Fair Competition
for Greater Good

The Quarterly Newsletter of Competition Commission of India (CCI)

Fair Play

Volume 45: April-June 2023

IN FOCUS
14th Annual Day

Mrs. Ravneet Kaur, Chairperson, CCI, called on Smt. Nirmala Sitharaman, Hon'ble Union Minister of Finance & Corporate Affairs at her office on 23.05.2023.

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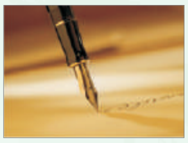

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FROM THE DESK OF THE CHAIRPERSON

It brings me immense joy to present to you the 45th Volume of the Fair Play, which details the changes in competition law and policy that have occurred during the past quarter.

The Competition Commission of India celebrated its 14th annual day on 20.05.2023. 20th May is an important landmark in the history of competition enforcement in India, as it is the date on which, fourteen years ago, the antitrust provisions of the Competition Act, 2002, were enforced. I take pride in stating that, since then, CCI has been tirelessly working towards the prevention of anti-competitive practices, ensuring fair competition, and providing a level playing field to all market players. Dr. M. S. Sahoo, Distinguished Professor, NLU Delhi, and Former Chairperson, Insolvency and Bankruptcy Board of India, graced the occasion as the Chief Guest and delivered the Annual Day Lecture on the topic " The Rise of Regulatory State in India". The In-Focus article of this volume presents in detail the course of the event.

In the previous quarter, on the combinations front, CCI approved the proposed combination relating to the FMCG business of Haldiram Snacks and Haldiram Foods, comprising the demerger of the respective FMCG businesses of Haldiram Snacks Private Limited (HSPL) and Haldiram Foods International Private Limited (HFIPL) into a single company, Haldiram Snacks Food Private Limited (HSFPL), and the subsequent acquisition of 56% and 44% shareholding in HSFPL by the existing shareholders of HSPL and HFIPL. Further, the Commission approved the acquisition of Credit Suisse Group AG by UBS Group AG by way of absorption merger, the latter being the surviving legal entity.

The previous quarter saw some important judicial pronouncements in competition law jurisprudence. The Hon'ble Supreme Court, in the matter of *Coal India Ltd. & Anr. vs. Competition Commission of India & Anr.,* observed that the Competition Act will apply to the Coal India Ltd. and held that there is no merit in the contention that the Act will not apply to the appellants for the reason of them being governed by the Nationalisation Act, which cannot be reconciled with the Competition Act. The Court thereafter remanded the matter to NCLAT for determination on merits. Another important judgment was delivered in the matter *JK Paper vs. CCI & Ors*, wherein the Hon'ble High Court of Gujarat rejected JK Paper's plea against the Commission's *prima facie* order, refusing to interfere with the investigation, thus dismissing the writ petition and vacating the interim stay. The Hon'ble High Court observed that exercise of powers by CCI under section 26(1) of the Act are not adjudicatory in nature and the formation of *prima facie* opinion is only an administrative process which does not entail civil consequences.

As the world celebrated the 9th International Day of Yoga, CCI also joined in commemorating the same. We organised a yoga session for the officers and staff of CCI. Yoga is a holistic means of ensuring mental, physical, and spiritual well-being. CCI's celebration of Yoga Day showcased the organisation's aim towards creating a healthy, stress-free work environment for its employees, where the growth of the organisation syncs with wellness of the self.

The sports sector has come a long way over the years, and with various professional leagues being organised across different sports, its economic relevance cannot be overlooked. Certain competition issues have come to light in this sector and the Commission has, from time to time, intervened to ensure fair competition in this area. An article chronicling competition enforcement in the sports sector is featured in this volume.

Discharging the mandate of Section 49 of the Competition Act, 2002, on the advocacy front, CCI organised various lectures and workshops across the country in different educational institutions and departments of various states under the State Resource Persons (SRP) scheme, promoting the culture of competition. Further, CCI sponsored several moot courts on competition law, collaborating with educational institutions with a view to inculcate the temper of fair competition in young minds and build their capacity. Under corporate advocacy, CCI officers took training sessions for various corporates. CCI also conducted advocacy with industry bodies, raising awareness among the stakeholders of competition law. The Advocacy Division also published an informative infographic booklet titled "Competition (Amendment) Act 2023 – Salient Features", which showcases the salient features of the Competition (Amendment) Act, 2023, in a visual, easy-to-grasp manner.

The past quarter witnessed CCI's continuous and untiring efforts in living up to the letter and spirit of the preamble of the Competition Act, 2002. The Commission continues to work towards strengthening the ecosystem of fair competition, level playing field, and economic growth.

Ravneet Kaur

Taking Charge

Smt. Nirmala Sitharaman, Hon'ble Union Minister of Finance & Corporate Affairs, administering the oath of office to Mrs. Ravneet Kaur as Chairperson, CCI. Mrs. Ravneet Kaur took charge of the office of Chairperson, CCI, on 23.05.2023.

Mrs. Ravneet Kaur, Chairperson, CCI, called on Sh. Rao Inderjit Singh, Hon'ble MoS (IC), MoSPI, MOP, and MoS Ministry of Corporate Affairs.

Mrs. Ravneet Kaur, Chairperson, CCI, visited the office of the Directorate General, CCI.

Mrs. Ravneet Kaur, Chairperson, CCI, presided over a meeting with the officers of CCI and Director General, Anti-Profiteering in relation to the anti-profiteering mandate transferred to CCI from erstwhile National Anti-Profiteering Authority.

Mrs. Ravneet Kaur, Chairperson, CCI, Members, Secretary, and Adviser of CCI, interacted with the delegation from the Competition Commission of Mauritius, visiting CCI on a three-day study tour during 05-07.06.2023.

Mrs. Ravneet Kaur, Chairperson, CCI, presided over an interactive session held with the CCI interns of the May 2023 batch.

14th Annual Day Celebration

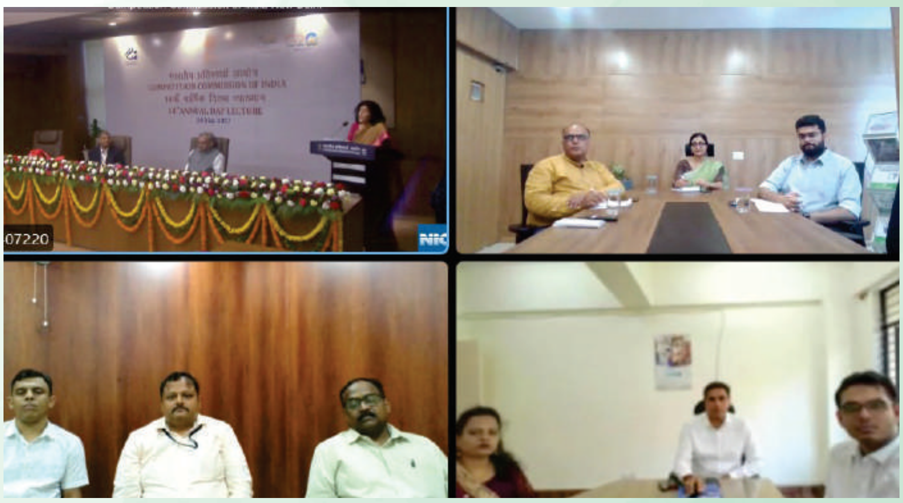
Dr. M.S. Sahoo (Distinguished Professor, NLU Delhi, and Former Chairman, IBBI) graced the occasion as the chief guest at the 14th Annual Day of CCI on 20.05.2023, sharing the dais with Dr. Sangeeta Verma, then-Acting Chairperson, CCI, and Sh. Bhagwant Singh Bishnoi, Member, CCI.

The enforcement regime of competition law came into effect on 20.05.2009. To commemorate the same, the annual day of the Competition Commission of India (CCI) is held on the said date each year. This year, the 14th annual day was celebrated at the CCI office premises in New Delhi. Dr. M. S. Sahoo, Distinguished Professor, NLU, Delhi, and Former Chairperson, Insolvency and Bankruptcy Board of India, was the chief guest at the event.

The event commenced with the welcome address by Dr. Sangeeta Verma, then-Acting Chairperson, CCI. She began her address by throwing light on the importance of the date in the history of competition law, as the antitrust provisions of the Competition Act, 2002, (the Act), came into force on this date 14 years ago. She remarked that, in these 14 years, CCI has worked to build a culture of competition in markets through credible antitrust enforcement and regular engagement with stakeholders. Over 1,200 antitrust cases and more than 1,000 merger filings were decided in the past, alongside more than 1,300 advocacy events. Dr. Verma highlighted that advocacy initiatives amongst stakeholders have been instrumental in creating awareness and expressed her happiness in the fact that stakeholders, including the industry, government, sector regulators, trade associations, and the general public actively approach CCI for various competition-related concerns. She stated that the Commission's outreach and access has been further strengthened through the establishment of its regional offices in Chennai, Kolkata, and Mumbai as well as its State Resource Persons Scheme.

She further mentioned that a key metric that helps gauge the effectiveness of the enforcement is the behavioural change of market participants as a result of the decisions of the Commission, and stated that it has been gratifying for

Dr. Sangeeta Verma, then-Acting Chairperson, CCI, delivering the welcome address.



Regional offices of CCI in Chennai, Kolkata, and Mumbai joined the 14th Annual Day celebration virtually.

the Commission when, after the initiation of proceedings, parties have responded with behavioural self-corrections.

Subsequently, her speech focused on the competition issues posed by digital markets and the steps taken by the Commission to ensure that digital sectors are driven by market forces and not by the anti-competitive strategies of a small group of players. She mentioned that a study was undertaken to understand the functioning of big technology platforms across the ecosystem and the effect of their unique position on competition in multiple markets. She expressed that the Commission, through precise and carefully crafted remedies, has aimed at making these platforms contestable, accessible, and fair.

She further stated that, in 2022, CCI delivered three important orders in digital markets, with the primary antitrust concern in such cases being the dual role of platforms which operated as businesses as well as marketplaces. In such situations, the platforms utilise their governance structure to increase the cost of competitors or exclude them from competition. Thus, the rules of platform governance require an overhaul. The Commission, by expanding its remedy toolkit of antitrust enforcement, had been utilising the legal system as a vehicle to address these issues.

In the course of her speech, Dr. Verma underlined the importance of advocacy initiatives for sensitising and educating market participants. She noted that numerous market studies have been undertaken to gain an in-depth understanding of markets. Such market studies prove to be beneficial in prompting businesses to take self-corrective measures to avoid litigation. She stated that, recently, the National Pharmaceutical Pricing Authority referred the findings of CCI's market study on the pharmaceutical sector in India while considering setting a cap on multiple brands of the same drug sold by the same company.

Referring to the combination regulation mandate, Dr. Verma stated that the Commission had reviewed 99 cases in 2022, of which 25 were under the Green Channel. Amongst approvals, four were subject to modifications voluntarily offered by the parties. A transparent and trust-based engagement between CCI and parties saved avoidable time cost of transactions.

She further expressed her happiness on the framework that has emerged in the Competition (Amendment) Act, 2023, stating that it has empowered the Commission by providing tools that are in line with international best practices. She cited that new features such as deal value–based criteria for notifying mergers and acquisitions, settlements and commitments for ensuring quicker decisions and speedy market corrections, reduction in timelines for approving combinations, and leniency plus, were introduced within the existing law. She noted that the Commission stood at an inflection point for competition law and emphasised that the Commission shall endeavour to release required regulations based on best global practices, within the legislative framework.

Dr. Sangeeta Verma, then-Acting Chairperson, CCI, welcoming the chief guest Dr. M.S. Sahoo.

In the penultimate part of her speech, she focused on the challenges that emerging technologies like artificial intelligence, machine learning, distributed ledger technology, and Internet of Things pose to regulators. She mentioned that, in the wake of these developments, regulators are faced with a key challenge of ensuring fair markets, addressing market distortions, and enforcing regulations, while allowing these new technologies and businesses to flourish.

Dr. M.S. Sahoo, Distinguished Professor, NLU Delhi, and Former Chairman, IBBI, delivering the annual day lecture on the "Rise of Regulatory State in India".

She concluded her speech by thanking the Ministry of Corporate Affairs for its constant support and encouragement. She further complimented the CCI team for their sincerity, diligence, and hard work in building the institution brick-by-brick.

This was followed by the annual day lecture by the chief guest, Dr. M. S. Sahoo, who addressed the audience on the topic "Rise of Regulatory Sate in India". He began his speech by stating that the most significant governance reform of the last century was the rise of regulators, which share governance with the government. He stated that, even though the surge in such agencies is associated with the privatisation and liberalisation of economies in the late 20th century, the U.S. Interstate Commerce Commission, established in 1887, was probably the first regulatory agency.

In his address, he defined regulators as a class of body corporate mostly created by statutes, *imperium impero*, i.e., a government within the government, to carry out governance in accordance with a statutory contract. He added that, while their responsibilities include regulation, they are formally described as the authority, commission, board, council, etc. Dr. Sahoo pointed out that, in India, a comprehensive regulatory system tailored to the market and societal needs, is in place in three spaces-for the regulation of professions (e.g., Bar Council of India, Institute of Company Secretaries of India, and National Medical Commission), for the regulation of markets (e.g., Securities and Stock Exchange Board of India, Insurance Regulatory and Development Authority of India, and CCI), and for the regulation of utilities (e.g.,Central Electricity Regulatory Commission, Telecom Regulatory Authority of India, and Petroleum and Natural Gas Regulatory Board).

He further emphasised that two major reforms are needed to meet the challenges posed by the market economy-the emergence of 'regulations' and the emergence of 'regulators'. In the context of emergence of regulations, Dr. Sahoo explained the larger importance of 'almost incomplete law' than 'almost complete law' in the dynamic market environment. In the former, the legislation tends to be slim and has the potential to deal with all the possible circumstances, including unforeseen emergencies. An example of the same was given as the Securities and Exchange Board of India Act, 1992 ('SEBI Act'), which empowered the Securities and Exchange Board of India (SEBI) to register and regulate stock brokers, etc., and "any other intermediary associated with the securities market as the Board may by notification in this behalf specify". This enabled SEBI to rapidly facilitate market development through a notification in case any intermediaries arose in the future.

Dr. Sahoo further spoke about another dimension of 'incomplete law' being 'subordinate legislation'. Continuing the same example, Dr. Sahoo elaborated how the SEBI Act conferred substantial powers upon SEBI of delegated legislation, empowering it to make subordinate legislation (regulations) to fill gaps in laws, as needed. Drawing from the SEBI Act, when the regulator notices a pernicious practice that impinges upon the integrity of the market, such a practice could be accommodated in the definition of fraudulent and unfair trade practice (FUTP) by an amendment to the regulations.

Dr. Sahoo further stated that, analogous to FUTP, a link was drawn to the ongoing discourse to deal with competition issues emanating from digital markets. At this juncture, the prominence of 'almost incomplete law' was reiterated to state that this form of law would enable the regulator to list the specific forms of dominance and abuses from time to time through regulations.

Subsequently, the emergence of tribunals was discussed in great length to primarily emphasise the value of specialised tribunals for appeals against the orders of regulators as they possess specialised commercial acumen to deal with matters from diverse areas.

Dr. Sahoo then cited various case laws to elaborate that a tribunal lacks the power to scrutinise regulations, as the power lies in the exclusive domain of courts. He also said that many statutes mandate regulators to engage with the regulated in making regulations. He further discussed the architecture of regulators. The SEBI Act as it was initially adopted, gave the regulator the authority to make regulations, but only with the approval of the Central Government. Later, Section 30 of the Act was amended, which dispensed the approval of the Central Government for SEBI to notify regulations. This increased its autonomy and allowed SEBI to respond quickly to changing market conditions. He provided examples

Dr. M.S. Sahoo, Distinguished Professor, NLU Delhi, and Former Chairman, IBBI, took questions from the audience following his annual day lecture.

Ms. Jyoti Jindgar Bhanot, Secretary (I/c) & Adviser (Antitrust Division-I), CCI, extended the vote of thanks.

of recent enactments and bills, such as the National Medical Commission Act, 2019, the Mediation Bill, 2021, and the Data Protection Authority Bill, to explain that the structure followed in SEBI is not uniform, as the latest enactments and bills envisage the regulators to make regulations with prior approval of the Central Government.

He expressed that governance through regulators is still evolving and highlighted the need for the development of a common template covering critical overarching principles as a charter to guide the establishment as well as operation of regulators, irrespective of their sphere of operation.

In his concluding remarks, he stated that reformers have been undertaking an objective, formal, and periodic performance evaluation of regulators. He urged CCI to carry out an external evaluation of its conduct and performance to establish its legitimacy and credibility as a regulator. Moreover, it was suggested that every regulator should build on its legitimacy to transit from an organisation to an institution. A regulator would be considered 'legitimate' if it is perceived as having a right to govern, both by those it seeks to govern and by those on whose behalf it purports to govern. This would require it to build its social capital through consistent conduct and performance over years or even decades.

The event was concluded with a vote of thanks by Ms. Jyoti Jindgar Bhanot, Secretary (I/c), CCI, and Adviser (Antitrust Division-I).

Officers of CCI attending the 14th Annual Day of CCI.

CCI's Enforcement in the Sports Sector

Various cases alleging anti-competitive conduct in the sports sector have been brought to the Commission overtime. The first case, which was filed against Board of Control for Cricket in India (BCCI), was received as early as 2010. As of today, the Commission has received several information(s) /complaints against various national-and state-level sports federations, which include the BCCI, All India Chess Federation, Hockey India, Amateur Baseball Federation of India, The Suburban Table Tennis Association (TSTTA), Maharashtra State Table Tennis Association (MSTTA), Table Tennis Federation of India (TTFI), etc. Most of the allegations in these cases flow from the dual role performed by the sport federations- as a regulator *qua* the particular sport and their involvement in economic activity, leading to a conflict of interest.

Some of these cases have already been decided by the Commission, while some are pending adjudication at various stages before the Commission. Further, in few cases, appeals against the orders of the Commission are pending before the appellate tribunal (National Company Law Appellate Tribunal) or High Courts.

The Commission, *vide* its order dated 29.11.2017, found BCCI to be in contravention of Section 4 of the Act. Reiterating its findings in the order dated 02.02.2013, which had been set aside by COMPAT, the Commission concluded that the representation and warranty given by BCCI in the IPL Media Rights Agreement, that "it shall not organize, sanction, recognize, or support during the Rights period another professional domestic Indian T20 competition that is competitive to the league" and Rule 28(b) of the BCCI Rules amounted to denial of market access for the organisation of professional domestic cricket leagues/events in India, in contravention of Section 4(2)(c) read with Section 4(1) of the Act. The Commission had also observed that BCCI's most significant source of dominance in the relevant market was its regulatory/governance powers emanating from the pyramid structure of the sport governance. Additionally, BCCI's contention that its regulatory powers could not be treated similarly to dominance enjoyed by business houses was rejected by the Commission, which noted that there was no legal basis to hold that authority vested pursuant to the pyramid structure of sport governance could not be regarded as dominance. While considering the issue of contravention, the Commission considered it necessary to evaluate whether the impugned clause in the IPL Media Right Agreement and the impugned rules of the BCCI are in place to serve the development of the sport or preserve its integrity. If the impugned restrictions impeded competition without having any reasonable justification for the protection of the legitimate interest of the sport, the same would fall foul of competition law.

Similar allegations were addressed by the Commission in the case of the *Confederation of Professional Baseball Softball Clubs vs. Amateur Baseball Federation of India (ABFI)*, in which the informant had alleged that ABFI had abused its dominant position by issuing directions to the presidents/secretaries of state baseball associations throughout the country, prohibiting them from dealing with bodies and leagues not recognised by it, threatening a disciplinary action if any of the players took part in them. With regard to the issue of its dominant position, the Commission had observed that the regulatory powers enjoyed by ABFI included sanctioning/disapproving proposals for the organisation of baseball events and subjecting players to disciplinary action, making it the predominant controller of the services provided by baseball players who have less bargaining power. Finding it to be in contravention of the provisions of Section 4 of the Act, the Commission, without imposing penalty, directed ABFI to cease and desist from indulging in infringing actions.

The dominance of sports associations attained through the pyramid structure of sports governance and regulation was again acknowledged by the Commission in the Section 26(1) order dated 17.11.2021, which was passed on the basis of a complaint filed by TT Friendly Super League Association, alleging contravention of the provisions of Sections 3 and 4 of the Act by The Suburban Table Tennis Association (TSTTA), Maharashtra State Table Tennis Association (MSTTA), and Table Tennis Federation of India (TTFI). The Commission was of the view that all the concerned opposite parties were linked and affiliated to each other in the pyramidal structure and hence, were responsible for representing, coordinating, administering, marketing, and developing the sport, thereby holding a dominant position in the market.

Several times, sports federations justify their intervention with regard to various aspects of a particular sport in the guise of being the custodian for that sport. However, it has been an accepted position that the actions/decisions of the sport bodies/federations, including the ones taken as part of sports governance, are amenable to competition law. A sporting rule having economic implications should be tested for inherence and proportionality to the objectives pursued. In the *Chess* case, where the All India Chess Federation (AICF) was held in contravention of Sections 3 and 4 of the Act for preventing players from participating in unauthorised events, the Commission was of the view that rules, excluding the ones of approval, which govern players and the organisation of sports events, often create a restrictive environment for economic activities that are incidental to sports. Similarly, in the *Hockey* case, where certain players were excluded from participating in the camp held at Bangalore for preparation and selection in the Indian team to play four national test matches in London, the Commission, despite acknowledging that the selection of players was essentially a regulatory issue, analysed the case on merits instead of exempting it, since the allegations indicated that the intent was to penalise players who participated in competitive leagues (*viz*., World Hockey Series), consequently excluding them.

The decisional practice of the Commission is quite aligned to other jurisdictions on these aspects, primarily Europe. The earlier position taken by European courts, exempting sports' governing bodies from application of competition law, have undergone a change with the ECJ's decision in the *Meca-Medina* case, in which two professional swimmers were banned for using a prohibited substance by the International Swimming Federation (FINA) Doping Panel. The Court was of the opinion that a purely sports governance issue having economic implications should be tested for inherence and proportionality to the objectives pursued. While the overturning of the previous position by the European Commission has been criticised for adding an element of ambiguity and uncertainty in the functioning of sports governing bodies, subjecting all such rules to antitrust scrutiny would be prudent given the intertwined regulatory-commercial functions of such bodies. Therefore, the emerging international position is that all the decisions of the sport bodies, including the ones taken strictly as part of sports governance, be subject to jurisdiction on antitrust laws.

The Commission in its decisions has observed that competition cases relating to sports associations/federations usually arise due to conflicts between their regulatory functions and the economic activities undertaken by them. The Commission is of the view that the system of approval under the pyramid structure of sports governance is a normal phenomenon of sports administration. However, rules governing the players and the organisation of sport events/ tournaments often create a restrictive environment for the economic activities that are incidental to sport. These could be justified if it is demonstrated that the restraint on competition is a necessary requirement to serve the development of the sport or to preserve its integrity. However, if restrictions impede competition without having any plausible justification, the same would fall foul of competition law. Further, it was observed that every board/ federation has laid down restrictions that impeded the players from participating in events other than ones organised by the federation as well as restricting the opportunity for other entities from organising such events.

On finding the sports federation to be in contravention of the provisions of section 4 of the Act in various cases, the Commission, in exercise of its powers u/s 27 of the Act, has issued a modification of such restrictive clauses, issued directions for laying down of parameters in respect of organisation of events, etc. Additionally, directions were issued to such federations for laying down procedure that is fair and reasonable for taking disciplinary action against players and should not prove prejudicial against any player. The boards/sporting federations have also been directed to issue clarifications and take all possible measures to ensure that competition is not impeded and there is preservation of the objective of development of the respective sport nationwide. In addition, monetary penalties have also been imposed to penalise such conduct and create deterrents in the future.

MERGERS AND ACQUISITIONS

CCI approves the proposed combination relating to the FMCG business of Haldiram Snacks and Haldiram Foods (Combination Case No. C-2023/03/1006)

The Commission, *vide* its order dated 03.04.2023, approved the proposed combination comprising the following steps: (i) Step 1: A demerger of the respective FMCG businesses of Haldiram Snacks Private Limited (HSPL) and Haldiram Foods International Private Limited (HFIPL) (currently housed under HSPL and HFIPL and their various associates/ subsidiaries) into a single company, i.e., Haldiram Snacks Food Private Limited (HSFPL), by way of a court approved scheme; and (ii) Step 2: The acquisition of 56% and 44% shareholding in HSFPL by the existing shareholders of HSPL and HFIPL pursuant to the demerger (collectively, 'Proposed Combination').

The HSPL is headquartered in Delhi and its operations are primarily run by Mr. Manohar Agarwal and Mr. Madhu Sudan Agarwal ('Delhi Family'). It is the flagship ultimate holding company of the Haldiram Delhi group. HSPL is engaged in the manufacturing and distribution of packaged food products in India, such as snacks, namkeen, sweets, ready-to-eat/pre-mix food, frozen food, biscuits, non-carbonated ready to drink beverages, pasta, etc.

HFIPL is headquartered in Nagpur, and its operations are primarily run by Mr. Kamalkumar Shivkishan Agarwal ('Nagpur Family'). It is the flagship entity of the Haldiram Nagpur group. HFIPL is engaged in the manufacture and distribution of packaged foods products such as snacks, namkeen, sweets, ready to eat/pre-mix food, biscuits, cookies, non-carbonated ready to drink beverages, pasta, dairy products, etc.

HSFPL is a newly incorporated entity that currently does not have any business activities or physical presence in India. Post the completion of the Proposed Combination, HSFPL would house the FMCG businesses of HSPL and HFIPL and would continue to sell the products as part of the FMCG business under the Haldiram trade name.

The FMCG business of HSPL and HFIPL of the Parties exhibited horizontal overlaps in the overall packaged food market in India and its narrower segments, namely, (a) snacks and its sub-segments, i.e., salted snacks and non-salted snacks; (b) sweets and its sub-segments, i.e., milk-based sweets, dry fruit sweets, and other sweets; (c) biscuits; (d) non-carbonated ready-to-drink beverages; (e) ready-to-eat meals; and (f) pasta and vermicelli.

> **IN A NUTSHELL**
>
> The Proposed Combination is related to packaged food products in India. The Parties exhibited horizontal relationship in the market for packaged foods in India, including its sub-segments. However, no AAEC found by the Commission.

Based on the submissions of the Parties, it was noted that the combined market share of the Parties was insignificant in the overall market for packaged food in India and its sub-segments both in overall and organised market, except in (a) snacks segment and its narrower sub-segment, salted snacks segment, and (b) sweets segment and its narrower sub-segments, namely, milk sweets segment and the other sweets segment. In the snacks segment, the combined market share was in the range of [5-10]% and [10-15]%, respectively, in the overall market and the organised market. Further, in the narrower salted snacks segment, the combined market share was in the range of [10-15]% in both the overall and the organised market. In the sweets market and its narrower sub-segments, namely, milk sweets segment and the other sweets segment, the combined market share was insignificant in the overall market and is in the range of [5-10]% in the organised market. Moreover, it was noted that there were other players present in the overall packaged food market in India (including all the sub-segments). Thus, the Commission was of the opinion that the Proposed Combination is not likely to have any appreciable adverse effect on competition (AAEC) in India.

The Commission approved the Proposed Combination u/s 31(1) of the Act.

CCI approves the merger of Credit Suisse Group AG with UBS Group AG (Combination Case No. C-2023/04/1024)

The Commission, *vide* its order dated 18.05.2023, approved the acquisition of Credit Suisse Group AG ('Credit Suisse') by UBS by way of an absorption merger, with UBS Group AG (UBS) being the surviving legal entity ('Proposed Combination').

UBS is a multinational investment bank and financial services company founded and based in Switzerland and active globally. UBS is the ultimate controlling entity for the group. UBS's businesses comprise wealth management, asset management, investment banking services, and retail and corporate banking. In India, UBS's business is primarily focused on brokerage services.

Credit Suisse is a multinational investment bank and financial services company founded and based in Switzerland. Credit Suisse is active globally, and its businesses comprise wealth management, asset management, investment banking services, and retail and corporate banking. In India, Credit Suisse's businesses comprise wealth management, investment banking, and financial market services.

The Parties exhibited overlap only in the 'market for brokerage services in India' ('Relevant Market'), a subset of the financial market services sector, which included the sub-segments of (a) brokerage services in cash/equity segment in India; and (b) brokerage services in equity derivatives segment in India.

Based on the submissions of the Parties, it was noted that the combined market share of the Parties as well as the incremental market share in the relevant market (including sub-segments) was insignificant. Further, the relevant market (including sub-segments) was characterised by the presence of other players. Thus, the Commission was of the opinion that the Proposed Combination is not likely to have any appreciable adverse effect on competition (AAEC) in India.

The Commission approved the Proposed Combination u/s 31(1) of the Act.

IN A NUTSHELL

- The Proposed Combination is related to the financial markets services sector.
- The Parties exhibited insignificant horizontal relationship, and no AAEC was found by the Commission.

Supreme Court holds that Coal India Limited falls under the purview of the Competition Act, 2002 (Coal India Ltd. & Anr. vs. Competition Commission of India & Anr. Civil Appeal 2845/2017)

In Case No. 88/2013 (Re: M/s Sai Wardha Power Company Ltd. And M/s Western Coalfields Ltd. & Anr.) the CCI held that Coal India Limited (CIL) has abused its dominant position and has thereby violated the provisions of the Act. The CCI order was upheld by the Competition Appellate Tribunal, New Delhi (COMPAT) in Competition Appeal (AT) 80/2014 *vide* its judgement dated 09.12.2016. CIL preferred a Civil Appeal 2845/2017 u/s 53T of the Act, against the aforementioned judgement of COMPAT before the Hon'ble Supreme Court of India. In the said appeal, CIL also filed an Interlocutory Application (IA), wherein CIL challenged the applicability of the Act on the CIL. In the meantime, in some related cases against CIL, the orders of CCI were appealed before the National Company Law Appellate Tribunal (NCLAT), where some of these matters are still pending. Further, CIL also filed Transfer Petitions to list these matters pending before the NCLAT to be decided by the Supreme Court. The matter on the aforementioned IA was heard by a bench of three judges of the Supreme Court.

The issue raised by the CIL in its aforementioned IA was that the CIL, being a monopoly created by a statute and duty bound to achieve the objects declared in Article 39(b) of the Constitution of India, cannot be bound by the Act. On the said issue, the CIL submitted that the mines operated by CIL had been nationalised pursuant to the Coal Nationalisation Act, 1973 ('Nationalisation Act'). CIL further contended that the Nationalisation Act envisaged that the mines would be operated as a monopoly in the national interest and that it would be wholly incongruous and self-contradictory to apply the principles of competition law to such a company.

CCI argued that there is no conflict between the Coal Nationalisation Act and the Competition Act. On behalf of CCI, it was pointed out that the object of the Act is to bring out a paradigm shift in the economic policy of the nation. It was also stated that there was no anomaly in a government company such as CIL being subject to the rigour and discipline of the Act. It was further pointed out that there is no challenge mounted to the vires of the Act by CIL and that it is not the law that such an entity as CIL can claim that its acts are placed beyond the pale of scrutiny by reason of the fact that the law under which they operate has been placed in the Ninth Schedule of the Constitution of India.

The Hon'ble Supreme Court, without dealing with the merits of the case and after evaluating the arguments of the both sides in the matter, *vide* judgment dated 15.06.2023, held that there is no merit in the contention of the CIL that the Act will not apply to CIL as it is governed by the Nationalisation Act, which cannot be reconciled with the Act. The Hon'ble Court further ordered that the transferred cases shall be sent back to the NCLAT so that they may be dealt with on their own merits.

Hon'ble High Court of Gujarat dismisses JK Paper's plea against CCI's *prima facie* order refusing to interfere with the investigation (JK Paper vs. CCI & Ors. SCA No. 12932/2019)

The Special Civil Application was filed before the Hon'ble High Court of Gujarat challenging the directions passed u/s 26(1) of the Act by the CCI investigation report dated 07.02.2019 prepared by the Office of the Director General, CCI; order dated 04.07.2019 rejecting the request of the petitioner to cross examine the informants; and order dated 02.05.2019, whereby the petitioner was directed to furnish certain documents and details and to make submissions on the quantum of penalty that may be levied in the event that the petitioner was held to have acted in contravention of the provisions of the Act.

After a detailed round of arguments by the parties, the judgement was pronounced on 03.04.2023, whereby the Gujarat High Court dismissed the Writ Petition, vacating the interim stay. Relying upon the judgement of the Apex Court in *CCI vs. SAIL (2010) SCC (10)744,* the Gujarat High Court observed that exercise of powers by the CCI u/s 26(1) of the Act are not adjudicatory in nature and the formation of *prima facie* opinion is only an administrative process that does not entail civil consequences. The Hon'ble High Court further relied upon the clarificatory order of the Supreme Court in *CCI vs. Coordination Committee of Artist,* wherein it was held that the determination of 'relevant market' is not a mandatory precondition for making assessment of the alleged violation u/s 3 of the Act. The Court accordingly dismissed the Writ Petition. The Hon'ble High Court also validated the DG investigation with respect to copier paper, even though the investigation u/s 26(1) was directed with respect to Maplitho and art paper.

ADVOCACY INITIATIVES

1. Shri Sukesh Mishra, Director (Law), judged the final round of the 1st CCI-Symbiosis Law School (SLS), Nagpur National Moot Court Competition, 2023, on 02.04.2023.

2. Shri Yogesh Kumar Dubey, Joint Director (Economics), judged the semi-final round of the 1st CCI-SLS, Nagpur National Moot Court Competition, 2023, on 02.04.2023.

3. Dr. Sanjay Kumar Pandey, Adviser (Advocacy Division), was the Chief Guest and panellist at the 1st CNLU National Conference on Anti-Trust Laws, 2023, organised by Chanakya National Law University (CNLU), Patna, on 07.04.2023.

4. Dr. Sanjay Kumar Pandey, Adviser (Advocacy Division), judged the final round of the 2nd CNLU-CCI National Moot Court Competition, 2023, organised by CNLU, Patna, on 08.04.2023.

5. Shri Arvind Kumar Anand, Joint Director (Economics), judged the semi-final round of the 2nd CNLU-CCI National Moot Court Competition, 2023, organised by CNLU, Patna, on 08.04.2023.

6. Shri Sachin Goyal, Joint Director (FA), addressed the students and faculty of MIT-World Peace University (MIT-WPU), Pune, on “Digital Market & Competition Law in India” on 08.04.2023.

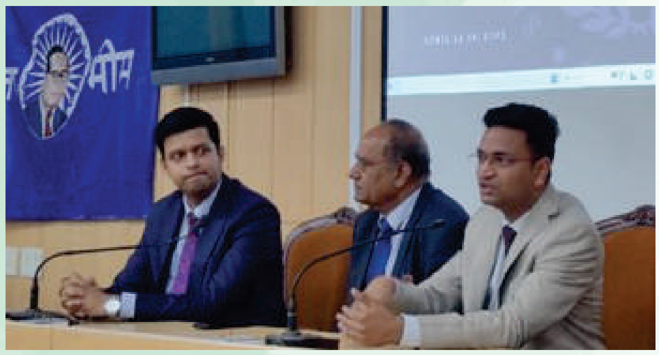
7. Shri Rakesh Kumar, Adviser (Research & Trend Analysis Division), judged the final round of the 1st CCI-CUSB National Moot Court Competition, 2023, organised by Central University of South Bihar (CUSB), Gaya, on 09.04.2023.

8. Ms. Sunaina Dutta, Joint Director (Law), judged the semi-final round of the 1st CCI-CUSB National Moot Court Competition, 2023 organised by CUSB, Gaya, on 09.04.2023.

9. Shri K. P. Anand, Joint Director (Law), SRO, CCI, delivered a lecture on “A General Overview of Competition Law in India” in the Competition Law Lecture Series organised by CMR University, Bengaluru, on 13.04.2023, through the virtual mode.

10. Shri Mohan Rao Ronanki, Director (Economics), judged the final round of the 2nd edition of the NALSAR-CCI Antitrust Moot Court Competition, 2023, organised by National Academy of Legal Studies and Research (NALSAR), Hyderabad, on 16.04.2023.

11. Shri Anuj Verma, Deputy Director (FA), judged the semi-final round of the 2nd edition of the NALSAR-CCI Antitrust Moot Court Competition, 2023, organised by NALSAR, Hyderabad, on 16.04.2023.



12. Dr. K. D. Singh, Director (Law), judged the final round of the 1st CCI-VSL Competition Law Moot Court Competition, 2023, organised by Vellore Institute of Technology, Andhra Pradesh (VIT-AP), University, Vijayawada, on 17.04.2023.

13. Ms. Pemala Lama, Deputy Director (Economics), judged the semi-final round of the 1st CCI-VSL Competition Law Moot Court Competition, 2023, organised by VIT-AP University, Vijayawada, on 17.04.2023.

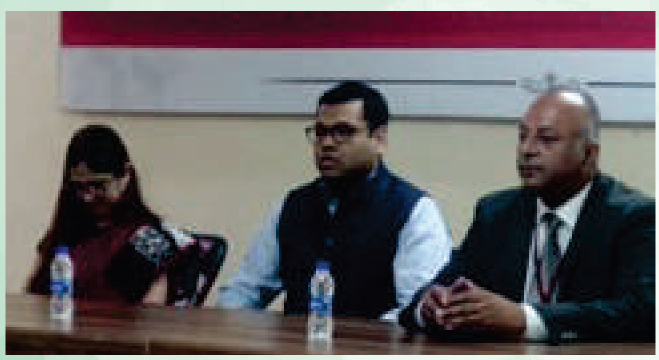
14. Shri Vipul Puri, Joint Director (FA), delivered a lecture on “Merger Control Regime in India” at University of Petroleum and Energy Studies (UPES), Dehradun, on 17.04.2023.

15. Shri Rajinder Kumar, Director (Economics) and I/c, WRO, CCI, inaugurated the Centre for Competition Law and Policy (CCLP) at Maharashtra National Law University (MNLU), Aurangabad, and delivered a lecture on the “Working of Competition Law in India-Journey So Far” on 17.04.2023.

16. Shri Yogesh Kumar Dubey, Joint Director (Economics), addressed the participants at Arun Jaitley National Institute of Financial Management (AJNIFM), on “Competition Issues in Public Procurement” on 19.04.2023.

17. Shri Rajinder Kumar, Director (Economics) and I/c, WRO, CCI, delivered a lecture on “Overview of the Competition Act, 2002 and its relevance for the Economy” at SKVM's Narsee Monjee Institute of Management Studies (NMIMS), Mumbai, Maharashtra, on 20.04.2023.

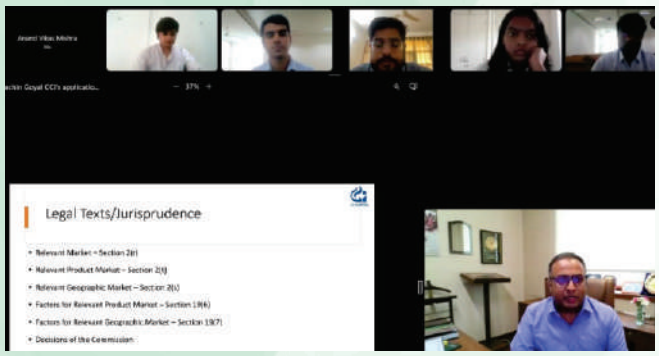
18. Shri Arpit Gupta, Deputy Director (Economics), addressed the participants at University Institute of Legal Studies (UILS), Chandigarh University, Mohali on “Overview and Working of Competition Commission of India” on 24.04.2023.



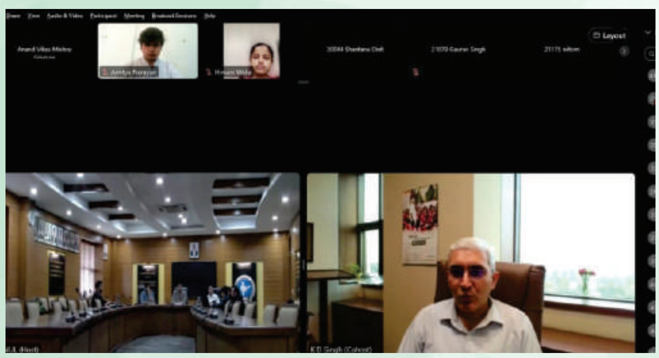
19. Dr. Sanjay Kumar Pandey, Adviser (Advocacy Division), addressed the participants on "Competition and Compliance in Enabling Business" in the India-Enabling Business of Future conference conducted by IIRIS Consulting Pvt. Ltd. at Hotel Le Meridian, New Delhi, on 27.04.2023.

20. Dr. Sangeeta Verma, the then Acting Chairperson, CCI was the Chief Guest and addressed the participants at the Special Session organised by the Merchant's Chambers of Commerce and Industry, Kolkata, on 28.04.2023 at Lalit Great Eastern Hotel, Kolkata.

21. Shri Sachin Goyal, Joint Director (FA), delivered a lecture on "The Delineation of Relevant Market in the Changing Contours of Market Dynamics" at the 2nd edition of the Two Credit Course on Corporate Laws and Practice organised by the Central for Business Laws & Taxation at Rajiv Gandhi National University of Law (RGNUL), Patiala, on 28.04.2023, through the virtual mode.



22. Dr. K.D. Singh, Director (Law), delivered a lecture on "Recent Amendments in the Competition Law and their Impact on Competition" at the 2nd edition of the Two Credit Course on Corporate Laws and Practice organised by the Central for Business Laws & Taxation at RGNUL, Patiala, on 28.04.2023 through the virtual mode.



23. Dr. Bidyadhar Majhi, Adviser (Antitrust Division-II), judged the final round of the CCI-DME National Moot Court Competition, 2023, organised by Delhi Metropolitan Education (DME), Noida, on 29.04.2023.

24. Shri Mukul Sharma, Joint Director (Economics), judged the semi-final round of the CCI-DME National Moot Court Competition, 2023, organised by DME, Noida, on 29.04.2023.

25. Ms. Jyotsna Yadav, Joint Director (FA), judged the semi-final round of the CCI-DME National Moot Court Competition, 2023, organised by DME, Noida, on 29.04.2023.

26. Shri K. P. Anand, Joint Director (Law), SRO, delivered a lecture on “Significance of Competition Law in New Age Markets with special reference to recent contextual Amendments to Competition Act, 2002” and “E-Commerce and Abuse of Dominance: Problems and Perspectives” organised by Dr. Ambedkar Govt. Law College, Puducherry, on 03.05.2023.

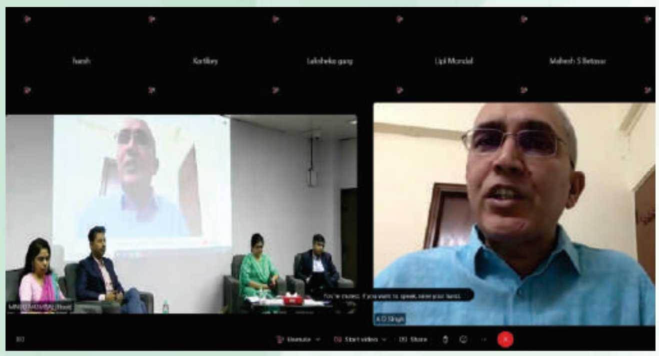
27. Ms. Sayanti Chakrabarti, Director (Economics) and I/c, ERO, CCI and Shri Anuj Verma, Deputy Director (FA), addressed participants at a workshop on competition law and its importance, jointly organised by CCI and Institute of Company Secretaries of India (ICSI), for company secretaries in Kolkata on 06.05.2023.

28. Shri Vipul Puri, Joint Director (FA), participated in the panel discussion on “IBC from the Regulators Perspective” at the IP Conclave organised by the Institute of Cost Accountants of India in New Delhi on 06.05.2023.

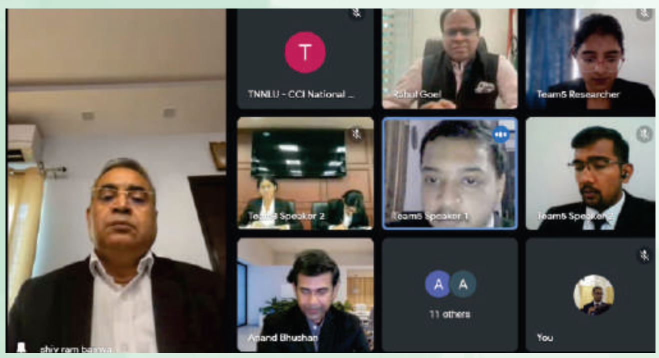
29. Ms. Bhawna Gulati, Joint Director (Law), delivered a lecture on "Competition Law in Digital Markets" at O.P. Jindal Global Law School, Sonipat, Haryana, on 08.05.2023.

30. Shri K. P. Anand, Joint Director (Law), SRO, delivered a lecture on "Conduct Enforcement (Anti-Competitive Agreements & Abuse of Dominance)" as part of the lecture series on competition law at the School of Law, Shanmugha Arts, Science, Technology & Research Academy (SASTRA), University, Thanjavur, on 12.05.2023.

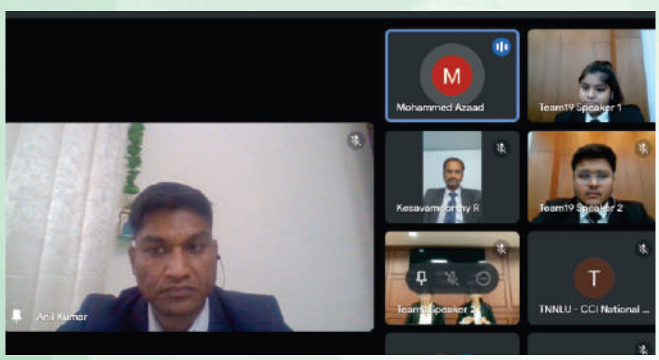
31. Dr. K.D. Singh, Director (Law), addressed students and faculty at the panel discussion on "Recent Competition Law Amendments: Antitrust, Digital Platforms & Combinations" organised by MNLU, Mumbai, on 13.05.2023 through the virtual mode.



32. Shri Shiv Ram Bairwa, Director (Law), judged the final round of the 5th TNNLU-CCI National Moot Court Competition, 2023, organised by Tamil Nadu National Law University (TNNLU), Tiruchirappalli, on 14.05.2023 through the virtual mode. He was the chief guest at the valedictory function of the moot.



33. Dr. Anil, Deputy Director (Economics), and Shri Arun Dhall, Deputy Director (Economics), judged the semi-final round of the 5th TNNLU-CCI National Moot Court Competition, 2023, organised by TNNLU, Tiruchirappalli, on 14.05.2023 through the virtual mode.



34. CCI celebrated its 14th Annual Day on 20.05.2023. Dr. M.S. Sahoo (Distinguished Professor, NLU Delhi; Former Chairman, IBBI; and Former Member, CCI) graced the occasion as the chief guest at the event and delivered a lecture on “The Rise of Regulatory State in India”.

35. Shri V. Sriraj, Joint Director (Law) & I/c, SRO, CCI delivered a lecture on “Regulation of Combinations under Competition Law” as part of the lecture series on competition law at the School of Law, SASTRA University, Thanjavur, on 22.05.2023.

36. Shri Rakesh Kumar, Adviser (Research and Trend Analysis Division), delivered a lecture on “Competition Compliance for Business” for the officers and employees of Bajaj Auto Limited on 24.05.2023 through the virtual mode.

37. Shri Anand Vikas Mishra, Joint Director (Law), addressed participants at AJNIFM, Faridabad, on “Competition Issues in Public Procurement” on 25.05.2023.

38. Shri Mukul Sharma, Joint Director (Economics), addressed participants on “Competition Issues in Public Procurement-Policy Perspectives” at the 13th Executive Development Program for Executives of CPSEs, organised by Standing Conference of Public Enterprises (SCOPE), on 26.05.2023 in New Delhi.

39. Shri V. Sriraj, Joint Director (Law) & I/c, SRO, CCI addressed participants on "Regulation of Combinations", and Shri K. P. Anand, Joint Director (Law), SRO, CCI addressed participants on "Anti Competitive Agreements and Abuse of Dominance" in the panel discussion on "Recent Amendments in Competition Act, 2002: Issues, Challenges and Development Prospects", organised by the Hindustan Chamber of Commerce, Chennai on 29.05.2023.

40. Shri Sachin Goyal, Joint Director (FA), addressed participants in the panel discussion on "Innovation, Digital Economy, & Competition Concerns: What is the Better Trade-Off for India?", organised by the Indian School of Public Policy, New Delhi on 03.06.2023.

41. Shri Arpan Sharma, Deputy Director (Law), delivered a lecture in a workshop on competition law and policy, organised by the Maharaja Agrasen Institute of Management Studies (MAIMS), New Delhi on 08.06.2023.

42. Shri K. P. Anand, Joint Director (Law), SRO, conducted a competition advocacy awareness session on "Competition Law & Its Importance to the Industry" at the Malabar Chamber of Commerce, Kozhikode, Kerala, on 12.06.2023.

43. Ms. Pemala Lama, Deputy Director (Economics), conducted a workshop on "Enforcement of Competition Law in India" at the Sikkim Government Law College, Gangtok, on 19.06.2023.

44. Shri Arvind Kumar Anand, Joint Director (Economics), addressed participants at AJNIFM, Faridabad, on “Competition Issues in Public Procurement” on 21.06.2023.

45. Dr. Anil, Deputy Director (Economics), participated in the Startup Governance National Conclave, organised by Indian Institute of Corporate Affairs (IICA) at New Delhi on 24.06.2023.

46. A total of 44 students underwent the internship programme at CCI in April, May and June 2023.

With Interns of April, 2023 batch.

With Interns of June, 2023 batch.

The Call for Papers for the 9th National Conference on Economics of Competition Law, scheduled to be held on 01.03.2024 (Friday) has been issued to economists, academicians, practitioners, scholars, experts, and others. For details, please visit www.cci.gov.in or scan QR code.

ADVOCACY WITH STATES

State	Resource Person(s)	Date	Organisation for which programme was conducted
Andhra Pradesh	Shri N.V. Ramana Raju	02.06.2023	Divisional Railway Manager, South Central Railways, Vijayawada
		30.06.2023	Office of Commissioner, District Gudivada
Assam	Shri Umesh Kumar and Shri Tanuj Goswami	03.04.2023	Department of Management Education, Kaziranga University
		19.04.2023	Directorate of Vigilance and Anti-Corruption, Guwahati
		24.04.2023	Office of Inspector General of Prisons, Guwahati
		26.04.2023	Directorate of Soil Conservation Guwahati
		09.05.2023	Office of Superintendent of Police, Nalbari District
		10.05.2023	Office of Superintendent of Police, Barpeta District
		11.05.2023	Council of Scientific and Industrial Research (CSIR)-North East Institute of Science and Technology, Jorhat
		19.05.2023	Amalgamated Plantations Pvt Ltd, Guwahati
		21.06.2023	Office of Superintendent of Police, District Sivasagar
		21.06.2023	Numaligarh Refinery Limited, District Golaghat
		28.06.2023	Police Department at the Office of Superintendent of Police, District Golaghat
		28.06.2023	Police Department at the Office of Deputy Commissioner of Police, District Golaghat
Himachal Pradesh	Shri Rangilu Ram Patyal	20.04.2023	The Himachal Pradesh State Co-operatives Wool Procurement and Marketing Federation Ltd (WOOLFED) and Directorate of Treasuries, Accounts and Lotteries, Shimla
		28.04.2023	Jal Shakti Vibhag, Mandi District
		08.05.2023	Himachal Pradesh State Cooperative Marketing and Consumer Federation Ltd, Shimla
		10.05.2023	Himachal Pradesh Housing and Urban Development Authority, Shimla
		13.06.2023	Himachal Pradesh State Industrial Development Corporation (HPSIDC) Ltd., Shimla
		20.06.2023	Directorate of Animal Husbandry, Pashudhan Bhawan, Shimla

Karnataka	Dr. M.N. Karur and Shri H. Prakash	26.05.2023	District Industries Centre, industrialists, and members of District Small Industries Association in Manipal, Udupi District
		26.05.2023	District Industries Centre, Kanara Industries Association of Baikampady Industrial Area, Mangaluru
		09.06.2023	Karnataka State Marketing Communication & Advertising Limited, Bengaluru
		28.06.2023	Karnataka Renewable Energy Development Ltd.(KREDL), Bengaluru
Kerala	Shri Krishnakumar K. N.	02.05.2023	Industry growth centre established by the Kerala State Industrial Development Corporation, Kinalur, Calicut
		23.06.2023	Various government departments, North Malabar Chamber of Commerce,and Kerala State Small Industries Association, District Kannur
Odisha	Shri Chudamani Seth and Shri Ananda Satpathy	18.04.2023	Council of Higher Secondary Education, Bhubaneswar
		26.04.2023	Office of Sub-Divisional Magistrate, Superintendent of Excise, Regulated Market Committee & Marketing Inspectors of Food & Consumer Welfare Departments, Child Development Project Office, Bargarh Distrct
		03.05.2023	SC & ST Development Department, Khordha
		12.06.2023	Madhusudan Das Regional Academy of Financial Management, Bhubaneswar
		17.06.2023	Industrial Development Corporation of Odisha Ltd., cement factory, Bardol
		09.05.2023	Madhusudan Das Regional Academy of Financial Management, Bhubaneshwar
		29.05.2023	Office of Principal Chief Conservator of Forests, Bhubaneswar
Puducherry	Dr. S. Vaitianadane	12.04.2023	Directorate of Economics and Statistics
Punjab	Shri Hussan Lal	05.04.2023	Department of Soil and Water Conservation, Chandigarh
		13.04.2023	Department of Horticulture, Chandigarh
Telangana	Shri R.C. Kumar and Shri V. Prasanna Kumar	20.04.2023	Women Development and Child Welfare Department, Hyderabad
		21.04.2023	ICAR - Indian Institute of Millets Research, Hyderabad
		24.04.2023	ICAR - Indian Institute of Oilseeds Research, Hyderabad
		28.04.2023	National Institute of Agricultural Extension Management, Hyderabad
		01.05.2023	Telangana State Information Commission (TSIC), Hyderabad
		05.05.2023	Endowments Department, Hyderabad
		27.05.2023	Micro, small and medium enterprises, Hyderabad
		30.05.2023	Veterinary and Animal Husbandry Department, Hyderabad

		06.06.2023	Electronics Corporation of India Limited, Hyderabad
		21.06.2023	New India Assurance Co. Ltd., Hyderabad
Uttarakhand	Shri Rajiv Rautela	10.04.2023	Uttarakhand Forest Development Corporation, Dehradun
		17.04.2023	IMS Unison University, Dehradun
		01.05.2023	Doon University, Dehradun
		02.05.2023	Uttaranchal University, Dehradun
		06.06.2023	Uttarakhand Power Corporation Limited, Dehradun
		12.06.2023	Directorate of Technical Education, Govt. of Uttarakhand and all Govt. Polytechnics under the Govt. of Uttarakhand
Uttar Pradesh	Shri Laxmi Shanker Singh	17.04.2023	Departments of Panchayati Raj, Animal Husbandry, Rural Development, Municipal Council, Health, Education, etc., Gorakhpur District
		18.04.2023	Departments of Panchayati Raj, Animal Husbandry, Rural Development, Municipal Council, Health, Education, etc., Deoriya District
		18.05.2023	Departments of Panchayati Raj, Animal Husbandry, Rural Development, Municipal Council, Health, Education, etc., Hardoi District
		19.05.2023	Departments of Panchayati Raj, Animal Husbandry, Rural Development, Municipal Council, Health, Education, etc., Fatehpur District
		14.06.2023	Departments of Panchayati Raj, Animal Husbandry, Rural Development, Municipal Council, Health & Education, etc., District Badaun
		28.06.2023	Departments of Panchayati Raj, Animal Husbandry, Rural Development, Municipal Council, Health, Education, etc., District Kasganj






INTERNATIONAL YOGA DAY

Yoga, as a precious gift of ancient India's wisdom, is an amalgamation of science, spirituality, and art, bestowing on those who commit to it the fruit of health, mind, body, and soul. This Indian tradition of the unity of energies is now celebrated globally, and with the declaration of 21 June as International Day of Yoga by the United Nations in 2014, the advantages of yoga have been duly recognised further.

In addition to being a form of exercise to achieve bodily fitness, yoga is also a tool for meditation and a means of connecting with the supreme energy source. It is now being practised worldwide for its benefits in the overall well-being of a person. The benefits of yoga are far-reaching and varied including, but not limited to, improved heart health, reduced stress levels, balanced blood pressure, good gastric and gut health, and advanced physical strength and improved posture.

Along with the world, CCI has been celebrating the power of yoga on 21 June every year since 2015 by conducting a special yoga session for its officers and staff. This year, CCI organised a yoga session at its premises on 21.06.2023 to celebrate the 9th International Day of Yoga under the supervision and guidance of experts of the field of yoga. Another separate session was conducted at the Office of Directorate General, CCI, at Bhikaji Cama Place.

Mrs. Ravneet Kaur, Chairperson, CCI; Dr. Sangeeta Verma and Shri Bhagwant Singh Bishnoi, Members, CCI; and other officers and staff of CCI and the O/o DG actively participated in the said sessions.




CAPACITY BUILDING

1. Ms. Varsha Bisht, Office Manager (CS), and Shri Naval Kishore, Office Manager (CS), attended a residential Management Development Program on Public Procurement (Basic), organised by Arun Jaitley National Institute of Financial Management (AJNIFM), Faridabad, held 10-15.04.2023.

2. The following sessions were delivered by CCI officers for 14 ITS (Group-A, Batch 2020) Probationers during a one-week training module on “Dispute Settlement and Competition Issues in Telecom” as part of their induction training at the National Telecommunications Institute for Policy Research, Innovation & Training (NTIPRIT), Ghaziabad, on 25.04.2023.

   - “Evolution of Competition Law and Market Regulation in India/Competition Act, 2002”, by Shri Vipul Puri, Joint Director (FA)
   - “Investigation Framework Under CCI”, by Ms. Bulbuli Richong, Deputy Director General
   - “Competition Issues in Telecom-Case Study”, by Shri Mohanrao Ronanki, Director (Economics)

3. CCI organised a half-day briefing session for 14 India Telecom Service (ITS) Group-A Probationers of Batch 2020 as part of a one-week training module as part of their induction training at the National Telecommunications Institute for Policy Research, Innovation and Training (NTIPRIT), Ghaziabad. Dr. Sangeeta Verma, then Acting Chairperson, CCI; Ms. Jyoti Jindgar Bhanot, Secretary (I/c), CCI and Adviser (Antitrust Division-I); and other senior officers interacted with the probationers during their visit to CCI on 26.04.2023

4. CCI organised a preliminary webinar of the Network of Indian Competition Experts (NICE) on 27.04.2023. This year's theme for research work under NICE is “Competition and Sustainability”. During the webinar, NICE members shared their preliminary views on the theme.

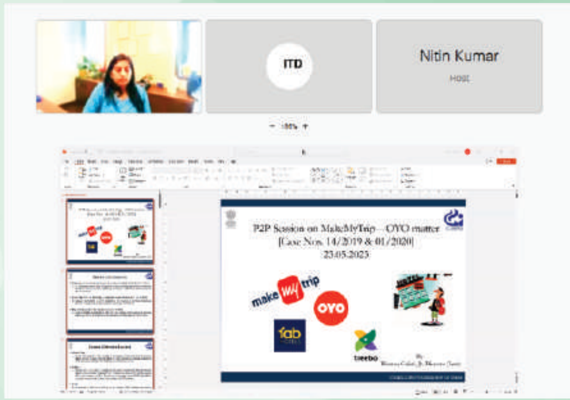
5. The 44th lecture under CCI's Distinguished Visitors Knowledge Sharing Series (DVKS) was delivered by Dr. Vandana Aggarwal, Former Senior Economic Adviser, on the topic “Investment and Regulatory Aspects of Deep-Sea Mining” for the officials of CCI & DG office on 28.04.2023.

6. The 40th lecture under CCI's Special Lecture Series (SLS) was delivered by Dr. Viral V. Acharya, C.V. Starr Professor of Economics, Department of Finance, New York University Stern School of Business, and Former Deputy Governor, RBI, on the topic “India at 75: Replete with Contradictions, Brimming with Opportunities, Saddled with Challenges” on 12.05.2023.

7. Shri Sanjoy Bhattacharya, Deputy Director General, attended a webinar on “Investigation of Dark Web and Challenges for Investigators”, organised by the North Eastern Police Academy (NEPA) on 15.05.2023.

8. Shri Sanjeeb Kumar Mishra, Deputy Director General, attended a webinar on “Open Source Tools”, organised by the North Eastern Police Academy (NEPA) on 24.05.2023.

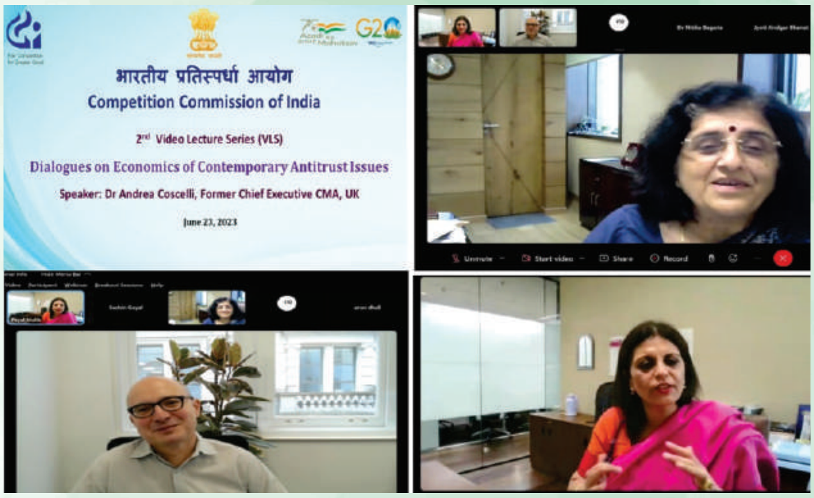
9. A virtual peer-to-peer (P2P) session was conducted by Ms. Bhawna Gulati, Joint Director (Law), on the topic "MakeMyTrip-Oyo Matter: Part II" Order passed by the Commission for the officers and professionals of CCI & O/o DG, CCI, on 25.05.2023.



10. A virtual peer-to-peer (P2P) session was conducted by Dr. K. D. Singh, Director (Law), on 08.06.2023 on key takeaways from the 70th Antitrust Law Spring Meeting, American Bar Association, attended by the officer on 06.04.2022, in Washington, USA, on behalf of CCI.

11. The 41st lecture under CCI's Special Lecture Series (SLS) was delivered on 16.06.2023 by Shri Aravind Maiya, Chief Executive Officer, Embassy Office Parks, on the topic "Real Estate Investment Trusts (REITs)".

12. The Economics Division, CCI, organized the 2nd lecture under its Video Lecture Series (VLS) on 23.06.2023. Dr Andrea Coscelli, Ex- Chief Executive, Competition & Markets Authority, United Kingdom, delivered a talk on “Economics of Contemporary Antitrust Issues”. Ms. Payal Malik, Adviser (Economics Division), CCI, made the opening remarks.



ENGAGING WITH THE WORLD

Participation of CCI in various international meetings/seminars/conferences, etc.

1. Dr. Sanjay Kumar Pandey, Adviser (International Cooperation Division), participated in the second round of the India Australia CECA Negotiations held on 18.04.2023 in Sydney, Australia.

2. Ms. Pemala Lama, Deputy Director (Economics), participated in the OECD/KPC competition law workshop on “Market Definition, Economic Analysis & Evidence in Abuse of Dominant Cases”, held 9-11.05.2023 in Seoul, Korea.

3. Ms. Jyoti Jindgar Bhanot, Secretary (I/c), CCI and Adviser (Antitrust Division-I) participated in the second International Conference of ICSI Overseas Centre, held 11-12.05.2023 in London, United Kingdom.

4. Shri V. Sriraj, Joint Director (Law) & I/c, SRO, CCI, participated in the 11th St. Petersburg International Legal Forum, held 11-13.05.2023 in St. Petersburg, Russia.

5. Shri Saurabh, Joint Director (Economics), participated in the 4th Arab Competition Forum, held 23-24.05.2023 in Riyadh, Saudi Arabia.

6. Dr. Sanjay Kumar Pandey, Adviser (International Cooperation Division); Dr. K. D. Singh, Director (Law); Dr. G. V. Siva Prasad, Additional Director General; Shri Shekhar, Director (FA); Ms. Neha Raj Kochhar, Joint Director (Law); Shri Vipul Puri, Joint Director (FA); Shri Mukul Sharma, Joint Director (Economics); and Ms. Bhawna Gulati, Joint Director (Law) shared their experiences in handling cases during a study tour organised for officers from the Competition Commission of Mauritius (CCM) on 05-07.06.2023 in New Delhi, India. The Secretary and all the advisers were also present during the Q&A session and the conclusion of the programme.

Mr. Deshmuk Kowlessur, Executive Director, Competition Commission of Mauritius presenting a memento to Mrs. Ravneet Kaur, Chairperson, CCI.

7. Shri Rakesh Kumar, Adviser (Research & Trend Analysis Division), participated in the OECD Competition Week June 2023, held 12-16.06.2023 in Paris, France.

8. Dr. Sanjay Kumar Pandey, Adviser (International Cooperation Division), participated in the 5th round of the India-EU FTA negotiations, held 21-23.06.2023 in New Delhi, India.

9. Five officers from CCI participated in a virtual OECD Workshop on Energy & Competition Policy, held 27-29.06.2023.

10. Dr. K.D. Singh, Director (Law); Shri Vipul Puri, Joint Director (FA); Shri Anand Vikas Mishra, Joint Director (Law); and Ms. Jyotsna Yadav, Joint Director (FA) participated in the Competition Policy Seminar, DG COMP, EU, held 26.06-07.07.2023 in Bruges, Belgium.

ECO-WATCH

Open Network for Digital Commerce

The Open Network for Digital Commerce (ONDC) Enclave was recently organised to commemorate the completion of a year of the ONDC, by bringing together participants and ecosystem players of the network. The ONDC is an open network developed on open protocols, enabling wide-scale participation by digital commerce ecosystem players in India through multiple gateways. The initiative has gained much traction among buyers and sellers alike, with the ONDC scaling up to 36,000 sellers, 45+ network participants, and 8+ categories, with a weekly average of 13,000+ retail orders and 36,000+ mobility rides per day, with peak transactions reaching 25,000 retail orders a day.

India's digital commerce industry has evolved and picked significant momentum over the last few years. It is expected that, by 2025, India could create a digital economy of USD 800 billion to USD 1 trillion (equivalent to 18–23% of the country's nominal GDP). In this context, the launch of the ONDC platform is a significant step towards the creation of a robust digital public infrastructure, the conception of which is pertinent for the projection of the Indian economy as a global power in the Information Age.

The transition of the fundamental structure of the e-commerce market from the current 'platform-centric model' to an 'open-network model' through ONDC has the capacity to foster competition in multifarious ways. For instance, the interoperable nature of the platform facilitates an 'unbundling' of services/elements in a transaction. This is characterised by the breaking down of a complex system into granular activities or micro services, which may allow the participatory economic agents to play to their strengths and unlock the value trapped within the ecosystem, thereby promoting competition through the achievement of economies of scale. Thus, the ONDC can eventually enable large-scale democratisation of digital commerce in India by providing a level playing field for large and small digital commerce applications and platforms and making buyers/sellers registered with them more visible and discoverable.

Unbundling of services through the ONDC ecosystem is expected to open up opportunities for market players to enhance the scope for innovation. The underpinning of an effective innovative process is the existence of a robust competitive market. Competitive market structures generate the need to adopt efficient production methods, thus leading to the development of innovative processes. The open network of ONDC is premised upon the core concepts of decentralisation, openness, and greater user utility. As a result, the network will encourage competition through innovation and adoption of technology.

Further, the creation of the ONDC platform may promote new entry. Existence of a single network wherein both buyers and sellers can interact irrespective of their size and capacity reduces impediments to entry by lowering the costs required to maintain separate infrastructure and processes for different platforms, a lacunae which limits flexibility and diversity in participation. Also, a single platform wherein both buyers and sellers interact will aid in the reduction of customer acquisition costs. Low barriers to entry provide a fillip to competition and result in more efficient market outcomes. Moreover, the reduction in costs is expected to not only encourage new entry but also support the creation of more startup enterprises and the promotion of grassroots-level entrepreneurship by digitising small, local retailers and mainstreaming them in India's e-commerce revolution.

The genesis of the ONDC has the potential to curb anti-competitive activities and monopolistic behaviour in the e-commerce segment. Small businesses would be able to use any ONDC-compatible applications instead of being governed by specific platform-centric policies. This will provide multiple options to small businesses to be discoverable over the network and conduct business.This will have the potential of shifting market power from intermediaries to customers, merchants, and providers of goods/services. Therefore, practices like lack or absence of platform neutrality, rendering preferential treatment to selected sellers, deep discounting, non-transparent search rankings, misuse of user data, abuse of market dominance, etc., may eventually subside.

Digital commerce has considerable scope for growth in India, which has around 700 million internet users. Moreover, India has already demonstrated digital adoption across UPI payments as well as content consumption. Now, with the shift in the e-commerce paradigm from an operator-driven monolithic, platform-centric model to a facilitator-driven, interoperable decentralised network through the introduction of ONDC, India could establish inclusive and competitive marketplaces, creating choice and opportunity for everyone, by everyone.

DEVELOPMENTS IN OTHER JURISDICTIONS

GERMANY:
The Bundeskartellamt

Apple subject to provisions for large digital companies under Section 19a German Competition Act (GWB)

The Bundeskartellamt decided that Apple Inc., based in Cupertino, USA, is an undertaking of paramount significance for competition across markets. Apple and its subsidiaries are thus subject to extended abuse control pursuant to Section 19a of the GWB.

Section 19a GWB came into force in 2021, as part of an amendment to the German competition act. In a two-step approach, the Bundeskartellamt can prohibit companies that are of paramount significance for competition across markets from engaging in anti-competitive practices.

Apple has an economic position of power across markets. Based on its mobile end devices such as the iPhone, Apple operates a wide-ranging digital ecosystem which is of great importance to competition not only in Germany, but throughout Europe and the world. With its proprietary products iOS and the App Store, Apple holds a key position for competition as well as for gaining access to the ecosystem and Apple customers. This decision enables the Bundeskartellamt to proceed against and effectively prohibit anti-competitive practices.

With regard to specific practices employed by Apple, the Bundeskartellamt is examining Apple's tracking rules and the App Tracking Transparency Framework in another proceeding. In particular, the authority is looking into the initial suspicion that these rules could favour Apple's own offers and/or impede other companies.

EUROPEAN COMMISSION: DG for Competition (EC)

EC simplified Merger Regulations by further cutting red tape for merging businesses

The EC has simplified its procedure to review market concentration under the European Union (EU) Merger Regulation. In furtherance of the same, the EC has adopted a package that consists of the following documents ('Package'):

(i) Merger Implementing Regulation ('Implementing Regulation')

(ii) Notice on Simplified Procedure ('Notice')

(iii) Communication on the transmission of documents ('Communication')

The Package seeks to simplify and expand the scope of EC's review process in relatively simple cases. It also seeks to reduce the amount of information required for notifying transactions in all cases and to optimise the transmission of documents. The following changes have been brought in by the Package:

(i) The Notice identifies two new categories of cases that can benefit from simplified treatment:

a. The individual or combined upstream market share of the merging parties is below 30%, and their combined purchasing share is below 30%; and

b. The individual or combined upstream and downstream market shares of the merging parties are below 50%, the market concentration index ('HHI delta') is below 150, and the company with the smallest market share is the same in the upstream and downstream markets.

(ii) The Notice grants the EC the discretion to treat certain cases under the simplified procedure even if they do not fall under any of the default categories.

(iii) The Notice also provides a clearer and more detailed list of circumstances in which the Commission may investigate a case that technically qualifies for simplified treatment under the normal review procedure.

(iv) The Implementing Regulation introduces a new notification form ('tick-the-box' short form) for simplified cases, which has simplified the process. The form clarifies information on waiver possibilities, introduces tables for information on affected markets, and eliminates certain information requirements.

(v) The Communication seeks to optimise the transmission of documents to the EC by introducing default electronic notifications.

The EC clears acquisition of Activision Blizzard by Microsoft, subject to conditions

The EC has approved, under the EU Merger Regulation, the proposed acquisition of Activision Blizzard ('Activision') by Microsoft. The approval is conditional on full compliance with the commitments offered by Microsoft.

The EC's preliminary investigation found that Microsoft could harm competition:

(i) in the distribution of console and PC video games, including multi-game subscription services and cloud game streaming services; and

(ii) in the supply of PC operating systems.

The market investigation further indicated that Microsoft would not be able to harm rival consoles and rival multi-game subscription services. At the same time, it confirmed that Microsoft could harm competition in the distribution of games via cloud game-streaming services and that its position in the market for PC operating systems would be strengthened.

To address the competition concerns identified by the Commission, Microsoft offered the following comprehensive licensing commitments, with a 10-year duration:

(i) A free licence to consumers in the European Economic Area (EEA) which would allow them to stream, via any cloud game-streaming service of their choice, all current and future

Activision Blizzard PC and console games for which they have a licence.

(ii) A corresponding free license to cloud game streaming service providers to allow EEA-based gamers to stream any Activision Blizzard PC and console games.

(iii) Activision's games available for streaming will have the same quality and content as games available for traditional download.

UNITED KINGDOM: Competition and Market Authority (CMA)

New bill to promote competition in digital markets

CMA is working on the Digital Markets, Competition and Consumers Bill, which will enhance the CMA's ability to promote competition and protect consumers, including new powers for its Digital Markets Unit. The bill has three areas of focus: consumer protection, competition, and digital markets. The bill establishes a new, targeted regime for digital markets that will be overseen by the Digital Markets Unit in the CMA, which will use a proportionate approach to hold digital firms accountable for their actions, thus enabling innovating businesses to compete fairly.

CMA provisionally finds five banks to have broken competition law on UK bonds

The CMA provisionally found five major banks, i.e., Citi, Deutsche Bank, HSBC, Morgan Stanley, and Royal Bank of Canada, to have unlawfully shared competitively sensitive information by participating in one or more series of one-to-one conversations in chatrooms between the years 2009 and 2013. The case was alerted on a leniency application filed by Deutsche Bank, and Citi has agreed to enter into a settlement agreement.

CMA found that information exchanges took place in one-to-one Bloomberg chatrooms between a small number of traders who worked at the banks and related to the buying and selling of UK government bonds, specifically, gilts and gilt asset swaps. This included details on pricing and other aspects of their trading strategies. By this alleged conduct, the banks involved in these arrangements could have denied the full benefits of competition to those they traded with, including, among others, pension funds, the UK Debt Management Office (which sells gilts by auction), and ultimately, HM Treasury and UK taxpayers.

KOREA: Korea Fair Trade Commission (KFTC)

KFTC sanctions Google for anti-competitive conduct in the app market

KFTC has decided to impose a tentative fine of 42.1 billion won on the grounds that Google had prevented mobile game developers from publishing games via competing app marketplace Onestore and undermined fair competition.

Google is an overwhelmingly dominant player in the Android app store market and its app store, Google Play, is very important for generating mobile game revenues. Based on such power, Google required game companies to exclusively release their games on Google Play for their content to be featured on the app store.

Google engaged in such practice from June 2016 till April 2018, when KFTC launched an investigation, imposing the requirements not only on big game companies-the so-called 3N [Netmarble, NEXON, and NCsoft]-but also small and mid-sized companies in the mobile game market. As a result, the relatively new Onestore faced difficulties attracting new games, which directly hit its revenues, while Google was able to further entrench its dominance.

UNITED STATES: United States Department of Justice (USDoJ)

The USDoJ issues statements on district court ruling enjoining American Airlines and JetBlue's Northeast Alliance

The U.S. District Court for the District of Massachusetts ruled in favour of the US DoJ and the attorneys general of six states and the District of Columbia in their civil antitrust lawsuit to stop the Northeast Alliance between American Airlines and JetBlue.

The DoJ sued to stop American Airlines and JetBlue from continuing the Northeast Alliance-a series of agreements between American Airlines and JetBlue, through which the two airlines have consolidated their operations in Boston and New York City.

The court ruled that the decision of JetBlue and American Airlines to stop competing in Boston and New York, where they are major players, violated Section 1 of the Sherman Act, because it increased fares and reduced choices for American travellers in many domestic markets for scheduled air-passenger service.

JAPAN:
Japan Fair Trade Commission (JFTC)

Japan Fair Trade Commission (JFTC) issues a warning to petroleum products retailers that operate gas stations

Recently, the JFTC issued a warning to SAN-AI Retail Services Co., Ltd. (SAN-AI Retail Service), and likewise issued cautions to four petroleum retailers (six gas stations) operating in Tsuchiura city, Ibaraki Prefecture.

In this case, SAN-AI Retail Service supplied regular gasoline at a relatively low price for a tenure of 36 days continuously, precisely from 31.01.2023 to 07.03.2023. The price at which regular gasoline was supplied was unreasonably below the costs required for supply, thus being likely to cause difficulties to other petroleum products retailers of the surrounding areas in terms of business activities.

Thereby, as per a JFTC press release, SAN-AI Retail Service was likely violating the provisions of Article 19 (Unjust Low Price Sales [Article 2 – 9 (3)]) of the Antimonopoly Act. In view of the same, the JFTC issued a warning to SAN-AI Retail Service.

Further cautions were given to four petroleum product retailers (six gas stations) in Tsuchiura city as they also supplied regular gasoline at a price that was in line with SAN-AI Retail Service for a few days, in addition to the above-mentioned period, and thus it was likely to lead to unjust low-price sales.

MAURITIUS:
Competition Commission of Mauritius

The Competition Commission of Mauritius imposes fines totalling MUR 1.4 million on five producers of deer/venison

It has been determined by the Commissioners of the Competition Commission of Mauritius that five producers of deer, namely Agri Ltd, Medine Ltd, Alteo Agri Ltd, Constance La Gaiete Co Ltd, and Ferney Limited, breached Section 41 of the Competition Act 2007 ('Act'), as they agreed to fix the price at which they supply deer/venison to a meat processor in Mauritius.

In this case, an investigation was initiated by the Executive Director of the Competition Commission into the supply of deer/venison by six producers, namely, Alteo Agri Ltd, Agria Ltd, Constance La Gaiete Co Ltd, Medine Ltd, Ferney Limited, and Societe de Palmyre. The main issue in this investigation was whether the producers were part of collusive agreements to fix their selling price at the time of supplying meat to Panagora Marketing Co. Ltd ('Panagora'), an enterprise that operates as a meat processor and wholesale distributor in the supply of venison.

Initially, the investigation revealed that five producers, namely Agria, Alteo, Constance, Medine, and Ferney, discussed a common price through the trade association which re-groups them, i.e., Mauritius Deer Farming Cooperatives Society (MDFCS), and used the latter as a platform to engage in negotiations with Panagora for the supply of the venison.

When MDFCS was dormant in 2014, the members of the cooperative society pursued the collective supply to Panagora. During this period, the parties, on a yearly basis, agreed upon a common price to be offered to Pangora. Thus, it was concluded through the investigation that the parties were part of a collusive agreement that is prohibited u/s 41 of the Act. The Societe de Palmyre had exited the market in 2012, and thus, was not concerned with the finding of breach.

In view of the above-mentioned findings, the Executive Director suggested that financial sanctions be imposed in accordance with section 59 of the Act and direction be imposed upon the five parties requiring them, *inter alia*, to cease their infringements. When recommending sanctions, the Executive Director took the cooperation of the parties into consideration favourably as a mitigating element.

Lastly, considering the above-mentioned findings by the Executive Director, the Commission concluded that the investigation report illustrates that the five parties had agreed among themselves to apply for common price fixing agreements, thus infringing Section 41(1)(b)(i) of the Competition Act, as such an agreement among the parties considerably prevents, restrict, or alters competition in the market.

Thus, the parties have been instructed by the Commissioners to immediately stop working together on pricing when supplying to Panagora or any other party and to refrain from engaging in any act or behaviour that involves discussing pricing or sharing information about the price of deer meat supply alongside imposed financial penalties to the companies.

KNOW YOUR COMPETITION LAW

Commitment and Settlement

The Competition (Amendment) Act, 2023 ('Amendment Act'), introduces the concept of settlements and commitments under sections 48A and 48B of the Act respectively. The said framework has been brought about with the aim of reducing litigation.

Section 48A of the Act states the settlement framework, wherein any enterprise can submit an application in writing to the Commission for the settlement of the proceeding initiated u/s 26(1) of the Act for contravening the provision of section 3(4) or section 4 of the Act. The said application may be submitted at any time after the receipt of the report of the Director General u/s 26(4) of the Act but prior to such time before the passing of an order under section 27 or section 28 of the Act, as may be specified by regulations. The Commission may, after taking into consideration the nature, gravity, and impact of the contraventions, agree to the proposal for settlement on payment of such amount by the applicant or on such other terms and manner of implementation of settlement and monitoring as may be specified by regulations. Further, the Commission, while considering the proposal for settlement, shall provide an opportunity to the party concerned, the Director General, or any other party to submit their objections and suggestions, if any. If the Commission is of the opinion that the settlement offered is not appropriate in the circumstances, or if the Commission and the party concerned do not reach an agreement on the terms of the settlement within such time as may be specified by regulations, it shall, by order, reject the settlement application and proceed with its inquiry u/s 26 of the Act. The order passed by the Commission under this section will not be appealable u/s 53B of the Act. All settlement amounts realised shall be credited to the Consolidated Fund of India.

Under section 48B of the Act, a commitment framework is stated wherein any enterprise may submit an application in writing to the Commission for the proceeding initiated u/s 26(1) of the Act for contravening the provisions of section 3(4) or section 4 of the Act. The said offer for commitments may be submitted at any time after an order u/s 26(1) of the Act has been passed by the Commission but within such time prior to the receipt by the party of the report of the Director General u/s 26(4) of the Act as may be specified by regulations. The Commission may, after taking into consideration the nature, gravity, and impact of the alleged contraventions and effectiveness of the proposed commitments, accept the commitments offered on such terms and the manner of implementation and monitoring as may be specified by regulations. If the Commission is of the opinion that the commitment offered is not appropriate in the circumstances, or if the Commission and the party concerned do not reach an agreement on the terms of the commitment, it shall pass an order rejecting the commitment application and proceed with its inquiry u/s 26 of the Act. The order passed by the Commission under this section will not be appealable u/s 53B of the Act.

HR CORNER

A. Joining of new Chairperson, CCI:

Mrs. Ravneet Kaur assumed the charge of Chairperson, CCI, w.e.f. 23.05.2023.

B. Advertisement for recruitment:

A fresh vacancy circular was issued on 07.06.2023 to invite applications to fill the post of Secretary, CCI, on deputation/promotion basis. The last date prescribed for receipt of applications is 07.08.2023.

C. Selections on deputation basis in CCI:

Selection of 01 candidate for the post of Assistant Director (IT) and 04 candidates for the post of Office Manager (CS) in CCI on deputation basis was made and offers of appointment issued to the candidates selected in April 2023.

D. Joining on deputation basis in CCI:

1. Shri Compton Mandal joined as Office Manager (CS) w.e.f 27.04.2023 (A/N)
2. Shri Amod Kumar joined as Office Manager (CS) w.e.f 02.05.2023 (A/N)
3. Ms. Savita joined as Office Manager (CS) w.e.f 04.05.2023
4. Shri Ganesh Dutt joined as Office Manager (CS) w.e.f 15.05.2023 (A/N)
5. Shri Atul Kumar Yadav joined as Assistant Director (IT) w.e.f. 15.06.2023

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

1. Dr. Atul Verma, Director General, CCI, w.e.f. 01.06.2023 to 31.08.2023
2. Ms. Payal Malik, Adviser (Economics Division), w.e.f. 27.04.2023 to 26.04.2024
3. Shri Nilotpal Bal, Joint Director General, w.e.f. 24.03.2023 to 23.03.2024
4. Smt. Savitri Baburao Kore, Joint Director General, w.e.f. 30.04.2023 to 29.04.2024
5. Shri D.S. Kakkar, PPS, w.e.f. 01.06.2023 to 30.06.2024
6. Shri Jayant Kumar, Assistant Director (CS), w.e.f. 08.04.2023 to 31.12.2023
7. Shri Arun T, Office Manager (F&A), w.e.f. 01.07.2023 to 30.06.2024
8. Shri Vikrant, Office Manager (CS), w.e.f. 03.07.2023 to 02.07.2024
9. Shri Dheeraj Malhotra, Office Manager (CS), w.e.f. 23.07.2023 to 31.12.2023

F. **Relieving from CCI and DG's Office:**

1. Shri Manish Mohan Govil, Adviser (Combination Division), w.e.f. 15.05.2023
2. Shri Rishi Dev Verma, Deputy Director General, w.e.f. 01.05.2023
3. Shri Sunil Varghese, Office Manager (CS), w.e.f. 12.05.2023
4. Shri Kuldeep Kumar, Office Manager (CS), w.e.f. 15.05.2023 (F/N)
5. Shri Nilotpal Bal, Joint Director (Economics), w.e.f. 31.05.2023, to join AIIMS Patna on deputation
6. Shri Pankaj Azad, Office Manager (F&A), w.e.f. 01.06.2023 (F/N), to join FSSAI on deputation
7. Shri Sidharth, Assistant Director (CS), w.e.f. 30.06.2023
8. Shri Amod Kumar, Office Manager (CS), w.e.f. 30.06.2023

G. **Engagement of Young Professionals/Experts:**

10 Young Professionals (7 Law, 2 Economics & 1 IT) joined CCI on contract basis.

Dr. M.S. Sahoo, Distinguished Professor, NLU Delhi, and Former Chairman, IBBI, the chief guest, along with Dr. Sangeeta Verma, then-Acting Chairperson, CCI, Sh. Bhagwant Singh Bishnoi, Member, CCI, and CCI Officers on the 14th Annual Day of CCI on 20.05.2023.

Competition Commission of India
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Please visit www.cci.gov.in for more information about the Commission. For any query/comment/suggestion, please write to advocacy@cci.gov.in

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