A Journey Through the Years
2009–2022

Competition Commission of India
A Journey Through the Years
2009–2022
Fair Competition for Greater Good

Competition Commission of India
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.

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.

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.

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 Economics Times Global Business Summit on 6th March 2020
- at the Rising Himachal Global Investors’ Summit on 7th November 2019
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
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
Foreword

CCI Leadership Over the Years

Hon’ble Prime Minister Modi on competition

Messages

Glimpses

Historical Context
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

Shri Dhanendra Kumar appointed Chairperson on 28.02.2009

Sections 3 and 4 of the Competition Act, 2002 were notified on 15.05.2009 and came into effect on 20.05.2009

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 3rd BRICS International Competition Conference from 21.11.2013 to 22.11.2013

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

CCI moves its premises to East Kidwai Nagar on 30.08.2018

Green Channel notification facilitating faster M&As clearances comes into effect on 15.08.2019

THE COMPETITION COMMISSION OF INDIA NOTIFICATION
New Delhi, the 15th August, 2019

The Competition Commission of India (Procedure and conduct of investigation and disposal of complaints) (Amendment) Regulations, 2019

(F. No. CCI/DIR(Merger/Cong)/Res. Regd/2019)

In exercise of the powers conferred by section 4 of the Competition Act, 2002 (12 of 2002), the Competition Commission of India hereby makes the following regulations further to amend the Competition Commission of India (Procedure and conduct of investigation and disposal of complaints) Regulations, 2011, namely:

1. Short title and commencement

(1) These regulations may be called the Competition Commission of India (Procedure and conduct of investigation and disposal of complaints) (Amendment) Regulations, 2019.

(2) They shall come into force on the 15th day of August, 2019.

2. In the Competition Commission of India (Procedure and conduct of investigation and disposal of complaints) Regulations, 2011, namely:

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

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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 12 (proforma to Regulation 6) 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 54 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), it is incomplete, 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 passing any finding that the combination does not fall under Schedule III and/or the declaration filed pursuant to sub regulation (1) is incomplete.
CCI commences the State Resource Person Scheme in February 2020

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

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
The Commission as of 31 March, 2010 & 31 March 2011

(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 31 March 2013

(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 2015

(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 2016

(From Left to Right)
Shri U. C. Nahta, Member
Shri Augustine Peter, Member
Shri Sudhir Mital, 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 2017

(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 2018

(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
(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
The Commission as of 31st March 2021

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

The Commission as of 31st March 2022

(From Left to Right)
Shri Bhagwant Singh Bishnoi, Member
Shri Ashok Kumar Gupta, Chairperson
Dr. Sangeeta Verma, Member
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.
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
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 focused 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 date as the Central Government may, [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;

[(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) ["dominant undertaking" means—

[“*:*"]

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.e.f. 27-9-1991).
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.
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.
Part One
The Early Years
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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.
A Fresh Start
Hindustan Times House

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.
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
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.
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
Move to East
Kidwai Nagar
Office Complex
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.
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

Commission

Sanctioned Strength 195

Secretary

Director General

Advisers
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.
Creating awareness about the Commission’s activities through publication and dissemination of advocacy material

Conducting training programmes on competition law

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

Regularly scheduling roadshows and conferences to engage with stakeholders
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.
The Antitrust Division (ATD) assists the Commission in the discharge of its enforcement mandate relating to the prohibition of anti-competitive agreements and abuse of dominant position. The officers of the Division act as Case Processing Officers (CPOs) who prepare agenda papers and place the same before the Commission in its ordinary meetings. The officers, drawn from diverse streams such as law, economics and finance, assist the Commission in processing the matters.
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.
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 moto* inquiries in cases where the parties fail to notify reportable combinations.
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.
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”

Prof. Ranbir Singh, Vice-Chancellor, National Law University, Delhi, delivering a lecture on the topic “Artificial Intelligence and Competition Law - Challenges Ahead”

Dr. Ashok Kumar Mishra, Member, National Company Law Appellate Tribunal (NCLAT), delivering a lecture on “Insolvency and Bankruptcy Code 2016”

Shri G.N. Bajpai, former Chairperson, SEBI and LIC, delivering a lecture at the Commission

Shri Sanjeev Sanyal, Principal Economic Advisor (Ministry of Finance), delivering a lecture on “Rethinking Economics for a New India” 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

2017-18: 72
2018-19: 90
2019-20: 93
2020-21: 70
2021-22: 75
CCI by the numbers: A Graphic Representation

Number of Combinations Approved

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<thead>
<tr>
<th>Year</th>
<th>Number</th>
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<td>2021–22</td>
<td>93</td>
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Enforcement Actions Spanning Various Sectors

I & B (Film/Entertainment/TV/Print Media)

Power & Power Generation

Automobiles

Information Technology & Services

Real Estate

PVC & Chemicals

Financial Sector

E-Commerce

Pharmaceuticals & Healthcare

Finance & Markets

Coal

Mineral & Metals

Railways

Civil Aviation

Power & Power Generation

Iron & Steel

Media & Entertainment

Food & Refined Oil

Media & Entertainment
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/ica, 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 serve consumers, while protecting the freedom of dynamic 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 Arjilt 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.

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

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

Girish Chandra Prasad

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 remain 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 Injet 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 effect 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 push to cut red tape.

Check by resorting to imports? Another sanitising area is to find the means to rein in international curbs. 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 in contrast to the MRTP legislation is flexible and therefore react swiftly to changes. Other advantages claimed are that the new bill will be 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 that could have specific case and deal orders, the Competition Commission can initiate suo moto 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 certain 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.
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.

"Vodafone Group and Idea Cellular announced they have reached an agreement to combine their operations in India (excluding Vodafone's 42 per cent stake in Indus Towers) to create India's largest telecom operator," a joint statement by the companies had earlier said.

"The combined company would become the leading communications provider in India with almost 400 million customers, 35% customer market share and 41% revenue market share," it added.

The merger will create an entity with over Rs 80,000 crore revenue.

"Vodafone will own 45.1% of the combined company after transferring a stake of 4.9% to the promoters of Idea and/or their affiliates for Rs 3,874 crore in cash concurrent with the completion of the amalgamation," the statement said.

"The promoters of Idea will hold 26 per cent of the company and the balance will be held by the public."
**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.

**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.

**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.

**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.

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**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.

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**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.

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**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.

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**News18**

**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.
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 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. Nirmala 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
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
Shri Nandan M. Nilekani delivering the keynote address during the Workshop on “Startup Ecosystem and Competition” held in 2022
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 Union Minister of Finance and Corporate Affairs
Smt. Nirmala Sitharaman delivering the inaugural address at

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 addressing the audience during the 13th Annual Day of CCI in 2022.
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. Bakul 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
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
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
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 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
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.
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.
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.
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.
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).
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.
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.
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.
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..
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.
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
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 for Research Associates

The Commission schedules induction/training programmes for the Research Associates that it engages. These induction programmes are meant to sensitize 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
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.
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
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. CC/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

The Competition Commission of India (CCI) has revised guidance notes to Form 1 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 1 to file the notice under Section 6(2) of the Competition Act, 2002 (Act) and Regulation 5(2) of the Combination Regulation.

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.

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 was completed one year on August 15.

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

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

NEW DELHI: Putting in place a speedier approval mechanism, Competition Commission has introduced a green channel route for cleared 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.

Helping to Merge and Acquire

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 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.

CCI A Journey Through The Years...
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.
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: r.r.patyal@yahoo.com, 9017434675

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 where SRP has been appointed
Assam
Odisha
Haryana
Himachal Pradesh
Kerala
Pondicherry
Telangana
Andhra Pradesh
Arunachal Pradesh

States where Nodal Officers have been appointed
Assam
Odisha
Haryana
Himachal Pradesh
Kerala
Pondicherry
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Tripura
Tamil Nadu
Uttar Pradesh
Jharkhand

West Bengal
Punjab
Dadra & Nagar Haveli and Daman & Diu
Ladakh
Rajasthan
Uttarakhand
Chandigarh
NCT of Delhi

CCI A Journey Through The Years...
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.
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

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