

'We don't wish to be roadblocks to industry'

Sapna Dogra Singh / New Delhi May 23, 2009, 1:16 IST



The country's new anti-trust body, Competition Commission of India (CCI), is all set to take up its first cases. In an interview with *Sapna Dogra Singh*, CCI chairman **Dhanendra Kumar** says the commission would not act as a roadblock to industry. Excerpts:

How soon do you expect cases to come to CCI under sections three and four of the Competition Act (anti-competitive agreements and prohibition of abuse of dominant position)?

It would take at least 15-20 days, as the notification for these two sections came only on May 20 and today CCI is notifying the regulations, prescribing the procedures to file complaints etc. These are general regulations, enabling transaction of business regulations and regulations on engagement of experts and professionals. It is also bringing out advertisements in newspapers to make people aware that it is now active to take complaints.

What about Nokia's complaint on BSNL's tendering process, as reported in some sections of the media?

There's no case before us as of today. Prior to May 20, the Commission was involved in advocacy work and any complaints through letters or e-mails were referred back to the ministry of corporate affairs. Now, complaints need to come in a prescribed format.

How would enforcement of sections three and four help competition in the market?

The enforcement of these provisions regarding anti-competitive agreements and abuse of dominance will promote competition in the market and will benefit all stakeholders, including companies and consumers. Their enforcement will help accelerate economy, as they would help lower prices through better efficiency, better management practices and technology.

What about sections five and six (of the Act, yet to be notified) on combinations and regulation of combinations?

There's already enough on our plate. Sections three and four are very important and cover important aspects of anti-competitive agreements and abuse of dominant position like bid rigging, exclusive supply arrangements, predatory pricing, practices resulting in denial of market access, cartelisation, etc. Instead of rushing things, we want to go everything in a gradual manner and right now, we are focusing on building our capacities in terms of infrastructure and human resource.

Industry has been apprehensive of how CCI would use enforcement powers.

This apprehension is misplaced. We know our job and we would proceed with caution, because we don't want to be roadblocks to industry. As a regulator, we want to promote competition in the market through best practices, which would benefit companies and the consumer.

Does the Commission have enough manpower?

The process of recruiting is on and by the end of this month, we would have around 50 people. Commission has already identified 12 professionals, who include economics experts, financial analysts, legal experts, etc to help the Commission members in discharging their duties.

The government is also expected to notify rules for recruitment of people from various government departments. We are also planning to have youngsters from National Law Institutes and other institutes as trainees and interns, who would gain experience and if they want they can be absorbed in CCI, too. Quality of professionals is of paramount importance to us and we are taking all possible action to build up human resources. The CCI staff would be trained in India, as well as abroad.