Fair Competition
for Greater Good

The Quarterly Newsletter of Competition Commission of India (CCI)

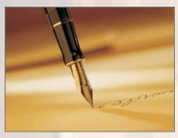
Fair Play

Volume 54: July-September 2025



A Roundtable on "Emerging Technologies and Global Trends in Competition Law" was organised by Confederation of Indian Industry (CII) in collaboration with CCI in Bengaluru on 22.09.2025

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FROM THE DESK OF CHAIRPERSON



It gives me immense pleasure to present the 54th edition of *Fair Play*, the quarterly newsletter of the Competition Commission of India (CCI). This volume encapsulates key regulatory, enforcement, and advocacy developments during the July–September 2025 quarter, reflecting the Commission's sustained commitment to fostering fair, transparent, and innovation-friendly markets in India.

In the sphere of antitrust enforcement, the Commission continued to uphold market fairness through its interventions.

- *Vide* order dated 01.07.2025, the Commission directed investigation against Asian Paints Ltd., on allegations of abuse of dominant position in the decorative paints market in India.
- In another order dated 01.07.2025, the Commission imposed penalties totalling ₹ 6.33 lakh on the Federation of Publishers' and Booksellers' Association in India and its office-bearers for engaging in anti-competitive practices, including fixation of conversion rates, prescription of trading terms, and circulation of lists of "approved suppliers".
- Further, *vide* order dated 01.08.2025, the Commission directed investigation into alleged abuse of dominance by Google in the market for Online Display Advertising Services through its AdTech Stack.

- *Vide* another order dated 06.08.2025, the Commission ordered an investigation against Rashtriya Chemicals and Fertilisers Ltd. for alleged tying of water-soluble fertilisers and other agricultural products with the sale of urea in Maharashtra.

On the merger control front, the Commission continued to facilitate growth-oriented and pro-competitive consolidation while ensuring that combinations do not cause appreciable adverse effect on competition. During this quarter, 34 combination cases were decided/disposed of across diverse sectors, including Financial Markets, Pharmaceuticals & Health Care, Auto & Auto Components, Power Generation, Food & Refined Oil, Mining & Metals, and others.

Key combinations approved during the quarter included:

- Acquisition of certain equity shares in NACL Industries Ltd. by Coromandel International Ltd.
- Acquisition of OC Oerlikon Textile Holding AG and Oerlikon Textile Inc. by Rieter Holding AG and Rieter North America Inc.
- Acquisition of up to 75 % shareholding in Akzo Nobel India Ltd. by JSW Paints Ltd.
- Acquisition of up to 100 % shareholding by Manipal Hospitals Pvt. Ltd. in Sahyadri Hospitals Pvt. Ltd.
- Acquisition of the remaining 49 % shareholding in Island Star Mall Developers Pvt. Ltd. by The Phoenix Mills Ltd.

These decisions reflect the Commission's structured and time-bound assessment of combinations, reinforcing regulatory certainty and market confidence.

On the advocacy side, a significant highlight of the quarter was the Roundtable on “Emerging Technologies and Global Trends in Competition Law”, organised by the CCI and the Confederation of Indian Industry (CII) on 22.09.2025 in Bengaluru. The Roundtable brought together experts from academia, legal practitioners and industry to deliberate on how emerging technologies-such as artificial intelligence, big data, and digital platforms-are reshaping competition dynamics.

As the competitive landscape continues to evolve amid rapid technological transformation and global integration, the Commission remains deeply committed to ensuring that markets operate on principles of fairness, innovation, and consumer welfare.

I take this opportunity to thank all stakeholders-businesses, industry associations, professionals, and consumers-for their continued engagement and support. Together, we shall continue to build a competition regime that is transparent, inclusive, and conducive to India's journey towards *Viksit Bharat 2047*.

Ravneet Kaur



ANTI-TRUST ENFORCEMENT

Federation of Publishers' and Booksellers' Association in India ('FPBAI') and its office-bearers again penalised for indulging into anti-competitive practices (Case No. 38 of 2021- Order dated 01.07.2025)

Competition Commission of India (CCI), *vide* order dated 01.07.2025, passed under Section 27 of the Act, imposed penalty of ₹ 6.33 lac on Federation of Publishers' and Booksellers' Association in India (FPBAI) and its three office-bearers for indulging in anti-competitive practices of

(i) fixation of conversion rates higher than usual bank/ RBI rates for importing of international journals and books by its member booksellers/ publishers which constitute the bulk of all booksellers/ publishers in the industry,

(ii) stipulating terms and conditions with respect to credit period, interest rates, *etc.* which its member booksellers/ publishers must follow while supplying books, journals and e-resources to libraries, institutions etc., and

(iii) issuing list of approved suppliers of journals/ subscription agents along with its circulars, in furtherance of its already existing advisories/ appeals to libraries and other institutions to purchase books only from its approved vendors. Such practices being carried on by the FPBAI were found to be in contravention of the provisions of Section 3(3)(a) and 3(3)(b) read with Section 3(1) of the Act.

With respect to the allegations regarding discount control by FPBAI despite CCI passing a cease-and-desist order on this count in an earlier case bearing Case No. 33 of 2019, where penalties were also imposed, CCI found that though no new circulars mentioning discounts which could be offered by members of FPBAI were unearthed during investigation, the erstwhile circulars in this regard available on its member's websites were also not withdrawn/ removed by FPBAI. As such, CCI has directed FPBAI to spread awareness about the conduct held as anti-competitive by the Commission in its earlier matter amongst its members including its regional associations.

Alongside, noting that CCI had already proscribed the anti-competitive practices of FPBAI pertaining to controlling of discounts and issuance of appeals/ advisories to prevent its members from participating in tenders whose terms are not in line with that of FPBAI, in an earlier matter i.e. Case No 33 of 2019, but despite the same, similar issues are yet again emerging, CCI, *inter alia*, directed FPBAI to:

a) giving wider circulation of its earlier order as well as present order to all its members, as well as to all its state/ regional associations and their members;

b) withdraw all earlier circulars/ appeals/ advisories mentioning currency conversion rates, discount control, specifying terms of supply, or requiring libraries and institutions to deal with members only, not only from its own website, but also websites of all other associations/ entities affiliated to it, as and when, the same comes to its knowledge;

c) publish a brief summary of the present order as well as the order dated 23.02.2021 passed by the Commission in Case No. 33 of 2019 with specific focus on what conducts/ activities have been found anti-competitive, in its Annual Report for FY 2024-25;

d) upload as part of its upcoming circulars, the present order of the Commission describing specifically what activities have been found to be anti-competitive;

e) organize competition awareness and compliance programmes from time to time for all its state/ regional associations across India.

Commission orders investigation for abuse of dominance against Asian Paints Ltd. (Case No. 32 of 2024- Order dated 01.07.2025)

The Commission, *vide* order dated 01.07.2025 passed under Section 26(1) of the Competition Act, 2002, has ordered an investigation against Asian Paints Ltd., upon receipt of an information from Grasim Industries Ltd. (Birla Paints Division), alleging abuse of dominant position by Asian Paints in the decorative paints market in India.

The Commission observed that it appears that many dealers are facing issues with Asian Paints enforcing exclusivity upon them by coercing such dealers against stocking other manufacturers' paints and discouraging them from using other brands' tinting machines, especially Birla Opus's, which *prima facie* amounts to imposition of unfair conditions upon the dealers by Asian Paints, in contravention of the provisions of Section 4(2)(a)(i) of the Competition Act. The Commission further observed that it appears that Asian Paints is not following any uniform policy in offering additional discounts/ condonations/ incentives to its dealers, which may be linked to the performance/ sales of the dealer, *prima facie* amounting to imposition of discriminatory conditions upon the dealers in contravention of the provisions of Section 4(2)(a)(i) of the Competition Act and imposition of supplementary obligations upon them in contravention of the provisions of Section 4(2)(d) of the Competition Act. *Lastly,* the Commission observed that it appears that Asian Paints is also restraining third-parties like suppliers of essential raw materials, warehousing landlords, C&F Agents and Transporters, from engaging with Birla Opus, which *prima facie* leads to input foreclosure and amounts to denial of market access to competitors like Birla Opus, in contravention of the provisions of Section 4(2)(c) of the Competition Act. In the opinion of the Commission, such conduct of Asian Paints seems to be *prima facie* causing an appreciable adverse effect on competition in India.

Accordingly, forming an opinion that a *prima facie* case of contravention of the provisions of Section 4(2)(a)(i), 4(2)(c) and 4(2)(d) of the Competition Act is made out against Asian Paints, the Commission directed the Director General to cause an investigation to be made into the matter and submit an investigation report within 90 days.

Commission directs investigation into alleged abuse of dominance by Google in the Online Display Advertising services market through its Google AdTech Stack (Case No 23(1) of 2024- Order dated 01.08.2025)

The Alliance of Digital India Foundation ('ADIF/ the Informant'), stated to be an association of Indian start-ups and digital companies, filed information against Alphabet Inc. Google LLC, Google Ireland Ltd., Google Asia Pacific Pte Ltd., and Google India Pvt. Ltd., ('OPs'), alleging abuse of dominance,*inter alia*, in the online display advertising market through its Google AdTech stack, in contravention of Section 4 of the Competition Act ('the Act').

ADIF submitted that online display advertising, which involves the placement of banner or video ads on websites and apps, through programmatic bidding, is distinct from offline advertising as well as online search advertising. It argued that Google is the only player operating across the entire AdTech supply chain and has emerged as the dominant provider due to its scale, access to consumer data, and high entry barriers.

According to ADIF, publishers and advertisers are effectively dependent on Google's services, allowing it to impose unfair conditions, restrict competition, and charge opaque fees. ADIF alleged that the OPs indulged in abusive conducts such as (a) self-preferencing by tying the services of its Double Click for Publishers ('DFP') with Ad Exchange ('AdX') and offering them as a single Google Ad Manager ('GAM') function; (b) self-preferencing by tying the services of its Display & Video 360 ('DV360') withAdX(c) self-preferencing by linking access to its vertical's YouTube ad inventory to the use of its DV360,

(d) indulging in Dynamic Allocation, 'Last Look' advantage, refusal to participate in Header Bidding, manipulative open bidding, imposition of Unified Pricing Rules on publishers,*etc.*

Google denied the allegations,*inter alia* stating that the relevant market is wider since online display advertising competes with TV, print, radio, and other digital platforms, and further arguing that it is not dominant as several strong rivals like Xandr (Microsoft), Amazon Ads*etc.*operate in India. It maintained that its pricing is transparent, publishers and advertisers engage in multi homing and that exclusivity of YouTube is comparable to how competitors restrict access to their own owned-and-operated inventory.

The Commission, considering that all the aforesaid allegations made by ADIF already formed part of the allegations being investigated in Case Nos. 41 of 2021, 10 of 2022, 36 of 2022, and 34 of 2024, decided to club the captioned matter with these matters *vide* its order dated 01.08.2025 passed under Section 26(1) of the Act and directed the DG to investigate the various alleged practices of Google in Online Display Advertising services and/ or AdTech intermediation services and submit a consolidated investigation report in the matters.

Shri Raghunath Patil vs Rashtriya Chemical and Fertilizers Ltd. (Case No. 03 of 2025- Order dated 06.08.2025)

The Information has been filed by Mr. Raghunath Patil under Section 19(1)(a) of the Competition Act, 2002 ('Act') against Rashtriya Chemicals and Fertilisers Limited ('RCFL/OP'). The Informant has alleged that the OP imposed the requirement of purchase of other products (such as water -soluble fertilisers, *etc.*) as a precondition to purchase Urea in the State of Maharashtra, in violation of Section 3(4)(a) read with Section 3(1) of the Act. The Informant also alleged that the OP in imposing the unfair condition of tying the sale of other products with the purchase of its Urea in Maharashtra is in violation of Section 4(2)(a) of the Act as it amounts to unfair terms and conditions on the farmers. It is also alleged that forcible tying also leads to denial of market access in the relevant market for sale of other products such as Nitrogen Phosphate Potash ('NPK') to the dealers who solely deal in such products in violation of Section 4(2)(c) of the Act. The Informant has alleged that the OP has abused its dominant position by enforcing condition of purchase of other products like NPK for concluding agreement for purchase of Urea in violation of Section 4(2)(d) of the Act.

The Informant has further alleged that OP has leveraged its dominant position in the '*market for sale and supply of Urea in Maharashtra'* to protect its business in the supplementary*'market for sale and supply of other agricultural products' by* foreclosing and indulging in denial of market access to other players in the secondary market which is a violation of Section 4(2)(e) of the Act.

For the purpose of analysing the allegations as raised in the Information, the Commission delineated the relevant market as the market for '*market for sale and supply of Urea in the State of Maharashtra'.*The Commission found the OP to be dominant in the delineated relevant market as the market share of OP in the supply of Urea has always been more than 40% in the last three FYs (2021-2024). The Commission observed that the OP's conduct of imposing pre-condition of sale in terms of tying/bundling/tagging of other products with the sale of Urea, is *prima facie* a violation of Section 3(4)(a), Section 4(2)(a)(i), Section 4(2)(d) and Section 4(2)(e) of the Act.

Accordingly*, vide* order dated 06.08.2025 passed under Section 26(1) of the Act, the Commission has directed DG investigation into the matter.

Air Works India (Engineering) Pvt. Ltd. Vs. GMR Hyderabad International Airport Ltd and Anr. (Case No. 30 of 2019- Order dated 15.09.2025)

The Information was filed under Section 19(1)(a) of the Competition Act, 2002 ('Act') by Air Works India (Engineering) Private Limited ('Air Works'/ 'Informant') against GMR Hyderabad International Airport Limited ('GHIAL'/'GMR'/'OP-') and GMR Aero Technic Limited ('GATL'/'GAT'/'OP-2') alleging contravention of the provisions of Section 4 of the Act.

Informant stated that OP-1 is dominant in the market of Line Maintenance Services ('LMS') at Rajiv Gandhi International Airport ('RGIA'), Hyderabad due to the concessionaire agreement entered into with Ministry of Civil Aviation for 30 years for maintaining, managing and operating the RGIA at its discretion which includes selection of third-party service providers. It has been alleged that OP-1 abused its dominance position by ousting the Informant from providing LMS at RGIA which has resulted into limiting and restricting provision of LMS services and has adversely affected competition in the market. This conduct of OPs has also resulted into denial of market access and leveraging of dominant position held in one market to enter into another market. All these conduct were alleged to be violative of Sections 4(2)(a)(i), 4(2)(b)(i), 4(2)(c) and 4(2)(e) of the Act.

The Commission passed *prima facie* order under Section 26(1) of the Act on 03.10.2019 finding Opposite Parties in violation of Section 4 of the Act and directed Director General ('DG') to cause an investigation into the matter. The DG submitted the investigation report to the Commission finding contravention of the provision of the Act.

The Commission after hearing and examining the investigation report, objections/suggestions and submission of the parties, held that Opposite Parties have not violated the provisions of the Act. The Commission held that Opposite Parties are enterprise in terms of Section 2(h) of the Act. The Commission delineated upstream market as '*market for provision of access to airport facilities/premises at RGIA'* and downstream market as 'market for provision of Line Maintenance Services.' Relevant geographic market was defined as 'RGIA'. OP-1 was found to be dominant in the said market however, allegations of abuse could not be established as (i) self-handling LMS service providers companies can also provide LMS services to third party at RGIA, (ii) the Informant was never out of the relevant market as it was offering services as per scheduled timings of airlines using vehicles, tools and engineers based on necessary passes issued by OP-1 to make entry and exit from the airport and (iii) space was not essential for providing LMS, (iv) OP-1 has not denied the Informant from providing service of LMS rather only conveyed intention of not renewing the license for space which was required for expansion of RGIA. The Commission observed that adopting a benchmark or a method for selection of a service provider *per se* cannot be termed as anti-competitive.

Considering the facts and circumstances of the case, material on record, Investigation Report of the DG, submissions made by the parties and analysis carried out in the matter, the Commission held that the Informant was not denied access to the airport as it was able to offer LMS even without the space allotted at RGIA and Opposite Parties have neither denied LMS of the Informant at the RGIA nor leveraged its dominant position in upstream relevant market to benefit its own subsidiary (OP-2). Thereby, OPs have not abused their dominant position. Hence, no case of contravention of provisions of Sections 4(2)(b), 4(2)(c) and 4(2)(e) of the Act was made out against the Opposite Parties. Accordingly, the matter was directed to be closed.



MERGERS & ACQUISITIONS

CCI approved acquisition of certain equity shares in NACL Industries Limited by Coromandel International Limited [Combination Registration No. C-2025/ 04/1269]

The Proposed Combination comprises acquisition of certain equity shares in NACL Industries Limited (NACL) by Coromandel International Limited (CIL). CIL is a public listed company which is an agri-solutions provider, offering diverse products and services across the farming value chain. The key business verticals of CIL include: (i) crop nutrition (fertilizers and specialty nutrients); (ii) crop protection (insecticides, fungicides, herbicides, plant growth regulators, bioproducts); (iii) active ingredients; and (iv) retail outlets. NACL is a public listed company which operates in the agro-chemical sector. It offers crop protection products and active ingredients. As part of its crop protection business, NACL supplies insecticides, fungicides, herbicides and plant growth regulators / nematicides.

CCI approved the acquisition of OC Oerlikon Textile Holding AG, Pfäffikon and Oerlikon Textile Inc. (Collectively Targets) by Rieter Holding AG and Rieter North America Inc. (Collectively Acquirers) [Combination Registration No. C-2025/06/1292]

The Proposed Combination pertains to the acquisition of sole control of the Targets by the Acquirers. Rieter Holding AG is headquartered in Winterthur, Switzerland, and is a global manufacturer of machinery and components for the textile industry. It is listed on the SIX Swiss Exchange under the ticker symbol “RIEN”. The company develops and manufactures machinery, systems, and components used to convert staple fibers (such as cotton) into yarn. The Targets are manufacturers of (i) spinning systems used for manufacturing filaments and manmade fibers, (ii) texturing machines, and (iii) non-woven solutions. The brands of the Targets comprise Oerlikon Barmag, Oerlikon Neumag, and Oerlikon Nonwoven.

CCI approved the acquisition of certain share capital and voting rights of YES Bank by Sumitomo Mitsui Banking Corporation [Combination Registration No. C-2025/06/1294]

The proposed combination relates to the acquisition of share capital and voting rights of YES Bank by Sumitomo Mitsui Banking Corporation (SMBC). SMBC, a Japan-based commercial bank, is a wholly-owned subsidiary and a core operating entity of Sumitomo Mitsui Financial Group. SMBC is a foreign bank in India, with branches in New Delhi, Mumbai, Chennai and an offshore branch in GIFT City, Gandhinagar. SMBC provides a range of banking services, such as provision of loans, accepting deposits and provision of letters of credit in India. YES Bank, a public listed company, is a private sector bank engaged in providing a range of banking and financial services. It is a full-service bank offering a wide array of products, services and technology-driven digital offerings, catering to retail, Micro Small and Medium Enterprises as well as corporate clients.

CCI approves acquisition of certain share capital and voting rights of YES Bank by Sumitomo Mitsui Banking Corporation [Combination Registration No. C-2025/07/1301]

The proposed combination relates to the acquisition of share capital and voting rights of YES Bank by Sumitomo Mitsui Banking Corporation (SMBC). SMBC, a Japan-based commercial bank, is a wholly-owned subsidiary and a core operating entity of Sumitomo Mitsui Financial Group. SMBC is a foreign bank in India, with branches in New Delhi, Mumbai, Chennai and an offshore branch in GIFT City, Gandhinagar. SMBC provides a range of banking services, such as provision of loans, accepting deposits and provision of letters of credit in India. YES Bank, a public listed company, is a private sector bank engaged in providing a range of banking and financial services. It is a full-service bank offering a wide array of products, services and technology-driven digital offerings, catering to retail, Micro Small and Medium Enterprises as well as corporate clients.

CCI approves the proposed combination involving acquisition of up to 100% shareholding by Manipal Hospitals Private Limited in Sahyadri Hospitals Private Limited [Combination Registration No. C-2025/07/1308]

Manipal Hospitals Private Limited (Acquirer) is a wholly owned subsidiary of Manipal Health Enterprises Private Limited (MHEPL). MHEPL along with the Acquirer (including its affiliates) is present in the healthcare sector in India operating a network of hospitals providing multi-specialty care under the brand name 'Manipal Hospitals'. Sahyadri Hospitals Private Limited (Target) operates a multi-speciality hospital chain in Maharashtra, offering comprehensive tertiary and quaternary healthcare services. With multiple units across cities such as Pune, Nashik, Ahilya Nagar and Karad, it provides advanced medical care across specialties. The Proposed Combination involves the acquisition of up to 100% shareholding by the Acquirer in the Target in multiple tranches.

CCI approves the proposed acquisition of remaining 49% shareholding of Island Star Mall Developers Private Limited (ISMDPL) by The Phoenix Mills Limited [Combination Registration No. C-2025/08/1310]

The proposed combination comprises Canada Pension Plan Investment Board (i.e, Seller) completely exiting from its equity investment of 49% in the Target and The Phoenix Mills Limited (Acquirer) itself (or through its Affiliates) becoming the 100% shareholder and thereby acquiring sole control, directly or indirectly, in Island Star Mall Developers Private Limited (Target). Acquirer is engaged in the development (including designing, execution, marketing etc.), operations and leasing of commercial and retail spaces, including retail malls, commercial offices, hospitality assets, food & beverages and sale of residential properties, through its various subsidiaries. Target, directly and through its subsidiaries, is also primarily active in the development (including designing, execution, marketing etc.), operations and leasing of commercial and retail real estate, in certain cities.



KNOW YOUR COMPETITION LAW

Enhancing Procedural Efficiency: Introduction of Section 26(2A) in the Competition Act, 2002

The Competition (Amendment) Act, 2023 introduced several refinements to the procedural framework of the Competition Act, 2002, aimed at promoting timeliness, consistency, and judicious use of regulatory resources. Among these, the insertion of sub-section (2A) in Section 26 marks an important step toward enhancing administrative efficiency in the Commission's functioning.



The newly inserted provision states:

"*(2A) The Commission may not inquire into agreement referred to in section 3 or conduct of an enterprise or group under section 4, if the same or substantially the same facts and issues raised in the information received under section 19 or reference from the Central Government or a State Government or a statutory authority has already been decided by the Commission in its previous order.*"

This amendment empowers the Commission to decline to initiate a fresh inquiry when the issues raised have already been decided upon substantially same facts. The intent is to avoid repetitive or duplicative proceedings, thereby reinforcing the principles of judicial economy and finality in decision-making.

From a procedural standpoint, the provision introduces greater predictability. This approach aligns with the broader objective of improving ease of doing business, as enterprises gain assurance that concluded determinations of the Commission may not be reopened on the same grounds.

This amendment is expected to contribute to a more streamlined and responsive competition law regime—where regulatory attention is focused on genuinely new instances of anti-competitive conduct, and where businesses and stakeholders can rely on certainty, consistency, and procedural clarity in the Commission's operations.

JUDICIAL PRONOUNCEMENTS

Dhansar Engineering Judgment dated 13.08.2025 by Hon'ble Calcutta High Court



Bharat Coking Coal Ltd. (BCCL) had filed information before the Competition Commission of India (CCI) under Section 19(1)(a)of the Competition Act, 2002 (the Act) alleging contraventions of Section 3 of the Act by Dhansar Engineering Company Pvt. Ltd. (the Petitioner). The CCI passed an order dated 29.01.2021 under Section 26(1) of the Act directing the Director General (DG) to conduct investigation.

Aggrieved by the order dated 01.07.2025, whereby the CCI rejected its request of cross-examination, the Petitioner, filed a writ petition [WPA No. 11727/2025]before the Hon'ble Calcutta High Court.

After hearing the arguments at length, the Hon'ble High Court observed that the issues raised in the petition were not raised before the CCI. The Hon'ble Court also observed that the Petitioner failed to specifically challenge the CCI order dated 01.07.2025. Consequently, it declined to intervene or pass any directions in the matter on the grounds that the Petitioner did not highlight its grievances before the authority for redressal. The Hon'ble High Court allowed the Petitioner to raise all issues before CCI, and directed it to address them in accordance with law.

Thus, the Hon'ble Calcutta High Court disposed of the writ petition.

Asian Paints Judgment dated 11.09.2025 by Hon'ble Bombay High Court

Grasim Industries Ltd. ('Grasim') filed information before the Competition Commission of India (CCI) against Asian Paints Ltd. (APL). Grasim alleged that Asian Paints was abusing its dominant position in the decorative paints market.

The CCI, upon considering the information directed investigation into the matter vide order dated 01.07.2025 under Section 26(1) of the Competition Act, 2002 ('Act').

Aggrieved by CCI's order directing investigation, Asian Paints filed a writ petition [WP No. 2887/2025] before the Hon'ble Bombay High Court, *inter alia*, stating that under the provisions of Section 26(2A) of the Act, CCI was jurisdictionally barred from entertaining Grasim's information on the same or substantially same facts and issues once the same allegations made by JSW Paints and Balaji Trader were already decided by the CCI in its previous orders. It also alleged that the CCI did not afford any opportunity of hearing to APL.

After hearing the parties in detail, the Hon'ble Bombay High Court after going through the scheme of the Act, observed that the Act guarantees sufficient safeguards with respect to the rights of an affected party to have a full and fair

hearing before any order is passed by the CCI, on receipt of a report of the DG, which may affect the rights of the parties and reiterated the settled position as to Section 26(1) that the functions performed by CCI under Section 26(1) are in the nature of preparatory matter in contrast to decision making process. The order passed under Section 26(1) is administrative in nature and not a judicial order and APL had no right to hearing prior to passing of an order under Section 26(1) and the High Court is not competent to adjudicate the validity of such an administrative order at *prima facie* stage. Further, the Hon'ble Court emphasized upon the legislative intent behind insertion of Section 26(2A) of the Act in the interest of expedience and to avoid repetition of effort and on the facts of the matter held that Section 26(2A) does not create any jurisdictional embargo on the CCI to entertain an Information, if it is found distinct/different from the earlier one. Section 26(2A) is a clarificatory and an enabling provision. The discretion lies with CCI whether or not to entertain a subsequent information.

Thus, the Hon'ble Bombay High Court did not find any merit in the petition and dismissed the same.

Competition Appeal (AT) No. 04 of 2021 filed by International Subscription Agency (arising out of CCI Case No. 33 of 2019), Hon'ble NCLAT upheld the CCI order dated 23.02.2021 passed under Section 27 of the Competition Act, 2002.



An Information was filed by M/s International Subscription Agency (Informant) under Section 19 (1) (a) of the Act, against Good Offices Committee, through Chairman of the Federation of Publishers' and Booksellers' Associations in India (FPBAI), alleging contravention of the provisions of Section 3 of the Act. The Commission, in its order dated 23.02.2021 passed under section 27 of the Act, found that FPBAI (a) by restricting the quantum of discounts, which may be offered by its members booksellers, publishers, subscription agents to various institutional buyers, in its Terms of Supply for the Booksellers and Subscription Agents, indirectly determined the sale prices of books, journals, *etc.*, sold by its members in India, in contravention of Section 3(3)(a) read with Section 3(1) of the Act; and (b) by directing its members to refrain from participating in advertisements, which have conditions not in accordance with the conditions expected by FPBAI, indirectly limited and controlled the supply of books, journals, etc. in the market for supply of books, e-resources and print journals in India, in contravention of Section 3(3)(b) read with Section 3 (1) of the Act. Further, the Commission held the individuals, Mr. Sunil Sachdev and Mr. S.C. Sethi of FPBAI, liable in terms of Section 48 of the Act, for the acts of contravention of the provisions of the Act committed by FPBAI. The Commission imposed upon FPBAI, penalty to the tune of ₹2,00,000 (Rupees Two Lacs Only), and penalty to the tune of ₹1,00,000 (Rupees One Lac Only), upon individuals in terms of Section 27 (b) of the Act. FPBAI and its individuals, *viz.* Mr. Sunil Sachdev and Mr. S.C. Sethi, were also directed to *cease and desist* from indulging into any conduct/ practice, which was found

in contravention of the provisions of Section 3 of the Act.

Aggrieved by the decision of the Commission, the Appellant, International Subscription Agency filed an appeal before the Hon'ble NCLAT against the final order of the Commission dated 23.02.2021 on the ground of inadequacy of quantum of penalty imposed upon the Respondents. During the pendency of the appeal, the Appellant filed an interim application (I.A. No. 1064 of 2024), seeking impleadment of Allied Publishers Private Limited as Respondent No. 5 and Vangiri Press as Respondent No. 6 in the appeal. The Appellant filed another interim application (I.A. No. 1063 of 2024) seeking permission to place on record an additional ground. Both applications were taken up together and by order dated 05.12.2024 were dismissed by the Hon'ble NCLAT. The order dated 05.12.2024 passed in the said appeal was challenged by the Appellant before the Hon'ble Supreme Court. The order dated 05.12.2024 was upheld by the Hon'ble Supreme Court *vide* order dated 27.01.2025 in (Civil Appeal No(s). 918-919/2025). The Hon'ble Supreme Court, while disposing the appeal, granted liberty to the Appellant to raise the contentions, as may be permissible under law.

The Hon'ble NCLAT, while dismissing the appeal and upholding the order passed by the Commission, held as under:

"*12. On 08.08.2025 this court had passed the order to the effect that the only issue involved in this appeal is about the inadequacy of quantum of penalty imposed upon the respondents herein. At that time, Mr. Nisarg P. Khatri had appeared on behalf of the Appellant. Today, Mr. Mukherjee, Adv. has appeared who has submitted that the penalty imposed upon Mr. Sunil Sachdeva and SC Sethi is not sufficient as the penalty is also supposed to be imposed upon the companies, namely, Allied Publishers Private Limited and Vangiri Press which are being run by these two persons. This contention of the Appellant cannot be accepted in the absence of the said company before this Court. The Appellant has earlier filed the application bearing I.A No. 1064 of 2024 and had also raised the same issue in I.A No. 1063 of 2024 but both the applications were dismissed and the said order has been upheld by the Hon'ble Supreme Court, therefore, this issue has been finally closed and cannot be raised again and again*.

13. It is pertinent to mention that the company, Allied Publishers Private Limited was initially impleaded as Respondent No. 5 at the time of filing of the appeal but Counsel appearing on behalf of the Appellant made a statement before this Court for deletion of its name from the array of parties….

14. It is really amazing that on the one hand the Appellant itself had got the company, namely, Allied Publishers Private Limited deleted from the array of the parties and on the other hand, the argument is being raised for imposition of the penalty on the said company.

15. Thus, in view of the aforesaid facts and circumstances, we do not find any merit in the submission made by the Appellant for imposition any kind of penalty upon the said two companies which are not before this court. No other point has been raised.

16. The appeal is therefore dismissed. No costs."

Competition Appeal (AT) Nos. 39/2022, 36/2022, 40/2022 and 48/2022 filed against Commission order dated 04.04.2022 (arising out of CCI Suo Motu Case No. 01 of 2020), Hon'ble NCLAT upheld the CCI order passed under section 27 of the Competition Act, 2002.

A *Suo-motu* case (*Suo-motu* Case No. 01 of 2020) was initiated by the Commission pursuant to a general complaint dated 07.08.2018, which alleged bid-rigging in tenders invited by the Department of Agriculture, Government of Uttar Pradesh, for soil-sample testing. The case pertained to alleged bid-rigging in respect of two e-tenders. It was alleged that the participating bidders had acted in a concerted manner in respect of the aforesaid tenders and had resorted to bid-rigging in contravention of the

provisions of Section 3(1) read with Section 3(3)(d) of the Competition Act, 2002 ("Act"). On the basis of the aforementioned information, the Commission formed an opinion that there existed a *prima-facie* case of a cartel amongst the aforementioned bidders in contravention of the provisions of the Act. Accordingly, *vide* order dated 30.01.2020 passed under Section 26(1) of the Act, the Commission directed the Director General to investigate the matter and submit its report. The Commission also observed that if the DG came across anti-competitive conduct of any other entity in addition to those mentioned in the information, the DG would be at liberty to investigate the same. Pursuant to the directions of the Commission, the DG investigated the matter and submitted the investigation report dated 08.04.2021.

The Commission held that 9 Opposite Parties (OPs) and their respective office bearers; namely Yash Solutions, M/s Satish Kumar Agarwal, M/s Siddhi Vinayak, M/s Saraswati Sales Corporation,Austere System Pvt. Ltd., Delicacy Continental Pvt. Ltd, Fimo Infosolutions Private Limited, M/s Toyfort and Chaitanya Business Outsourcing Pvt. Ltd. have contravened the provisions of Section 3(1) of the Act read with Section 3(3)(c) and 3(3)(d) read with Section 3(1) of the Act. Accordingly, the Commission, in terms of Section 27 (a) of the Act, directed the OPs and their office bearers who have been held liable in terms of the provisions of Section 48 of the Act to cease and desist from indulging in practices which were found in contravention of the aforementioned provisions of the Act in the Commission's Order. Further, the Commission imposed the penalty upon the OPs under the provisions contained in Section 27(b) of the Act at the rate of 5 percent of the average of their turnover for the three financial years, i.e., 2017-18, 2018-19 and 2019-20. The Commission also imposed penalty on the individuals identified for being liable under Section 48 of the Act at the rate of 5 percent of their average income of the financial years 2017-18, 2018-19 and 2019-20 filed with the Commission. However, since M/s Satish Kumar Agarwal, M/s Siddhi Vinayak, M/s Saraswati Sales Corporation and M/s Toyfort were sole proprietorship concerns, no separate penalty was imposed on their respective proprietors.

Aggrieved by the above-mentioned final order under Section 27 in *Suo Motu* Case No. 01 of 2020 of the Commission, 8 appeals were filed by certain aggrieved OPs and their office bearers before NCLAT under Section 53 B of the Act.

While the Competition appeal filed by M/s Saraswati Sales Corporation was remitted back to the Commission to reconsider the imposition of penalty imposed under Section 27(b) of the Act, the appeals filed by Delicacy Continental Pvt. Ltd. and M/s Toyfort were dismissed by the Hon'ble NCLAT by upholding the Commission's order. However, the penalty imposed upon Delicacy Continental Pvt. Ltd. and M/s Toyfortunder Section 27(b) was reduced from 5% to 3%.In the appeal filed by Yash Solutions, Chaitanya Business Outsourcing Pvt. Ltd., Mr. Praveen Kumar Agarwal (Managing Director,Yash Solutions)and Mr. Nitish Kumar Agarwal (Director, Chaitanya Business Outsourcing), the Hon'ble NCLAT upheld the Commission's order in its entirety.

In respect of the appeals filed by M/s Satish Kumar Agarwal and M/s Siddhi Vinayak and Sons, the Hon'ble NCLAT, *vide* judgment dated 16.09.2025, upheld the Commission's order passed under Section 27 of the Act. However, the penalty imposed under Section 27(b) has been reduced to 3% of average annual turnover for last 3 years, instead of 5% as imposed by the Commission. The relevant extracts of said judgment are as under:

"*58. In the present case the evidence is very direct and is proven from documents on record and conduct of the individuals involved making it a clear case of anti-competitive practices.*

59. Based on the material on record; evidence of OPs; and judicial precedent Rajasthan Cylinders (Supra) we are of the considered opinion that Commission has correctly and legally held the appellants responsible for violation of Section 3(3)(c) and 3(3)(d) read with Section 3(1) of the Act and there is no error in respect of order passed under Section 27(a) whereby the appellant was directed to cease and desist from such act, from indulging in the practices which were found in contravention of the provisions contained in Section 3(3)(c) and 3(3)(d) read with Section 3(1) of the Act.

63. In the present case, the

appellants were acting as a member of the cartel and were providing cover bid for the successful bidder Yash Solutions. In view of peculiar facts and circumstances of the present case, where almost all bidders for soil testing are first time bidders and relevant turnover of firms from the aforesaid business is NIL, the concept of relevant turnover in such cases would not be correct, as it would lead to NIL penalty and allow the parties involved to go scot-free in spite of clear-cut case of cartel and bid rigging in violation of the Act. Hence, we agree with the Commission's approach of taking the total turnover for computation and imposition of penalty. At the same time considering the fact that the Appellant was in a supporting role in this cartel, by providing the cover bids, we are of the view that the penalty in such cases should be less than for those in the main role.

64. In the same competition matter (Suo Moto Case No. 1 of 2020) in appeal filed by M/s Toyfort [Compt. App. (AT) No. 34 of 2022], a coordinate bench of this Tribunal had held that as the aforesaid company had provided only the cover bid and they were not the winning bidders. It accordingly, reduced the penalty to 3% of average annual turnover, instead of 5% as imposed by the Commission. An appeal was filed by M/s Toyfort in Hon'ble Supreme Court in the matter which was dismissed. The present matter is identical in all respects to above mentioned matter already decided by this Tribunal.

65. Based on the above findings, we hold:

(i) The order of the Commission in respect of holding the appellant guilty under Section 3(3)(c) and 3(3)(d) read with section 3(1) and order passed under Section 27(a) regarding cease-and-desist order are upheld.

(ii) The penalty under Section 27 (b) is reduced to 3% of average annual turnover for last 3 years, instead of 5% as imposed by the commission."

With respect to appeals filed by Austere Systems Pvt. Ltd., Mr. Rahul Gajanan Teni (Director, Austere Systems), Fimo Infosolutions Pvt. Ltd, the Hon'ble NCLAT, *vide* judgment dated 23.09.2025, upheld the Commission's order passed under Section 27 of the Act in its entirety. The relevant extracts of the judgment dated 23.09.2025 are as follows:

"117. *In view of the above, and considering that only three bidders- M/s Austere Systems, M/s Yash Solutions, and M/s Delicacy Continental-had participated in the 2018 Meerut and Saharanpur tenders, it is concluded that M/s Austere Systems, under an arrangement or understanding with M/s Yash Solutions and M/s Delicacy Continental, had rigged the bids of the said tenders. Furthermore, it is evident that M/s Austere Systems Pvt. Ltd., in collusion with rival firm M/s Yash Solutions Pvt. Ltd., had geographically allocated the soil testing tenders issued by the Government of Uttar Pradesh in 2017 and 2018, by either abstaining from bidding in each other's regions or by submitting supporting bids in favour of each other.*

118. In view of the above it can be concluded that Yash Solutions and M/s Austere Systems Pvt Ltd through an understanding/arrangement between them, had geographically allocated the soil testing tenders issued by the UP Government in the year 2017 & 2018 and were either not bidding in each other's area/divisions or submitting supporting bids for each other.

120. In the present case the evidence is very direct and is proven from documents on record and conduct of the individuals involved making it a clear case of anti-competitive practices.

121. Based on the material on record; evidence of OPs; and judicial precedent Rajasthan Cylinders (Supra), we are of the considered opinion that Commission has correctly and legally held the appellants responsible for violation of Section 3(3)(c) and 3(3)(d) read with Section 3(1) of the Act and there is no error in respect of order passed under Section 27(a) whereby the appellant was directed to cease and desist from such act, from indulging in the practices which were found in contravention of the provisions contained in Section 3(3)(c) and 3(3)(d) read with Section 3(1) of the Act.

127. In view of peculiar facts and circumstances of the present case, where all the bidders for soil testing are first time bidders and relevant turnover of firms from the aforesaid

business is NIL, the concept of relevant turnover in such cases would not be correct, as it would lead to NIL penalty and allow the parties involved to go scot-free. Hence, we agree with the Commission's approach of taking the total turnover for computation and imposition of penalty.

128. The appellant's have also relied on the Judgment of Competition Appeal (AT) Nos. 36,48,40 of 2022 Appellate Tribunal in MDD Medical Systems India Private Limited (supra) -96- which have been quoted earlier. This case was the first instance of the parties involved being found guilty of such practices, with no prior allegations in this regard. The Commission in that case did not pass a reasoned order, while fixing the penalty at 5%, therefore, the penalty was reduced to 3%. However, in the instant case Commission has given a detailed justification for imposing a penalty of 5% of annual turnover. We find that in absolute terms also the penalties imposed are not excessive and justified on the basis of role performed by the entities in the tenders floated by Agriculture Department, U.P. In the present case, Austere Systems was acting as the leader of the cartel and had provided support to other members of the cartel for bidding in the tenders, accordingly a higher absolute penalty on Austere is justified.



129. In view of the above discussion, we find no infirmity in the order of Commission. All three Appeals are dismissed. The pending IAs if any, are accordingly disposed of."



ADVOCACY INITIATIVES

1. Smt. Ravneet Kaur, Chairperson, CCI, delivered the Keynote Address at the panel discussion on “The Rise of ESG in the Boardroom”, held during the National Conference on Responsible Business Conduct, organised by IICA in New Delhi on 02.07.2025.



2. Shri Sukesh Mishra, Director (Law), CCI, addressed the members of the Federation of Gujarat Industries on “Role of the Competition Commission of India in Ensuring a Level Playing Field for Enterprises” at Vadodara, Gujarat, on 02.07.2025.



3. Shri Ved Prakash Mishra, Adviser (Law), CCI, addressed the participants at the Seminar on the theme “Navigating the Digital Frontier”, organised by Vivekananda Global University, Jaipur on 05.07.2025.



4. Smt. Ravneet Kaur, Chairperson, CCI, delivered the Keynote Address during the Inaugural Session of the Conference on India's Digital Economy, organised by Vidhi Centre for Legal Policy in collaboration with CCI in New Delhi on 11.07.2025.



5. Sh. Ansuman Pattnaik, Director General and Ms. Jyoti Jindgar Bhanot, Adviser (Economics) of CCI, addressed officials of SEBI during a Session on “Understanding Competition Law and Investigation Practices”, organised by SEBI Discussion Forum at SEBI Head Office in Mumbai on 06.08.2025.



6. Shri K P Anand, Joint Director (Law), Southern Regional Office (SRO), CCI, delivered a special lecture on “Competition Law” to the students and faculty of Government Law College, Coimbatore on 08.08.2025.



7. Shri Pradeep Kumar Meel, Adviser (FA), CCI, delivered a lecture on "Competition Law" to the students and faculty of Xavier Law School, St. Xavier's University, Kolkata on 22.08.2025.



8. Shri Mukul Sharma, Joint Director (Economics), CCI, delivered a lecture on “Latest Developments on Competition Law” to the students and faculty of School of Law, Aurora University, Bhongir Campus, Telangana on 23.08.2025.



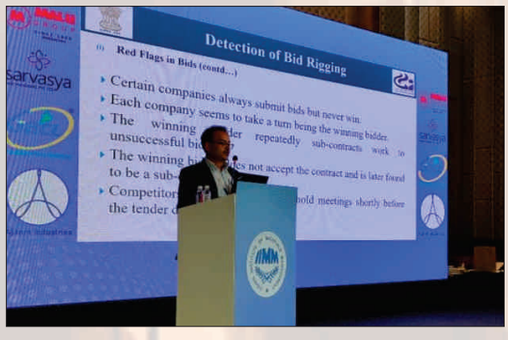
9. Chairperson, CCI addressed the graduating CAs during the convocation ceremony of the Institute of Chartered Accountants of India (ICAI) in New Delhi on 25.08.2025.



10. Shri Rakesh Bhanot, Adviser, CCI, addressed on Competition Law and Cartels/ Bid-Rigging in Public Procurement, during International Financial Security & Management Conference, organised by National Forensic Sciences University, Gandhinagar on 29.08.2025



11. Shri Arvind Kumar Anand, Joint Director (Economics), CCI, delivered a lecture on "Competition Law and Public Procurement" during the National Summit on Public Procurement (8th Edition) organised by Indian Institute of Material Management (IIMM), Mumbai on 19.09.2025.



12. Smt. Ravneet Kaur, Chairperson, CCI, addressed the Roundtable on “Emerging Technologies and Global Trends in Competition Law” organised by Confederation of Indian Industry (CII) in Bengaluru on 22.09.2025. Senior Officers also participated in the discussions.



13. Shri Rakesh Bhanot, Adviser (FA) and Ms. Sunaina Dutta, JD (Law) & Shri Sachin Goyal, JD (FA), judged Final & Semi-Final Rounds of Anti-Trust Moot Court Competition organised by Maharashtra National Law University, Chhatrapati Sambhajinagar in association with CCI on 28.09.2025.



14. Ms. Sweta Kakkad, Member, CCI, delivered Keynote Address during Lex Mundi Asia Pacific Antitrust Conference, organised by Lex Mundi in New Delhi on 29.09.2025.



15. 45 students underwent the internship programme at CCI during July to September, 2025.



July, 2025 Batch



August, 2025 Batch



September, 2025 Batch



ADVOCACY WITH STATES

State	Resource Person(s)	Date	Organisation for which programme was conducted
Assam	Shri Umesh Kumar and Shri Tanuj Goswami	05.07.2025	Central Warehousing Corporation, Guwahati
		08.07.2025	Public Work Department (Roads, Buildings and Highways), Golaghat
		29.07.2025	Kamrup Metropolitan District, Guwahati
		11.08.2025	Principal Chief Commissioner of Income Tax, NER, Guwahati
		13.08.2025	Indian Oil Corporation Ltd refinery at Noonmati, Guwahati
		19.08.2025	Zilla Parisad Sivasagar District of Upper Assam
		26.08.2025	CGST Customs Department, Guwahati
		24.09.2025	Office of the A.G. Audit in Guwahati, Assam
		26.09.2025	Unique Identification Authority of India and Tea Board India, North East Zone , Guwahati.
Himachal Pradesh	Shri Rangilu Ram Patyal	05.07.2025	Himachal Pradesh State Electricity Board Ltd (HPSEBL), Hamirpur
		11.07.2025	Himachal Pradesh Housing and Urban Development Authority (HIMUDA), Solan
		08.08.2025	Technical Education/ Public Works Department, Mandi
		11.08.2025	National Rural Livelihood Mission (NRLM) of Rural Development Department and Panchayati Raj Department, Mandi
		12.09.2025	Department of Rural Development Department and Panchayati Raj Department ,Mandi.
		12.09.2025	Department of Medical Education and Research, Hamirpur.
Karnataka	Dr. M.N. Karur and Shri H. Prakash	03.07.2025	Department of Horticulture, Bengaluru
		04.07.2025	Department of Technical Education, Bengaluru
		24.07.2025	Department of Agriculture, Bengaluru
		25.07.2025	Department of School Education – Pre-University Board, Bengaluru
		06.08.2025	Department of Education–Primary Education, Bengaluru
		07.08.2025	Department of Technical Education Govt of Karnataka, Bengaluru

		14.08.2025	Department of Education- Pre University Board, Govt of Karnataka, Bengaluru
		22.08.2025	Department of Animal Husbandry& Veterinary Services, Govt of Karnataka, Bengaluru
		03.09.2025	Department of Horticulture, Government of Karnataka, Bengaluru
		03.09.2025	Department of Technical Education, Government of Karnataka, Bengaluru.
		09.09.2025	Department of Agriculture, Govt of Karnataka, Bengaluru
		25.09.2025	Districts Chickballapur, Mysuru, Davamagere etc. Department of Fisheries, Govt of Karnataka, Bengaluru
Kerala	Shri Krishnakumar K.N.	22.08.2025	Taluk Industries Office Trivandrum and Members of Kochuveli Industrial Area MSMES, Thiruvananthapuram
Telangana	Shri R.C. Kumar and Shri V. Prasanna Kumar	07.07.2025	Bureau of Indian Standard (BIS), Hyderabad
		09.07.2025	State Government Institute of Leather Technology, Hyderabad
		14.07.2025	Telangana Real Estate Regulatory Authority (TGRERA), Hyderabad
		29.07.2025	National Fertilizers Limited, Hyderabad
		22.08.2025	Telangana Government Text Book Press, Hyderabad
		26.08.2025	Telangana Renewable Energy Development Corporation Limited (TGREDCO), Hyderabad
		26.08.2025	Mandal Parishad Development Office and Mandal Revenue Office, Navabpet Mahboob Nagar Telangana Pollution Control Board, Electricity Department, Mahboob Nagar
		30.08.2025	Digital Employment Exchange of Telangana (DEET), Hyderabad
		03.09.2025	Department of Heritage of Telangana, Hyderabad.
		04.09.2025	Directorate of Oil Seeds Development, Govt. of India, Hyderabad
		10.09.2025	Department of National Academy of Construction (NAC), Hyderabad
		23.09.2025	Directorate of Census Operations (DCO), Hyderabad.
Meghalaya	Shri Bhupesh Hajong	04.07.2025	Directorate of Information& Public Relations, Shillong
		28.07.2025	Election Department, Shillong
		27.08.2025	Department of Animal Husbandry & Veterinary, Shillong
		29.08.2025	Community & Rural Development Department, Shillong
		26.09.2025	Fisheries Department, Shillong

CAPACITY BUILDING

1. A virtual peer-to-peer (P2P) Session was conducted by Shri Rajinder Kumar, Director (Economics) on 04.07.2025. During the session he shared key takeaways from the ICN Chief/Senior Economist Workshop 2025, held in Budapest, Hungary from 23.04.2025 to 25.04.2025.

2. A webinar on “Cyber security awareness” was organized on 24.07.2025 at 10:30 AM, CCI officers equivalent to DS level and below participated in the webinar.

3. A virtual peer-to-peer (P2P) session was conducted by Shri Rakesh Bhanot, Adviser (FA), on 06.08.2025. During the session he shared key takeaways from the "73rd ABA Annual Spring meeting" held at Washington DC, USA from 02.04.2025 to 04.04.2025.

4. CCI is a member Forum of Indian Regulators (FOIR). FOIR organized an online Capacity Building Program on "TRAI's Framework for Rating” on 25.08.2025 for the Officers, Experts and YPs of CCI.

5. A virtual peer-to-peer (P2P) session was conducted by Shri KP Anand, Joint Director (Law) and Shri Arpan Sharma, Deputy Director (Law), on 04.09.2025. During the session they shared key takeaways from EU-Asia Competition Summer School" held at Bruges, Belgium.

6. As part of CCI's Special Lecture Series (SLS), a virtual session was organized on 10.09.2025 where Officers from the Australian Competition & Consumer Commission (ACCC) made presentation on their Final Report on "Digital Platform Services Inquiry" to the Officers and Experts of CCI.

7. As part of CCI's Special Lecture Series (SLS)/Workshop, Dr. Sunita H. Khurana, Director, Centre for Training, Research & Advocacy (CenTRA) delivered a lecture on "Conduct Rules, 1964 & CCS (CCA) Rules, 1965" on 26.09.2025.





Global Outreach

1. Shri K. P. Anand, Joint Director (Law) and Shri Arpan Sharma, Deputy Director (Law) attended the EU-Asia Competition Summer School during 30.06.2025 to 11.07.2025 held at Bruges, Belgium.



2. A CCI delegation, led by Smt. Ravneet Kaur, Chairperson, CCI, participated in 9th BRICS International Competition Conference (ICC) held on 10.09.2025-11.09.2025 in Cape Town, South Africa. The Chairperson, CCI was a panellist in two plenary sessions of the Conference. During the Conference, a Joint Statement of the Heads of BRICS Competition Authorities was signed, aimed at strengthening cooperation among BRICS competition agencies, promoting the exchange of best practices, and addressing common challenges in competition enforcement and policy.





3. CCI organised an online presentation by officials of the Australian Competition and Consumer Commission (ACCC) on the Final Report of the Digital Platform Services Inquiry on 10.09.2025.

EXPORT PROMOTION MISSION 2025

In the Union Budget 2025-26, The Government of India unveiled the Export Promotion Mission (EPM), positioning exports as the “fourth engine” of economic growth alongside investment, consumption, and government spending. The initiative, driven jointly by the Ministry of Commerce and Industry, Ministry of Micro, Small and Medium Enterprises, and Ministry of Finance is a strategic move to reshape India's competitive landscape, ensuring domestic firms, especially micro, small and medium enterprises (MSMEs) to participate effectively in global trade.

The Mission rests on three core components: improved access to export credit, cross-border factoring support to ease liquidity constraints, and targeted assistance for MSMEs in overcoming non-tariff barriers such as regulatory certifications and technical standards. The government has undertaken several initiatives across the country to boost MSME exports for instance the International Cooperation Scheme of Ministry of MSME which provides financial assistance to small firms for participation in international trade fairs and exhibitions. Similarly, the Directorate General of Foreign Trade (DGFT) is piloting E-Commerce Export Hubs (ECEHs) to assist MSMEs and traditional artisans in leveraging e-commerce platforms for cross-border trade.The ECEHs initiative, aims to provide dedicated zones for facilitating cross-border e-commerce exports from India. The objective is to support SMEs, artisans, and small businesses by reducing the cost and time associated with logistics, streamlining regulatory processes, and simplifying re-imports for e-commerce returns or rejects. ECEHs shall provide integrated services at a single location, encompassing customs clearance, quality certification, packaging, and off-port warehousing. Complementing these measures is the proposed *BharatTradeNet*, a unified digital platform for trade documentation and financing, which is expected to cut red tape, enhance transparency, and reduce transaction costs.

From a competition perspective, the Export Promotion Mission holds profound implications. The most direct channel is through the levelling of the playing field for MSMEs. Smaller firms traditionally struggle with higher credit costs, limited brand recognition, and weaker institutional capacity to deal with international trade regulations. By explicitly addressing these asymmetries, the Mission reduces structural disadvantages and enables greater participation of MSMEs in export markets. This expanded participation not only diversifies the export basket but also increases the number of firms competing both globally and domestically, thereby driving efficiency, innovation, and product quality improvements. As international competition compels firms to adopt higher standards and more efficient production processes, these benefits often spill back into the domestic market, strengthening overall consumer welfare.

Nevertheless, the success of this initiative requires both fiscal support and active efforts to preserve fair competition. A competitive environment ensures that exporters remain adaptive, capable of meeting global standards, and less dependent on subsidies. Thus, competition builds resilience, making exporters sustainable even when policies change.

In conclusion, the Export Promotion Mission 2025 may prove to be a crucial economic policy intervention as it is aimed at creating a more competitive, diversified, and resilient export sector. The real strength would lie not merely in boosting export volumes but in democratizing opportunities, empowering MSMEs, and raising the competitive bar for Indian firms. For this, the role of competition induced efficiency will be crucial. The Mission has the potential to transform export promotion into a genuine driver of competitive dynamism. Importantly, the spillover effects on domestic markets will be equally significant as firms engaged in export-oriented production are likely to introduce higher-quality products, adopt advanced technologies, and improve productivity, thereby benefiting domestic consumers through better choices and fairer prices. By strengthening both domestic and international competitiveness, the Mission can reinforce India's long-term growth trajectory and global standing.



DEVELOPMENT IN OTHER JURISDICTIONS

I ANTITRUST DEVELOPMENTS

(A) Anticompetitive Conduct

European Commission fines Alchem for participating in a pharmaceutical cartel

The European Commission has fined Alchem International Pvt. Ltd. and its subsidiary Alchem International (H.K.) Limited (together 'Alchem') €489,000 for breaching EU antitrust rules. The Commission has found that, for more than 12 years, Alchem participated in a cartel concerning an important pharmaceutical ingredient. In October 2023, the Commission adopted a settlement decision and imposed fines totalling €13,4 million against six companies for their participation in the same cartel. Alchem decided not to settle this cartel case with the Commission, unlike the other participants. As a result, and in line with its usual practice, the investigation against Alchem continued under the standard cartel procedure.

Alchem is a producer of the pharmaceutical ingredient N-Butylbromide Scopolamine/ Hyoscine ('SNBB'), an important input material to produce the abdominal antispasmodic drug Buscopan and its generic versions.

The Commission's investigation revealed that Alchem coordinated and agreed to fix the minimum sales price of SNBB to customers (i.e., distributors and generic drug manufacturers) and to allocate quotas. In addition, Alchem exchanged commercially sensitive information. The Commission's investigation revealed that Alchem participated in a single and continuous infringement in the European Economic Area ('EEA'), spanning from 01.11.2005 to 12.02.2018.

This is the first cartel that the Commission sanctioned in the pharmaceutical sector and in relation to an active pharmaceutical ingredient. The Commission cooperated and coordinated certain investigative activities with the Swiss and Australian competition authorities.

European Commission accepts commitments by Corning to ensure competition in the supply of cover glass for handheld electronic devices.

The European Commission has made commitments offered by Corning legally binding under EU antitrust rules. The commitments address the Commission's competition concerns over Corning's conclusion of allegedly anticompetitive exclusive agreements for the supply of Alkali-aluminosilicate glass ('Alkali-AS Glass'), a special type of glass used as cover glass in smartphones and other handheld electronic devices and marketed under the brand 'Gorilla Glass'.

Corning is a US-based global producer of glass for many industrial and consumer applications. It manufactures Alkali-AS Glass, a particularly break-resistant glass mainly used as cover for displays of handheld electronic devices such as mobile phones, tablets, but also smartwatches. Alkali-AS Glass has two commercially relevant subtypes, lithium aluminosilicate glass ('LAS Glass') and sodium aluminosilicate glass ('NAS Glass').

On 06.11.2024, the Commission opened a formal investigation over concerns that Corning may have distorted competition in the worldwide market for Alkali-AS Glass. The Commission preliminarily found that Corning holds a dominant position on this market. It also found that products developed by Corning for Apple are not part of this market, as these have special compositions and are only used by Apple.

According to the Commission's preliminary assessment, Corning may have abused its dominant position in the market for Alkali-AS Glass in breach of Article 102 of the Treaty on the Functioning of the European Union ('TFEU') by concluding exclusive supply agreements with manufacturers (Original Equipment Manufacturers or 'OEMs') of handheld electronic devices and with companies that process raw glass ('finishers') such as Alkali-AS Glass. This conduct may have excluded other Alkali-AS Glass producers from large segments of the relevant market.

The commitments

To address the Commission's preliminary concerns Corning offered certain commitments. Between 25.11.2024 and 13.01.2025, the Commission market tested those commitments and consulted interested third parties to verify whether the commitments would remove its competition concerns.

In light of the outcome of this market test, Corning amended the initially proposed commitments and offered the following final commitments:

- To include in the scope of the commitments both Alkali-AS Glass and transparent glass ceramics ('Clear Glass Ceramics') used as cover glass in handheld electronic devices. But the commitments would not apply to Corning's agreements with Apple given that the Commission found that the cover glass products developed by Corning for Apple are not part of the relevant market.
- To waive all exclusive dealing clauses in all its current agreements with OEMs and finishers, and to commit not to use such or similar clauses that have the same effect in future agreements.
- In the European Economic Area (EEA): When it comes to OEMs' demand for Alkali-AS Glass and Clear Glass Ceramics covers for handheld electronic devices sold in the EEA, not to specifically require OEMs to purchase, or cause their supply chain to purchase, any quantity of Alkali-AS Glass or Clear Glass Ceramics from Corning and will not condition any price advantages on such sourcing requirements.
- Worldwide: Not to require OEMs to purchase, or cause their supply chain to purchase, more than 50% of their respective demand from Corning, as regards either (I) OEMs' worldwide combined demand for Alkali-AS Glass and Clear Glass Ceramics covers for handheld electronic devices, and (ii) OEM's worldwide demand for either of the segments of LAS Glass or Clear Glass Ceramics covers of handheld electronic devices. Without these separate caps, Corning could target the competitively sensitive LAS Glass and Clear Glass Ceramics segments with exclusive sourcing requirements, while still complying with the overall cap. In addition, Corning will not condition price advantages on such sourcing requirements.
- Not to require finishers to purchase from Corning more than 50% of their combined worldwide demand for Alkali-AS Glass (NAS Glass, LAS Glass), and Clear Glass Ceramics covers for handheld electronic devices, nor to condition price advantages on such purchasing requirements. In addition, Corning will not use any purchasing requirements targeting any segment (i.e. NAS Glass, LAS Glass or Clear Glass Ceramics) of this combined worldwide demand, nor condition price advantages on such purchasing requirements. This means that finishers are free to decide on how they comply with the overall cap in terms of the type and quantity of the different cover materials.
- When it comes to the enforcement (in court or via arbitration) of Corning's patents related to break-resistant cover glass that are within the scope of the commitments, to base its claims only on patent infringement, and not on breach of contract. In addition, Corning will not use any other contractual mechanisms (e.g. penalties) to reinforce its patent claims.
- To include a standard anti-circumvention clause, the interpretation of which is further clarified in an interpretative note annexed to the commitments.
- To deliver a market communication to key stakeholders (OEMs and finishers) explaining the content of these commitments, in English and Chinese Mandarin.

The Commission concluded that the above final commitments would address its competition concerns over Corning's conduct identified in its preliminary assessment. It therefore decided to make them legally binding on Corning.

The commitments will remain in force for nine years and apply worldwide.

CADE(SG) recommends Apple's conviction for anticompetitive conduct: Antitrust violation took place in iOS ecosystem.

The Office of the Superintendent General at CADE (SG)

recommended Apple's conviction for anticompetitive conduct in the digital ecosystem of the iOS operating system. The decision results from an investigation that examined abusive practices adopted by the company. The case started in 2022 after a complaint from Ebazar.com.br Ltda. and Mercado Livre, showing there was abuse of dominant position in the market of distribution of applications for iOS devices.

The investigation revealed a set of restrictive conducts related to selling digital content inside Apple's ecosystem. Among them, prohibiting the sales of digital services from third parties and requiring developers to use exclusively the iOS payment system for transactions of digital goods and services.

During the investigation, the SG concluded that the practices create artificial entry barriers for competitors from markets related to the iOS system, fully controlled by Apple. Thus, the company hampers new agents' performance, maintains an artificial dominant position, and reduces the options available for the platform's developers and users.

CADE concluded that there was antitrust violation and recommended imposing a fine, in addition to behavioural remedies, to solve the competition problems identified. The recommendation also includes ceasing the investigated practices and adopting measures to mitigate its anticompetitive effects, removing the artificial entry barriers.

(B) Mergers And Acquisition

CCSA reaches agreement with Vodacom and maziv on conditions that remedy competition and public interest concerns

The Competition Commission (Commission) has reached an agreement with Vodacom (Pty) Ltd. ("Vodacom") and Business Venture Investments no 2213 Proprietary Limited ("Maziv") on revised conditions that substantially remedy the competition concerns raised by the Commission in its recommendation to the Competition Tribunal ("Tribunal") that the Vodacom/Maziv merger be prohibited.

This agreement follows constructive engagements between the Commission and the merger parties to remedy the deficiencies in the previous conditions identified by the Tribunal in its prohibition of the merger.

There were three primary competition concerns that were not adequately addressed by the proposed conditions at the time of concluding the Tribunal hearings. These were:

I. The horizontal reduction in competition between Fixed Wireless Access (FWA) and Fibre to the Home (FTTH). The conditions positioned to address this concern was that Vodacom would offer FWA where it rolled out 5G and that it would price it 'competitively'. However, the commitments on rollout of 5G sites and rollout of FTTH were insufficient to incentivise the parties to encourage consumer access at competitive prices and ensure third party access to FTTH.The revised conditions address these shortcomings by improving the capex commitment by Maziv and extending it to a five-year period post-merger to ensure that Maziv remains incentivised to service third party network operators.

The revised conditions also promote competition between FTTH and FWA through enhanced coverage commitments coupled, importantly, with connection commitments. The parties will need to price competitively if they are to achieve the connection commitments.The merger parties have also agreed to maintain lower-cost broadband packages in the market to ensure that especially lower-income consumers have a range of competitively priced packages to choose from.

ii. The horizontal overlap in FTTH infrastructure and potential price increases post-merger. The previous conditions were inadequate insofar as they included a 'weak' divestiture condition that did not adequately incentivise the merging parties to divest the overlapping infrastructure.The revised conditions put in place a standard divestiture arrangement whereby the failure

to sell the assets within a particular period result in a trustee divestiture process to ensure the assets are divested and pre-merger competition is restored. The condition follows the standard formulation used in other merger transactions and requires that a transparent and competitive process be followed to identify a proposed purchaser.

iii. The vertical foreclosure concerns. Although there were fairly comprehensive conditions in place to address foreclosure, there were notable challenges with monitoring and enforcing the conditions with the resulting concern that action would not be sufficiently timely to prevent foreclosure from occurring and harming competition.The revised conditions introduce some structural changes to Maziv's governance structure that limit the merged entity's incentives to foreclose competitors. The conditions now also incorporate an enhanced fast-track interim relief process that will address potential foreclosure concerns while the lengthier formal process to investigate any alleged foreclosure is underway. This ensures that any attempt to get a first mover advantage that will have an enduring effect in the market can be prevented through fast-track interim relief.

Additionally, there are significant improvements to the public interest commitments which increase the substantiality of these commitments. These include additional capex spend to roll-out new (Fibre-to-the Business (FTTB),

FTTH and Fibre-to-the-Site (FTTS) infrastructure, free access to 1Gigabit per second fibre lines for public libraries and clinics passed by FTTH infrastructure, an increase in the number of police stations that Vodacom will provide with FWA products, an additional commitment to enterprise development and an increase in the employee share ownership plan previously agreed.

The ACCC will not oppose the proposed acquisition of The Interpublic Group of Companies Inc by Omnicom Group Inc.

Omnicom and Interpublic are both large multinational suppliers of advertising, media and communications services, including media buying and marketing services.In Australia, Omnicom's key brands include DDB, TBWA, OMD Worldwide, PHD Media, Clemenger Group and Hearts & Science. Interpublic's key brands in Australia include IPG Mediabrands, Universal McCann (UM), Initiative, 303 MullenLowe and Octagon.

The ACCC considers that the proposed acquisition would be unlikely to substantially lessen competition in the supply of media buying services and marketing and communications services..

“Our investigation found that while the proposed acquisition would result in an increase in the parties' combined market share, other suppliers of media buying and marketing and communications services would continue to effectively compete with Omnicom after the acquisition,” ACCC Commissioner Dr Philip Williams said.

The ACCC found that the remaining advertising, media and communications conglomerates, including WPP, Publicis and Dentsu, will continue to compete with Omnicom after the acquisition, as well as smaller independent providers of these services.

II DEVELOPMENTS IN COMPETITION LAW AND POLICY

European Commission seeks feedback for the revision of EU antitrust enforcement framework.

The European Commission is launched a Call for Evidence and a public consultation inviting stakeholders to give feedback on the future of the EU procedures for the application of EU competition rules. Based on the results of the evaluation, completed in September 2024 with the publication of a Staff Working Documents, the Commission has decided to launch the process for revising the relevant rules, notably with the aim of keeping up with transformative changes such as digitalisation of the economy.

Need for a revision: On 05.09.2024, the Commission published a Staff Working Document summarising the findings of the evaluation of Regulation 1/2003 and Regulation 773/2004 (together the 'Regulations'). The evaluation showed that the Regulations have generally achieved their objective of effective,

efficient and uniform application of EU competition rules, and that they continue to have EU added value and remain relevant. At the same time, the evaluation identified several areas for further reflection, including a need for faster investigations and adjustment of the Commission's enforcement tools to keep up with transformative changes such as digitalisation. The evaluation also showed that, while the experience of parallel enforcement of EU competition rules with national competition authorities has been a success, the system could still benefit from some optimisation.

Based on these findings, the Commission concluded that a legislative revision would be necessary to address certain issues identified during the evaluation process.

Focus areas for the revision: The call for evidence will focus on the main areas the Commission is currently considering revising in the Regulations, with the objective of enhancing effective and speedy antitrust enforcement. This includes:

The Commission's investigative powers (specifically inspections, requests for information and interviews); certain aspects of its decision-making powers (specifically how we can adopt interim measures and commitments); the process for granting access to the Commission's file, which is currently burdensome for parties, information providers and the Commission; the procedure for the participation of complainants and third parties in competition investigations; and

How to optimise co-enforcement with national competition authorities and national courts.

The public consultation questionnaire will seek stakeholders' views on the reform options, including detailed feedback on the costs and benefits of such possible reform options.

ANTICOMPETITIVE CONDUCT

Canadian Competition Bureau advances investigation of Amazon's Marketplace Fair Pricing Policy

The Competition Bureau has obtained a court order to advance its investigation into Amazon's conduct on its online Canadian marketplace, Amazon.ca, to determine if the company is engaging in conduct that may be an abuse of dominance under the Competition Act.

The Bureau is investigating the Amazon Marketplace Fair Pricing Policy. The policy allows Amazon to penalize sellers for certain conduct, including if they set a price for a product on Amazon.ca that is significantly higher than recent prices offered on Amazon or elsewhere. The Bureau is seeking to determine whether the purpose or effect of the policy is to:

- allow Amazon to charge higher fees to sellers than it otherwise would, and whether this in turn causes sellers to charge higher retail prices to customers;
- prevent the entry or expansion of existing or potential rivals by preventing sellers from offering lower prices elsewhere than they do on Amazon; or
- lessen price competition among online marketplaces or retail channels.

CADE convicts hospital union for anticompetitive practices

The Administrative Council for Economic Defense (CADE) convicted the Union of Hospitals and Health Establishments of the Brazilian State of Mato Grosso do Sul (SINDHESUL) for concerted practices. The investigation was initiated after notification of the Federal Prosecution Services of the Brazilian State of São Paulo (MPF/SP). The information referred to a civil enquiry into the news that the hospitals used listed overestimated prices, especially the BRASÍNDICE pharmaceutical guide (Guia Farmacêutico Brasíndice) and the SIMPRO hospital pricing table (TabelaSimpro), as reference for the refund of medication and hospital materials.

It was found that the SINDHESUL published a contract template in their website, with recommendations of prices for medication and hospital materials and is able to influence the conduct of its members. CADE fined SIDHESUL in BRL 353,158.00, besides additional penalties, such as taking down any mentions to the antitrust practices from its social media, communication channels, and physical establishments, and prohibiting any guidance or communication that encourages or imposes the adoption of listed prices

of materials or medication in hospitals.

Google admits anti-competitive conduct involving Google Search in Australia

The ACCC has commenced Federal Court proceedings against Google Asia Pacific over anti-competitive understandings that Google admits it reached in the past with Telstra and Optus regarding the pre-installation of Google Search on Android mobile phones.

The understandings, which were in place between December 2019 and March 2021, required Telstra and Optus to only pre-install Google Search on Android phones they sold to consumers, and not other search engines. In return, Telstra and Optus received a share of the revenue Google generated from ads displayed to consumers when they used Google Search on their Android phones.

Google has admitted in reaching those understandings with each of Telstra and Optus it was likely to have had the effect of substantially lessening competition.

In the undertaking, Google commits to removing certain pre-installation and default search engine restrictions from its contracts with Android phone manufacturers and telcos.

The three telcos can configure search services on a device-by-device basis, and in ways that may not align with the settings set by Google. They can also enter into pre-installation agreements with other search providers.

(A) Anticompetitive Conduct

The European Commission fines Google €2.95 billion over abusive practices in online advertising technology

The European Commission has fined Google €2.95 billion for breaching EU antitrust rules by distorting competition in the advertising technology industry ('adtech').
Google: (i) sells advertising on its own websites and applications; and (ii) intermediates between advertisers that want to place their ads online and publishers (i.e. third-party, websites and apps) that can supply that space.

Advertisers and publishers rely on the adtech industry's digital tools for the placement of real time ads not linked to a search query, such as banner ads in websites of newspapers ('display ads'). In particular, the adtech industry provides three digital tools: (i) publisher ad servers used by publishers to manage the advertising space on their websites and apps; (ii) programmatic ad buying tools for the open web used by advertisers to manage their automated advertising campaigns; and (iii) ad exchanges where demand and supply meet in real time, typically via auctions, to buy and sell display adds.

Google provides several adtech services that intermediate between advertisers and publishers to display ads on websites or mobile apps. It operates (i) two ad buying tools - “Google Ads” and “DV 360”; (ii) a publisher ad server, “DoubleClick For Publishers, or DFP”; and (iii) an ad exchange, “AdX”.

The Commission's investigation found that Google is dominant: (i) in the market for publisher ad servers with its service “DFP”; and (ii) in the market for programmatic ad buying tools for the open web with its services “Google Ads” and “DV360”. Both markets are European Economic Area-wide.

In particular, the Commission found that, starting at least 2014, Google abused such dominant positions in breach of Article 102 of the Treaty on the Functioning of the European Union ('TFEU') by:

- Favouring its own ad exchange AdX in the ad selection process run by its dominant publisher ad server DFP by, for example, informing AdX in advance of the value of the best bid from competitors which it had to beat to win the auction.
- Favouring its ad exchange AdX in the way its ad buying tools Google Ads and DV360 place bids on ad exchanges. For example, Google Ads was avoiding competing ad exchanges and mainly placing bids on AdX, thus making it the most attractive ad exchange.

The Commission has concluded that those conducts aimed at intentionally giving AdX a competitive advantage and may have foreclosed ad exchanges competing with AdX. This has reinforced AdX's central role in the adtech supply chain as well as Google's ability to charge a high fee

for its service.

The Commission has ordered Google to bring these self-preferencing practices to an end. It has also ordered Google to implement measures to cease its inherent conflicts of interest along the adtech supply chain. Google has now 60 days to inform the Commission about the measures it intends to propose to that effect. Once received, the Commission will thoroughly assess them to see if they eliminate the conflicts of interest. Should they not, subject to Google's right to be heard, the Commission will proceed to impose an appropriate remedy.

The European Commission fines Eurofield SAS and Unanime Sport SAS around €172,000 for providing incomplete information to the Commission in an antitrust investigation

The European Commission has fined Eurofield SAS and Unanime Sport SAS, the ultimate parent of Eurofield at the time of the infringement, a total of around €172,000 for providing an incomplete reply to a request for information issued in the context of the Commission's investigation in the synthetic turf sector.

In June 2023, the Commission sent a simple request for information by letter to Eurofield in the context of its investigation in the synthetic turf sector. After carefully assessing Eurofield's reply, and after comparing it with documents collected in the context of unannounced inspections, the Commission had indications that the reply was incomplete. It therefore issued, in October 2023, a subsequent request for information to the company, this time by decision under article 18(3) of Regulation No 1/2003, and made it aware of its concerns. Eurofield again replied in an incomplete manner.

In November 2024, the Commission informed the parties (i.e. Eurofield and Unanime Sport, its ultimate parent at the time of the infringement) that it had opened an investigation into the suspected procedural breach related to the incomplete reply. From then, the parties agreed to cooperate with the Commission in this investigation, by acknowledging their liability for the infringement and accepting to pay a fine. In this context, the parties submitted the documents identified as having been omitted as well as supplementary information that the Commission had not identified as missing.

The Commission concluded that a fine corresponding to 0.3% of the parties' combined total turnover would be both proportionate and deterrent. At the same time, the Commission decided to reward the parties for their proactive cooperation once they were made aware of the investigation into their suspected procedural breach. It has therefore decided to reduce the fine by 30%, resulting in a fine totalling around €172,000.

The European Commission accepts commitments offered by Microsoft to address competition concerns related to Teams

The European Commission has accepted commitments from Microsoft to address EU competition concerns relating to its popular team collaboration platform Teams. These commitments will henceforth be legally binding under EU antitrust rules.

The commitments address the Commission's concerns related to the tying of Microsoft Teams to the company's popular productivity applications Word, Excel, PowerPoint, Outlook, included in its Office 365 and Microsoft 365 suites for business customers.

Teams is a cloud-based communication and collaboration tool. It offers functionalities such as messaging, calling, video meetings and file sharing, and brings together Microsoft and third-party workplace tools and other applications.

Suppliers of business application software, including Microsoft, are increasingly distributing this software as Software-as-a-Service ('SaaS'), meaning a software hosted on cloud infrastructure of the supplier's choice. Microsoft has a suite-centric business model combining multiple types of software in a single offering. When Teams was launched, Microsoft included it by default in Office 365 and Microsoft 365, its widely used SaaS productivity suites for business customers.

Following the opening of a formal investigation in July 2023, the Commission preliminarily found (I) that Microsoft holds a dominant position in the worldwide market for SaaS productivity applications for

professional use; and that (ii) since at least April 2019, Microsoft has been tying Teams with its market-leading productivity applications, in breach of Article 102 of the Treaty on the Functioning of the European Union ('TFEU') and Article 54 of the Agreement on the European Economic Area ('EEA Agreement').

The Commission preliminarily found that, by doing so, Microsoft restricted competition on the market for cloud-based communication and collaboration products, granting Teams an undue competitive advantage in terms of distribution, which was reinforced by interoperability limitations between Microsoft's productivity applications (e.g. Outlook, Word) and communication and collaboration tools that compete with Teams. The Commission had concerns that Microsoft's conduct, in addition to giving Teams an unfair advantage in entering and quickly gaining a strong position in the market, may have reinforced its dominant position in productivity software and its suites-centric model from competing suppliers of individual software.

To address the Commission's concerns, Microsoft initially offered the following commitments:

- To offer customers purchasing in the EEA versions of its Office 365 and Microsoft 365 suites without Teams and do so at an appreciably lower price than the one for the corresponding suites that include Teams. In addition, Microsoft committed not to offer discount rates on Teams or on suites with Teams higher than those offered on suites without Teams.
- To give customers purchasing in the EEA recurrent opportunities to switch to suites without Teams and allow for such suites to be deployed in datacentres worldwide.
- To allow Teams' competitors and certain third parties (i) effective interoperability with certain Microsoft products and services for specific functionalities, as well as (ii) to embed the Office Web Applications (Word, Excel, and PowerPoint) in their own products, and to (iii) prominently integrate their products in Microsoft's core productivity applications.
- To allow customers in the EEA to extract their Teams messaging data for use in competing solutions.

Between 16 May 2025 and 16 June 2025, the Commission market tested Microsoft's commitments and consulted all interested third parties to verify whether they would remove the Commission's competition concerns. In light of the outcome of this market test, Microsoft amended the initial proposal and further committed to:

- increase the price difference between some Microsoft 365 and Office 365 suites without Teams and the corresponding suites with Teams, including the suites targeted at businesses, by 50%.
- clarify that relevant Microsoft websites that advertise any software offer that includes a suite with Teams should also display the corresponding offer without Teams.
- publish information on interoperability and data portability on all its relevant developer-facing websites.

In addition, the Commission took note that Microsoft has unilaterally decided to align its worldwide suites offers and pricing with these commitments. It has also decided to continue offering suites without Teams for frontline workers and to further reduce the price of its largest suite without Teams for frontline workers compared to the version with Teams.

The commitments offered by Microsoft will remain in force for seven years, except for the commitments related to interoperability and data portability which will remain in force for ten years. The implementation will be monitored by a monitoring trustee, who will also mediate in case of disputes between third parties and Microsoft.

(B) Mergers and Acquisition

ACCC will not oppose acquisition of BGC Cementitious after changes to transaction

The ACCC will not oppose the acquisition of BGC Cementitious (BGC) by Cement Australia, Holcim, Heidelberg Materials Australia (HMA) and Adbri Pty Ltd.

BGC Cementitious and Cement Australia both supply aggregates, ready-mix concrete (RMX), asphalt and cement among other related products and services in greater Perth. The ACCC decided not to

oppose the transaction after the merger parties amended their original proposal.

After the ACCC expressed concerns about the initial proposal, a new proposed structure was put forward involving the sale of certain assets to Adbri. Adbri supplies cement in Western Australia but does not supply aggregates, RMX or asphalt in Western Australia.

The amended acquisition involves BGC divesting WA Cementitious, including cement assets and some limited RMX plants to Cement Australia, Holcim and HMA, with Adbri acquiring the majority of BGC's RMX assets as well as BGC's aggregates, asphalt, transport and materials technology centre assets.

The ACCC looked closely at the margins the merger parties earn at various levels of the supply chain, and the profit incentives that would likely drive their decisions post-acquisition.The ACCC also considered the extent to which the acquirers would have market power and be able to increase the price of RMX across Perth as well as in more localised markets.The ACCC found, based on a detailed data analysis of existing delivery patterns and the marginal cost of servicing customers, that rival suppliers of RMX would continue to constrain HMA and Holcim post-acquisition across Perth.

Ultimately, the ACCC did not find that the amended acquisition would likely substantially lessen competition in any market.

(C) Developments in Competition Law and Policy

The European Commission invites comments on draft revised EU competition rules for technology transfer agreements

The European Commission has launched a public consultation, inviting all interested parties to comment on drafts of a revised Technology Transfer Block Exemption Regulation ('TTBER') and revised Guidelines on the application of Article 101 of the Treaty to technology transfer agreements ('Guidelines').

Technology transfer agreements are agreements by which one firm authorises another firm to use certain technology rights – such as patents, design rights or software copyrights – to produce goods or services. Because these agreements facilitate the diffusion of technology and incentivise research and development, they are often pro-competitive, but some (restrictions in these) agreements can also have negative effects on competition.

In this context, the TTBER exempts technology transfer agreements that meet certain conditions from the prohibition of anti-competitive agreements laid down in Article 101(1) of the Treaty on the Functioning of the European Union ('TFEU'), with the aim of facilitating the diffusion of technology, strengthening the incentives for research and development, and promoting innovation. If companies design their technology transfer agreements in accordance with the conditions of the TTBER, they have legal certainty that their agreements comply with Article 101.

The Guidelines provide guidance on the application of the TTBER and on the assessment under Article 101 TFEU of technology transfer agreements that fall outside the block exemption provided by the TTBER.The revision of the TTBER and Guidelines follows an evaluation of the current rules, which have applied since 2014. The evaluation was completed in November 2024 and the revision aims to adapt the rules to reflect recent market developments and case law by the Court of Justice of the European Union, as well as to provide additional legal certainty for companies wishing to enter into technology transfer agreements.



HR CORNER

1. Extension of deputation tenure in CCI and DG's office:

A. Deputation tenure of Shri Davinder Singh Kakkar, PPS in CCI, was extended w.e.f. 01.07.2025 till 30.06.2026.

B. Deputation tenure of Shri Arun T. OM (CS) in CCI, was extended w.e.f. 01.07.2025 till 30.06.2026.

C. Deputation tenure of Shri Vikrant, OM (CS) in CCI, was extended w.e.f. 03.07.2025 till 02.07.2026.

D. Deputation tenure of Shri Narender Kumar, OM (CS) in CCI, was extended w.e.f. 10.07.2025 till 09.07.2026.

2. Relieving from CCI and DG's office:

A. Shri Anurag Pandey, AD (CS) was relieved w.e.f. 01.07.2025 from CCI upon his inclusion in Select List Grade-I

(Under Secretary) of Central Secretariat Services for the Year 2025.

B. Shri Anshul Jain, DD (FA) was relieved w.e.f. 02.07.2025 from CCI consequent upon his resignation request.

C. Dr. Mini S., Adviser (Law) was relieved w.e.f. 14.07.2025 from CCI on completion of her deputation tenure.

D. Shri Shiv Ram Bairwa, Director (Law) superannuated from CCI with effect from 30.09.2025.



OTHER EVENTS

Hindi Pakhwada 2025

As per the past practice, Hindi Pakhwada was celebrated in the Commission from 14.09.2025-28.09.2025. During this period, various competitions were organized for all officers of the Commission and the office of the Director General from 17.09.2025-19.09.2025. These included Hindi Essay, Noting and Drafting Competition, and Quiz. Officers of the Commission participated enthusiastically in these competitions, showcasing their interest and skills in the Hindi language and literature.

On the occasion of the valedictory function of Hindi Pakhwada, a prize distribution ceremony was held on 26.09.2025. In this ceremony, the Hon'ble Chairperson, Members of the Commission, and Secretary awarded 22 officers for their outstanding performance in the competitions with cash prizes and certificates of appreciation.

Prize Distribution Ceremony, Hindi Pakhwada 2025









Swachhata Hi Seva – The Spirit of Swachhotsav

Launched in 2017, Swachhata Hi Seva has emerged as a cornerstone of the Swachh Bharat Mission. Held annually, the campaign rallies citizens across the country to step out and take ownership of their surroundings. Swachhata Hi Seva 2025, themed around Swachhotsav, blends the joy of celebration with the seriousness of responsibility. Beginning on 17th September and culminating on 2nd October, this 15-day movement is uniting millions of hands and hearts across India in high-impact swachhata drives. At the heart, it embodies the principle of “Antyodaya se Sarvodaya” -progress for the nation begins with dignity and well-being for the most marginalized. The campaign places a strong emphasis on last-mile inclusion, ensuring that villages and towns across India move forward with dignity, health, and sustainability.

The CCI celebrated the Swachhata Hi Sewa (SHS) Campaign from 17.09.2025- 02.10.2025, reaffirming our commitment towards a clean India. The CCI reaffirmed its resolve to contribute to the vision of a clean India through the observance of the Swachhata Hi Seva 2025 Campaign. Collective responsibility is the key to lasting change.











Prize Distribution Ceremony, Hindi Pakhwada–2025

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