





January-June 2010

S.No.	Date	News/Abstract	Comment
1.	Jan 26, 2010	<p><u>Competition Commission of India: A game changer?</u> (Arvind Panagariya)</p> <ul style="list-style-type: none"> - Customer petitioned the CCI to intervene on his behalf against prepayment penalty on a loan imposed by a creditor bank. For years, customers had complained for the same to the RBI. RBI feared the entry of the CCI as a competing regulatory agency and wanted to pre-empt it by announcing its intention to end prepayment penalties. The introduction of CCI has created tensions amongst the other regulatory agencies. - From an economic standpoint, the advent of the CCI is the most important reform because through its wide powers, given under Competition Act, it can enforce efficiency and competition. - The article discusses about the role of CCI in antidumping area, agriculture and anti-competitive practices of the government. <p>http://articles.economictimes.indiatimes.com/2010-01-26/news/27626620_1_prepayment-competition-act-cci</p>	
2.	Mar 20, 2010	<p><u>Helpless Spectator</u> (by John Samuel Raja D)</p> <ul style="list-style-type: none"> - India's Competition Commission can do little to combat unfair trade practices. It needs more powers if it is to unearth them and punish violators. - For the faith to be placed, the council members need to speedily probe cases and pronounce verdicts. But only a few cases have been prosecuted, and not a single decision has been taken thus far. If the CCI hopes to be as successful as its anti-trust counterparts in other large economies, it needs to have the same power and independence. Until it gets that, it will be like many other regulators in India: a paper tiger. <p>http://business.outlookindia.com/article.aspx?264609</p>	
3.	April 2, 2010	<p><u>Contractors demand steps to control cement price</u></p> <ul style="list-style-type: none"> - Kerala Government Contractors' Association has demanded the State government to take up the issue with the CCI. <p>http://www.thehindu.com/todays-paper/tp-national/tp-kerala/article742912.ece</p>	
4.	Jun 29, 2010	<p><u>Corporate houses keep CCI busy</u> (By Joe C Mathew)</p> <ul style="list-style-type: none"> - Questions like can the government-approved certification of quality — lead to abuse of a dominant position? Will an adverse TV rating of a newly released movie be seen as anti-competitive? are keeping CCI busy these days. - CCI, whose powers were notified on May 20, 2009, has so far disposed of 19 cases out of a total of 94. While 50 of these cases were transferred to CCI from the erstwhile MRTPC, 44, including the above ones, were directly taken up by CCI during the last eight to nine months. 	

5.	Jun 29, 2010	<p>http://www.business-standard.com/india/news/corporate-houses-keep-cci-busy/399770/</p> <p>SC starts CCI hearing; decision likely to have bearing on future of competition law (By Nikhil Kanekal and Sangeeta Singh)</p> <ul style="list-style-type: none"> - The main question is whether CCI should hear parties at the preliminary stage, after a complaint is filed. It currently doesn't, and unilaterally decides whether the complaint merits investigation. Only after the investigation is the company or the organization being investigated given a chance to be heard. - Investigation—launched without giving the company concerned an opportunity to be heard - “This comes closest to the European model where you (CCI) don't interfere, but you are watchful,” said Subramaniam. Salve took a slightly removed position from Subramaniam. - Salve asked the court to define the way the commission must work. He said that a full hearing at the inquiry stage was not desirable, but a “preliminary conference” by CCI could be a suitable remedy for the present problem. <p>http://www.livemint.com/2010/07/28235021/SC-starts-CCI-hearing-decisio.html</p>	☹
6.	Jun 29, 2010	<p>CCI to post-mortem cashless mediclaim issue soon (By Ronojoy Banerjee)</p> <ul style="list-style-type: none"> - The CCI may take up the case for consumers who have been hit hard due to the new arrangement entered into by leading insurance companies. In the new arrangement, the insurance companies will stop making direct payments to hospitals on behalf of their policy holders—a pre-requisite as per the cashless mediclaim policy they offer. - Earlier this month, leading insurance companies that provide mediclaim policies withdrew the cashless arrangement with all major hospitals. - Under the Competition Act, CCI is empowered to take up suo moto cases and if enough evidence is found can even order an investigation. - MM Sharma, head, competition law practice at Vaish Associates, said there appears to be two fronts: <ul style="list-style-type: none"> - There is unfair trade practice as insurance companies' withdrew the policy in first place. <ul style="list-style-type: none"> ▪ If all insurance companies withdrew policy, there appears a coordinated behaviour on their part. ▪ While CCI is yet to pass the final verdict on any of the cases, it has already earned the reputation of being a watchful regulator to safeguard consumer interests. <p>http://www.financialexpress.com/news/cci-to-postmortem-cashless-mediclaim-issue-soon/653051/0</p>	☺