the Competition Commission of the Republic of South Africa, and Mr. Jiangping Wang, Vice Minister of the State Administration for Industry and Commerce of the People's Republic of China.



FOR THE COMPETITION AUTHORITY OF THE FEDERATIVE REPUBLIC OF BRAZIL

FOR THE COMPETITION AUTHORITY OF THE RUSSIAN FEDERATION

FOR THE COMPETITION AUTHORITY OF THE REPUBLIC OF INDIA (Competition Commission of India)

FOR THE COMPETITION AUTHORITIES OF THE PEOPLE'S REPUBLIC OF CHINA
(NDRC, MOFCOM and SAIC)

FOR THE COMPETITION AUTHORITY OF THE REPUBLIC OF SOUTH AFRICA

Extension of BRICS MoU

BRICS Competition Authorities entered into an MoU in 2016 for cooperation in the field of Competition Law and Policy for a period of 4 years. The competition authorities decided to renew the MoU for an open-ended period. Accordingly, in 2020, all BRICS competition authorities extended the MoU. The MoU was signed by Mr. Alexandre Barreto de Souza, Brazil, Mr. Igor Artemiev, Russia, Shri Ashok Kumar Gupta, India, Ms. Gan Lin, China, and Mr. Tembinkosi Bonakele, South Africa.



FOR THE COMPETITION AUTHORITY OF THE FEDERATIVE REPUBLIC OF BRAZIL

Mr. Alexandre Barreto De Souza, President,
Administrative Council for Economic Defense (CADE), Brazil

FOR THE COMPETITION AUTHORITY OF THE RUSSIAN FEDERATION

Mr. Igor Artemiev, Head,
Federal Antimonopoly Service (FAS), Russia

FOR THE COMPETITION AUTHORITY OF THE REPUBLIC OF INDIA

Shri Ashok Kumar Gupta, Chairperson,
Competition Commission of India

FOR THE COMPETITION AUTHORITY OF THE PEOPLE'S REPUBLIC OF CHINA

Ms. Gan Lin, Vice Minister,
State Administration for Regulation of Markets, China

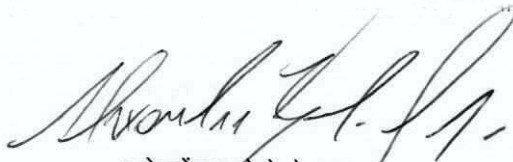
FOR THE COMPETITION AUTHORITY OF THE REPUBLIC OF SOUTH AFRICA

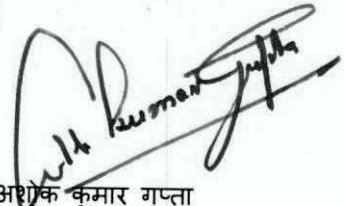
Mr. Tembinkosi Bonakele,
Commissioner, Competition Commission of South Africa

MoU with CADE (Brazil)

Memorandum of Understanding (MoU) was signed between the Competition Commission of India and the Administrative Council for Economic Defense of Brazil (CADE) on 18th June 2021. The MoU was signed by Mr. Ashok Kumar Gupta, Chairperson, CCI and Mr. Alexandre Barreto de Souza, President, CADE Brazil..




एलेक्जेंडर बरेटो दे सूजा
आर्थिक प्रतिरक्षा संबंधी प्रशासकीय परिषद्-सीएडीई


अशोक कुमार गुप्ता
भारतीय प्रतिस्पर्धा आयोग- सीसीआई

MoC with JFTC (Japan)

Memorandum on Cooperation (MoC) was signed between the Competition Commission of India and Japan Fair Trade Commission on 6th August 2021. The MoC was signed by Mr. Ashok Kumar Gupta, Chairperson, CCI and Mr. Kazuyuki Furuya, Chairman, JFTC.



For the Competition Commission of India

Mr. Ashok Kumar Gupta
Chairperson
The Competition Commission of India

For Japan Fair Trade Commission

Mr. Kazuyuki Furuya
Chairman
Japan Fair Trade Commission

MoU with CC (Mauritius)

Memorandum of Understanding between Competition Commission of India (CCI) and Competition Commission of Mauritius (CC) was signed virtually on 23.02.2022. Shri Ashok Kumar Gupta, Chairperson, CCI, and Mr. Mahmad Aleem Bocus, Chairperson, CC, signed the MoU.



Ashok Kumar Gupta
Chairperson
For the Competition Commission of India

Mahmad Aleem Bocus
Chairperson
For the Competition Commission of Mauritius



PART SIX



*Employees Well Being
and Training*



International YOGA DAY

Following the inception of International Day of Yoga in 2014, CCI has embarked on a yoga journey for its members, officers and staff to develop a healthy work-life balance. Since 2015, this day has been celebrated annually on 21st June at CCI .





Offsite Workshops





The CCI regularly organises offsite workshops for its officials for team-building and creating a cohesive work environment. These workshops are held at various places in the country and enrich the learning experience of its officials outside the workplace.





Induction
PROGRAMME

SKILLS

KNOWLEDGE

COMPETENCE

CAPABILITY

PRODUCTIVITY

CAPACITY

PERFORMANACE

PROFESSIONAL DEVELOPMENT

INDUCTION PROGRAMME FOR *Research Associates*

The Commission schedules induction/training programmes for the Research Associates that it engages. These induction programmes are meant to sensitise Research Associates with best practices at the workplace as well as latest developments in antitrust practices.



The Commission's officials with Research Associates after the conclusion of an induction programme

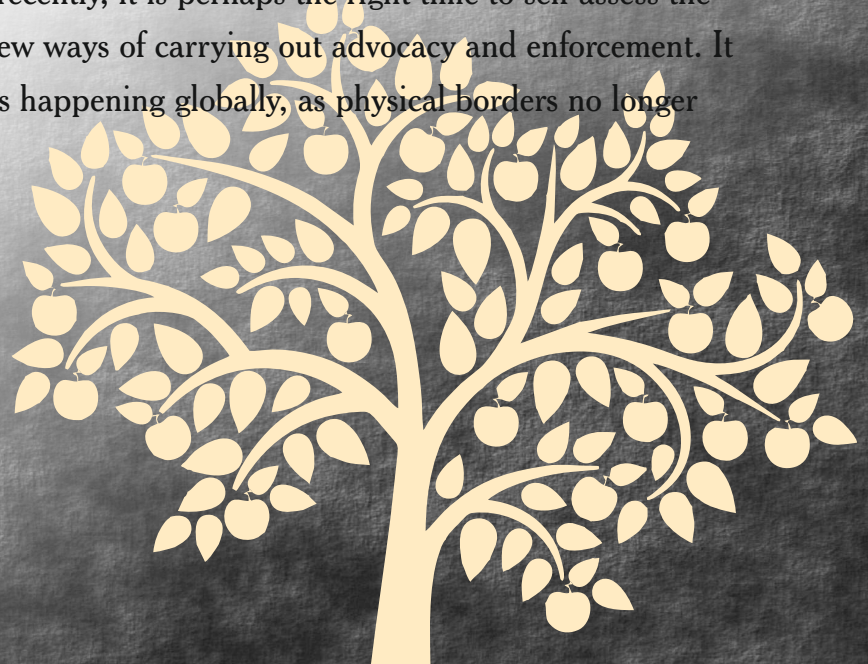


PART SEVEN



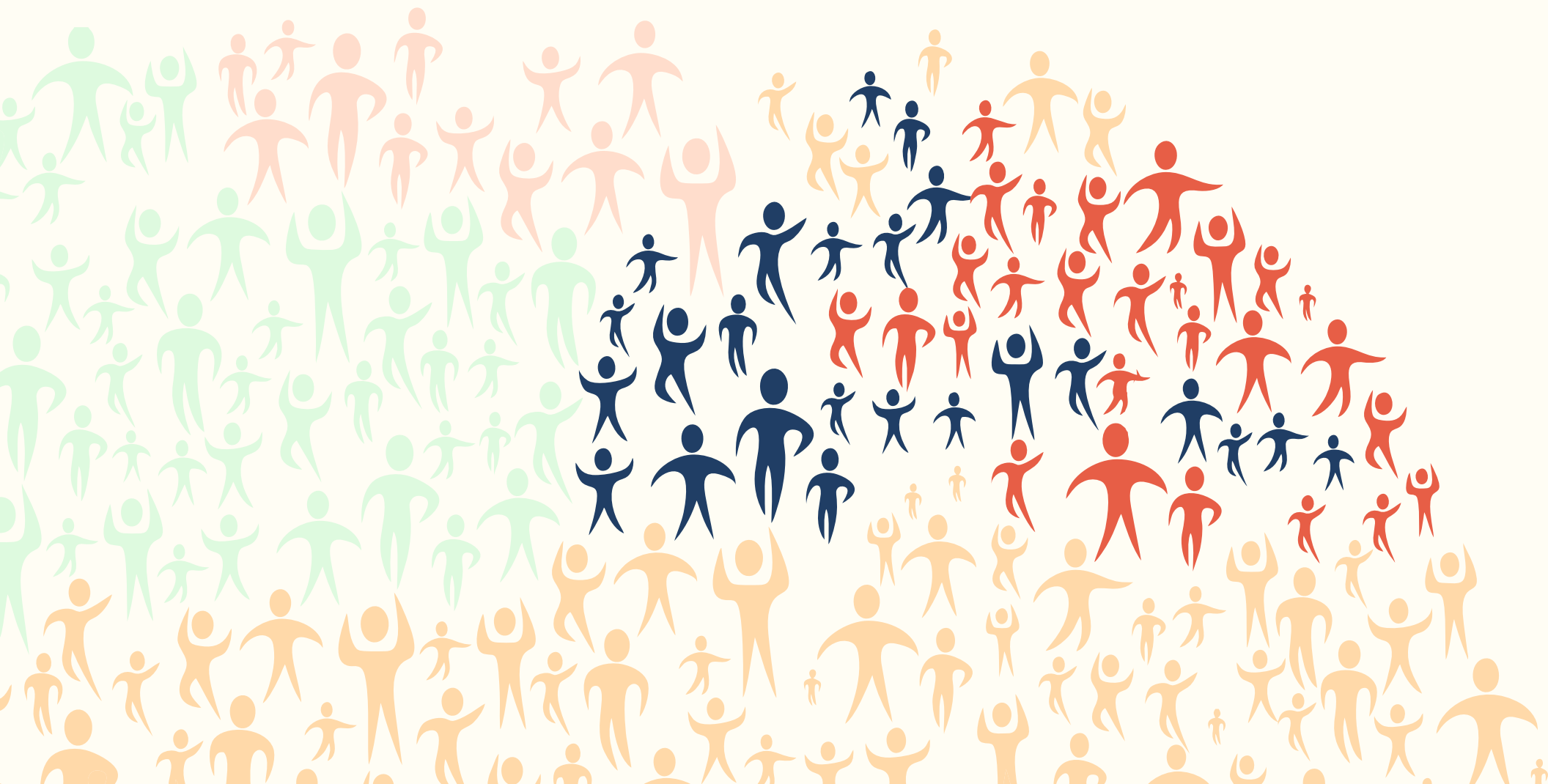
The Way Forward

With CCI reaching the 13-year milestone recently, it is perhaps the right time to self-assess the Commission's performance and identify new ways of carrying out advocacy and enforcement. It is imperative for the CCI to look at what is happening globally, as physical borders no longer determine competition.



COMPETITION LAW *Review Committee*

The Government of India decided to undertake a comprehensive review of the Competition Act, 2002 and towards this the Competition Law Review Committee (CLRC) was constituted in September 2018, under the Chairmanship of Secretary, Ministry of Corporate Affairs, and several eminent persons as members. The Committee submitted its report in July 2019.



Shri Injeti Srinivas, Secretary, Ministry of Corporate Affairs and Chairman, Competition Law Review Committee (CLRC), presenting the Report to the Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman on 14th August 2019



Meeting of the Competition Law Review Committee (CLRC) underway at the CCI



Green Channel SCHEME

As part of its ongoing and regular efforts to make the approval of M&A filings faster, CCI in August 2019 introduced an automatic system of approval for combinations under a 'Green Channel' scheme. Under this scheme, the combination is deemed to have been approved upon filing the notice in the prescribed format. This system has significantly reduced the time and cost of transactions and facilitate ease of doing business.

**THE COMPETITION COMMISSION OF INDIA
NOTIFICATION**

New Delhi, the 13th August, 2019

The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2019

F.No. CCI/CD/Amend/Comb. Regl./2019.—In exercise of the powers conferred by section 64 of the Competition Act, 2002 (12 of 2003), the Competition Commission of India hereby makes the following regulations further to amend the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011, namely:—

1. Short title and commencement.—

- (1) These regulations may be called the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2019.
- (2) They shall come into force on the 15th day of August, 2019.

2. In the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011,—

- (1) after regulation 5, the following regulation shall be inserted, namely:-

“5A. Notice for approval of combinations under Green Channel.-

- (1) For the category of combination mentioned in Schedule III, the parties to such combination may, at their option, give notice in Form I pursuant to regulation 5 along with the declaration specified in Schedule IV.
- (2) Upon filing of a notice under sub-regulation (1) and acknowledgement thereof, the proposed combination shall be deemed to have been approved by the Commission under sub-section (1) of section 31 of the Act:

Provided that where the Commission finds that the combination does not fall under Schedule III and/or the declaration filed pursuant to sub-regulation (1) is incorrect, the notice given and the approval granted under this regulation shall be void *ab initio* and the Commission shall deal with the combination in accordance with the provisions contained in the Act:

Provided further that the Commission shall give to the parties to the combination an opportunity of being heard before arriving at a finding that the combination does not fall under Schedule III and/or the declaration filed pursuant to sub-regulation (1) is incorrect.”;

Green channel: CCI revises Guidance Note to Form 1

Our Bureau | New Delhi | Updated on March 28, 2020

The Competition Commission of India (CCI) has revised guidance notes to Form I with a view to incorporate the changes made in Green Channel.

The guidance notes provide the scope of information and documents to be submitted along with the form. It also provides clarification regarding eligibility criterion for Green Channel. The CCI issues guidance notes for parties to facilitate them to make a filing before it.

As part of its ongoing and regular efforts to streamline M&A filings process and make it simpler and faster, in August 2019, the CCI introduced an automatic system of approval for combinations under Green Channel and revised Form I to file the notice under Section 6(2) of the Competition Act, 2002 (Act) and Regulation 5(2) of the Combination Regulation.

mint

CCI puts in place green channel route for M&A approvals

19 Aug 2019, 08:01 PM IST

NEW DELHI : Putting in place a speedier approval mechanism, [Competition Commission](#) has introduced a green channel route for clearing certain categories of mergers and acquisitions.

The green channel concept -- recommended by the high level panel that reviewed competition law -- would allow for an automatic system for speedy approval of combinations subject to certain conditions.

"Under this process, the combination is deemed to have been approved upon filing the notice in the prescribed format. This system would significantly reduce time and cost of transactions," Competition Commission of India (CCI) said in a release on Monday.

Business Standard

1 out of 5 combinations given approval under 'green channel' route: CCI

The Competition Commission of India (CCI) on Monday said one out of five combinations are given approval under the 'green channel' route.

August 17, 2020 22:39 IST

The Competition Commission of India (CCI) on Monday said one out of five combinations are given approval under the 'green channel' route.

The green channel concept, which was recommended by a high-level panel that reviewed competition law, allows for an automatic system for speedy approval of certain categories of mergers and acquisitions.

Noting that it is the first-of-its-kind system in the world for notifiable combinations, CCI in a tweet said the initiative completed one year on August 15.

The fair trade regulator further said the concept is "a CCI initiative towards ease of doing business."

ET THE ECONOMIC TIMES

Helping to Merge and Acquire



Ashok K Gupta

With every industry undergoing 'new age' transformations, mergers and acquisitions (M&As) have become a significant tool for establishing systemic efficiencies in many markets. However, large-scale consolidations often present unique market structures that may pose challenges to competition.

In these scenarios, competition regulation assumes greater significance to preserve competition and protect consumer welfare. The Competition Commission of India (CCI) looks into M&As from the competition perspective. All M&As above a certain asset and turnover threshold are to be mandatorily notified to CCI for an ex ante assessment of an appreciable adverse effect on competition. CCI needs to look into the future structure of the market, and this cannot be based on crystal-gazing.

The key to success of any merger review regime is to conduct a quick assessment so that firms can consummate their transactions and save time and costs on account for the necessary approvals. CCI considers the market dynamics that includes the level of concentration, degree of countervailing buyer power, the possibility of failing business, and contribution to the economic development. It also ex-

amines whether the merger is likely to result in any harm to competition.

Global consolidations have resulted in the entry of several foreign firms into Indian markets. CCI has successfully handled global mergers including Dow Chemical DuPont and Bayer-Monsanto. These cases required interaction with its well-established counterparts and multi-jurisdictional authorities. Continual engagement with other authorities on the International Competition Network (ICN), OECD and Brics has helped CCI to keep abreast with the latest developments and best practices.

Over a decade, CCI has developed a robust framework for merger review. But there are challenges posed by new-age markets, common investments in competing firms and data-driven mergers. In digital markets, due to low assets or turnover of target companies, some acquisitions do not trigger the notification thresholds. Tracing what the trends are of such

acquisitions — be it e-commerce or other digital companies — is being sought, as there can be cases when the acquisition of a nascent firm may trigger the loss of a competitive constraint.

Several measures have been put in place to make compliance requirement certain and simpler. One, the threshold for notification in India is relatively high. So the notification requirement is imposed only on larger transactions that have the potential to affect competition. Two, mergers in certain sectors — such as public sector banking, and oil and natural gas — have been exempted by GoI in the public interest. Further, the acquisition of smaller enterprises below a monetary threshold is also exempted.

Three, CCI regulations dispense notification for certain categories of combinations unlikely to raise competition concern. These are largely transactions in the ordinary course of business, or investments not resulting in control.

With effect from August 15, 2019, a 'green channel' was introduced for the automatic approval of combinations. This is a first-of-its-kind trust-based system in the world, where a notifiable transaction having no overlaps, be it horizontal, vertical or complementary between parties, is deemed approved upon its filing and can be consummated immediately. This should sustain speedy, transparent and accountable merger review, strike a balance between facilitation and enforcement, and create a culture of voluntary compliance that supports economic growth. This has caught the imagination

of industry, and one out of every five cases is being filed under the green channel. CCI has revised its pre-filing consultation guidelines, and stakeholders are encouraged to proactively participate in the review process. As market regulator, CCI is conscious of the larger public policy milieu and significance of inorganic growth required for enterprises to attain size, scale and efficiency and succeed in domestic and global markets. It has focused on quick approval of M&As that don't cause appreciable adverse effect on competition.

Several new reforms in the corporate and insolvency landscape are driving up domestic consolidations, attracting entry and expansion of foreign entities in India through M&As, strategic investment by MNCs and investments by foreign funds that include sovereign, pension and private equity funds. CCI assesses these deals by taking cognisance of the relative advantage by the way of contribution to the economic development of the country.

The ongoing reforms have made India a preferred destination for strategic investments and M&As even during a Covid-hampered economy. CCI has given timely approvals to all notifications filed even in the lockdown period. As India gears up for post-Covid economic recovery, the stage is set for all enterprises to benefit from CCI's objective, transparent and business-friendly combination review



THE PHOTO

KEEPING COMPETITION ALIVE

State Resource PERSON SCHEME

In pursuance of its advocacy mandate under Section 49(3) of the Competition Act, 2002, the Commission, has been conducting focused advocacy programmes such as interactive workshops, seminars, moot courts, essay competitions, etc., for stakeholders, including government officials (both Central and State governments) and representatives of the industry. Many such events focused on the topic of public procurement.

Although the Commission held advocacy events in various State capitals, it was felt that sustained steps should be taken towards increasing awareness on competition issues at the State level. Accordingly, a State Resource Person Scheme was instituted in October 2019, to spread awareness on competition law by imparting training and organising workshops/seminars on competition law at various places in the State for procurement officers.

In order to facilitate the Resource Persons to carry out competition advocacy in the States, many States have appointed Nodal Officers. With these Nodal Officers, the Commission coordinates State advocacy activities, including the State Resource Person Scheme. To execute the State Resource Person Scheme, the given State nominates upto two Resource Persons, who are retired officers not below the rank of Joint Secretary. These Resource Persons organise at least two advocacy events per month in their State for procurement officers of Government Departments and PSUs.



भारतीय प्रतिस्पर्धा आयोग
Competition Commission of India

COMPETITION LAW AND PUBLIC PROCUREMENT

Himachal Pradesh

Who can participate:-

- Producers / suppliers of goods and services and their associations.
- Consumers of goods and services and their associations.
- Professionals engaged in competition services, such as company secretaries and advocates.
- Media and their associations.
- Students and academic faculty of law, economics, finance, commerce, management and regulation and State Govt. Agencies

Will be held on:-

Date 24.02.2021 at 10 AM

Coordinated By:-

R.R. Patyal,
Resource Person,
Competition Commission of India
E-mail: patyalrr@yahoo.com, 7018458615



Department of Industries & Commerce
Government of Kerala



സംസ്കാരം



Fair competition
For Greater Good

COMPETITION COMMISSION OF INDIA
in association with
DIRECTORATE OF INDUSTRIES & COMMERCE, GOVERNMENT OF KERALA
organising webinar on

COMPETITION LAW & PUBLIC PROCUREMENT
(Advocacy Programme under State Resource Persons Scheme of CCI)

Address by Shri. Rahul Raveendran, Director (Law) CCI

On 22/July/2020 2 PM



for Major PSUs & Govt. Departments/Organisations

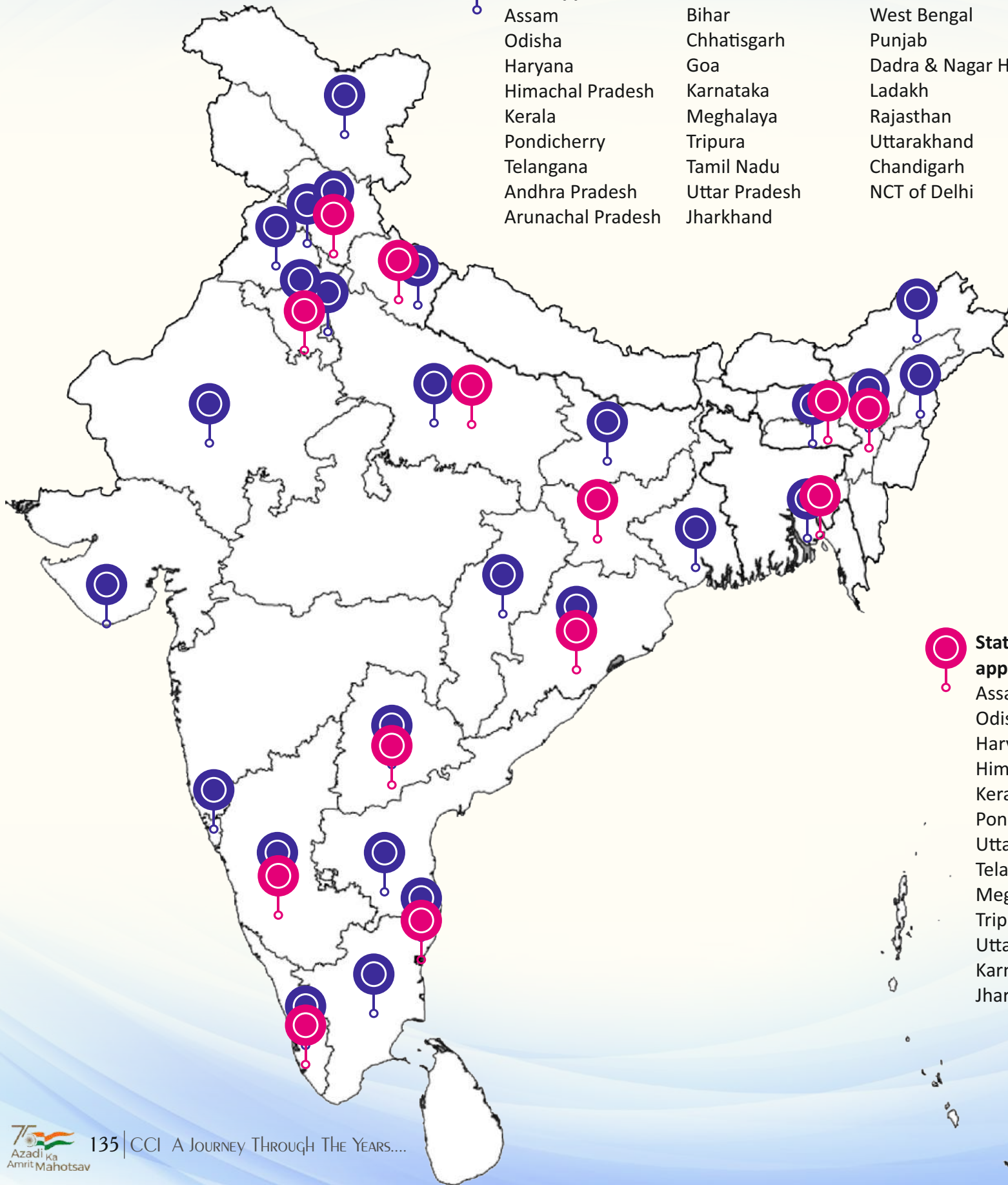


States/UTs where Nodal Officers have been appointed

- | | | |
|-------------------|---------------|--------------------------------------|
| Assam | Bihar | West Bengal |
| Odisha | Chhatisgarh | Punjab |
| Haryana | Goa | Dadra & Nagar Haveli and Daman & Diu |
| Himachal Pradesh | Karnataka | Ladakh |
| Kerala | Meghalaya | Rajasthan |
| Pondicherry | Tripura | Uttarakhand |
| Telangana | Tamil Nadu | Chandigarh |
| Andhra Pradesh | Uttar Pradesh | NCT of Delhi |
| Arunachal Pradesh | Jharkhand | |

States where SRP has been appointed

- Assam
- Odisha
- Haryana
- Himachal Pradesh
- Kerala
- Pondicherry
- Uttarakhand
- Telangana
- Meghalaya
- Tripura
- Uttar Pradesh
- Karnataka
- Jharkhand



Inauguration of REGIONAL OFFICE (SOUTH) AT CHENNAI

Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman with Shri Rajesh Verma, Secretary, Ministry of Corporate Affairs at the inauguration of the Regional Office (South) of CCI in Chennai on 26.02.2021.



Hon'ble Minister of State for Finance and Corporate Affairs Shri Anurag Singh Thakur virtually delivered the special address at the inauguration of the Regional Office (South) of CCI in Chennai.



Inauguration of REGIONAL OFFICE (EAST) AT KOLKATA



Hon'ble Union Minister of Finance and Corporate Affairs Smt. Nirmala Sitharaman inaugurating CCI Regional Office (East) in Kolkata during the 13th Annual Day celebrations at DRDO Bhawan, New Delhi on 20th May 2022. Also present on the dais (from left): Dr. Sangeeta Verma, Member, CCI, Shri Ashok Kumar Gupta, Chairperson, CCI, Shri Rajesh Verma, Secretary, Ministry of Corporate Affairs and Ms. Jyoti Jindgar Bhanot, Secretary, CCI.



(From left): Ms. Sayanti Chakrabarti, Director (Economics), Shri Bhagwant Singh Bishnoi, Member, CCI and Sh. Sanjeet Kumar, Office Manager during the inauguration of Regional Office (East) at Kolkata 20th May 2022.

and the journey continues...



Competition Commission of India
9th Floor, Office Block - 1, Kidwai
Nagar (East), New Delhi: 110023, India



Follow us on:
<https://www.facebook.com/competitioncommissionofindia>



<https://in.linkedin.com/company/competition-commission-of-india>



https://twitter.com/CCI_India



<https://www.youtube.com/channel/UCI8kNu7mBymD7jxfSmlxiPQ>

Designed by GENESIS | 9810033682 |
genesisadv@hotmai.com | www.genisonline.co.in