

## **Competition Commission of India through the eyes of the media: Doing well!**

This article by CUTS International attempts to present a holistic picture about the performance of the Competition Commission of India (CCI), on the basis of reports in the print media, since it became fully functional in 2009. Much of the reporting is positive, while some is negative. But this does not mean that it can rest on its laurels. Many of its orders are under appeal at various stages, and the final verdict will show where the CCI stands. The article brings to light the extensive work that has been done by CCI, highlights possible concerns with its work and gives out few suggestions for its strengthening.

The years 2009-12 seemed lucky for the CCI but unlucky for some others at the same time. The CCI became fully operational for the first time in 2009. CCI is the enforcement agency for India's Competition Act, 2002 which has replaced the Monopolies and Restrictive Trade Practices Act, 1969. It has more teeth and powers in addition to giving out cease and desist orders such as the power to impose penalties and issue injunctions.

In a little over three years, CCI has been coming down heavily on companies across all sectors. The mission of the CCI is to eliminate anti-competitive practices, such as cartels and abuse of dominance, as well as check anti-competitive mergers and takeovers to protect the interest of consumers and achieve economic efficiency. Apart from this, competition advocacy is another mandate on the CCI agenda. CCI has been actively probing sectors like real estate, entertainment, cement, petroleum, steel, travel industry, healthcare and education. At present, it is reportedly looking into 39 cases of violation of anti-competitive norms under the Competition Act, 2002. However, it has been poor in its policy advocacy functions. Though seminars and workshops are also advocacy in the understanding of CCI. They can create awareness mainly, but promoting the competition culture needs much more including challenging policies and practices which harm the competition culture. During the time 2003-08 when it had just one Member without any enforcement powers, it was quite active in its policy advocacy in many cases, such as shipping, banking, post office issues etc.

In any event, the CCI has been trying to act as a deterrent by instilling fear of hefty penalties amongst large companies that flout the competition provisions in order to create monopoly and dictate market prices that earn them huge rents. CCI has also impacted the way regulatory agencies behave. For example, for years, customers had complained about pre-payment penalties to the RBI. However not much had been done to address the matter. When customers took the matter before the CCI, RBI fearing CCI's entry as a competing regulatory agency pre-empted it by announcing its intention to end prepayment penalties. Similar impact has been seen amongst other regulatory agencies. However here there is always the downside of resulting turf wars between the CCI and the sectoral regulators that gives rise to problems of forum shopping and

difficulties in arriving at a solution which is agreeable to both. Recently, CUTS International undertook a study to address conflicts arising from jurisdictional overlaps between Competition and Sector Regulatory Authorities, which is available at:

[http://cuts-ccier.org/pdf/Harmonising\\_Regulatory\\_Conflicts.pdf](http://cuts-ccier.org/pdf/Harmonising_Regulatory_Conflicts.pdf)

In 2011, CCI imposed a penalty of Rs. 55.5 crores on the National Stock Exchange for abusing its dominant position in the currency derivatives market. Similarly, it imposed a penalty of Rs 630 crores on DLF for abusing its dominant position by drafting one sided agreements with buyers. This case is pending before the Competition Appellate Tribunal. Just recently in 2012, CCI fined 11 cement firms Rs. 6300 crores for cartelisation. Further, CCI has recently taken up an investigation against Google based on a preliminary information report by NGO, CUTS International. Businesses have complained that Google has internal mechanisms that favour large websites which do paid marketing with them. Google gives them higher ranking for certain keywords even though relevancy may be low, based on their ad spend. Matchmaking portal Bharat Matrimony has sued Google along with its rivals Shaadi.com and Jeevansathi.com in connection with the Google advertising programme.

These investigations have given hope for the future and have acted as some sort of a deterrent for companies across sectors. Nonetheless, CCI orders have often been criticised for being lacking in economic reasoning which was the case found with NSE as well as DLF. The reasoning employed to define the relevant market, the preliminary step of any competition analysis has been a subject of much debate in these cases.

Furthermore, the penalties imposed by the CCI have been found to be excessive in the absence of proper guidelines for arriving at the appropriate amounts. In an interview with Mint, a business daily, Pallavi Shroff, Partner, Amarchand and Mangaldas, points out couple of glitches in the CCI's policy of imposing penalties. She emphasised on the use of sophisticated tools and economic tools of investigation and a set guidelines for fining which is the case with many other countries. Globally countries have a formula of calculating the appropriate fine amount which CCI needs to put in the system. Similarly Pradeep Mehta, Secretary General, CUTS International, has suggested ways to empower the CCI which includes re-examination of procedure for selecting members, amendments enabling CCI to work in an autonomous manner and to resolve overlapping issues between the CCI and sector regulators permanently.

Some lacunae in the Competition Act itself need to be rectified as they impair the effective functioning of the CCI. Section 26 of the Act does not have any provision for the CCI to close a case if the Director-General's report recognises a contravention of the Act. On receiving a case, the CCI directs the Director-General to initiate an investigation into the allegations on which the DG needs to submit a report within a specified period of time. Based on the report, the CCI starts hearing the affected parties. Only after completing its own proceedings does the CCI pass a final order as it deems fit. However, nowhere does the Act facilitate the CCI to close a case if the DG has found a contravention in its report. The whole situation has been widely criticised as against *audi alteram partem* (the right to be heard). However, an official in CCI said that the quality

of the investigation reports is not very good and hence have not been taken up for further processing. That means that the investigative wing needs capacity building.

CCI was constituted in 2003 and became fully operational in 2009, due to court challenges on the appointments of the commissioners. The regulation of combinations was notified only in June, 2011. Hence the CCI is still at a nascent stage. For five years, it did not have a chair and in 2011, it had 58 pending cases which were reduced to 20 by July 2012 under the Chairmanship of Mr Ashok Chawla. It would be wrong to say therefore in light of this and all the recent orders that have made headlines that CCI has been inactive. Nonetheless, as mentioned earlier, guidelines need to be formulated for computation of penalties to be imposed in cases, training is needed for CCI officials such that the orders reflect a logical approach. Furthermore, CCI staff also need better skills for sound economic reasoning. A critique on this is available in a newsletter of Nathan India at No: 107 of the annexed table of reporting. The jury is still out on how many of its orders will stand in the appellate process. This would involve appeals to the Competition Appellate Tribunal and then to the Supreme Court. Over time learning and on the job training from officials of other evolved competition regimes such as the EU, UK, South Africa and the US could be of great help.

As mentioned earlier, a challenge before the CCI is the constant turf wars with regulatory agencies it is faced with. However the Group of Ministers headed by Finance Minister Shri P. Chidambaram in a recent meeting has decided to address the issue and end the deadlock by allowing no blanket exemptions from CCI's purview. Section 21 and 21 (A) of the Act states that the CCI as well as the other authority "may" make reference to each other if need be. This will now be changed to "shall", and making it mandatory for both to consult each other. In light of this, it is important that CCI be strengthened to incorporate multi-disciplinary expertise that will enable it to undertake better investigations.

It is hoped that the CCI will embrace these recommendations and benefits from the amendments while it continues to work actively to prevent anti-competitive practices, to promote and sustain competition in the market, to protect the interest of consumers and to ensure freedom of trade amongst participants in markets in India as envisaged under the Competition Act of India.

**[News sources follow in a table. On a rough estimation the news showed CCI in a good light with 68 happy smileys, while 22 were indifferent and the score of frowning smileys was 17. This is not a rigorous analysis though, and even the scoring can be disputed. A proper analysis would take some time and resources).**

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## TABLE OF REPORTING

S.No.	Date	News/Abstract	Smileys
1.	Mar 7, 2009	<p><b><u>Competition Commission</u></b> (ET Bureau)</p> <ul style="list-style-type: none"> <li>– A five-member Competition Commission of India (CCI) has finally been put in place and will put an end to Monopolies and Restrictive Trade Practices Commission. Indian markets presumably suffer from the adverse effects of anti-competitive agreements. There are signs of collusive price fixing in many industries — from cement, steel and explosives to airlines and shipping. All these call for intervention by CCI.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2009-03-07/news/27640698_1_competition-act-cci-competition-regulator">http://articles.economictimes.indiatimes.com/2009-03-07/news/27640698_1_competition-act-cci-competition-regulator</a></p>	☺
2.	May 20, 2009	<p><b><u>Competition commission finally gets more teeth</u></b> (ET Bureau)</p> <ul style="list-style-type: none"> <li>– The government has empowered the Competition Commission of India (CCI) to take up cases against companies indulging in anti-competitive practices and abusing their dominance in the market.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2009-05-20/news/28475027_1_competition-act-competition-commission-ministry-of-corporate-affairs">http://articles.economictimes.indiatimes.com/2009-05-20/news/28475027_1_competition-act-competition-commission-ministry-of-corporate-affairs</a></p>	☺
3.	June 17, 2009	<p><b><u>Competing fairly</u></b></p> <ul style="list-style-type: none"> <li>– The 2002 enactment is premised on the recognition that a monopoly and a dominant position in the market are, per se, not detrimental to competition or the public interest and, to that extent, it constitutes a forward-looking departure from the extant Monopolies and Restrictive Trade Practices (MRTP) Act.</li> <li>– The focus of the CCI's latest enforcement is on anti-competitive agreements and any abuse of dominant position, manifest in the denial of market entry, collusive price fixing, and undermining consumer interest.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-opinion/article262650.ece">http://www.thehindu.com/todays-paper/tp-opinion/article262650.ece</a></p>	☺
4.	Aug 8, 2009	<p><b><u>Awareness Programme on Competition Law</u></b></p> <ul style="list-style-type: none"> <li>– CCI will organise a public awareness programme “Competition Law; Challenges and Answers” on August 9, in association with the KELSA, SIRC and Kerala Chamber of Commerce and Industry.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-kerala/article199885.ece">http://www.thehindu.com/todays-paper/tp-national/tp-kerala/article199885.ece</a></p>	☺
5.	Sept 16, 2009	<p><b><u>Competition Commission of India fully functional</u></b></p> <ul style="list-style-type: none"> <li>– CCI is now fully functional with five out of its six members and the chairman joining the team. The powers and functions of the CCI, will be to protect the interests of consumers, ensure freedom of trade carried on by other participants in markets in India, eliminate practices having adverse effect on competition, promote and sustain competition, undertake competition advocacy, create public awareness and impart training in competition issues.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-tamilnadu/article184871.ece">http://www.thehindu.com/todays-paper/tp-national/tp-tamilnadu/article184871.ece</a></p>	☺

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6.	Oct. 4, 2009	<p><b><u>Promote competition to ensure quality services</u></b></p> <ul style="list-style-type: none"> <li>– CCI Chairman, Dhanendra Kumar, stressed the need for expediting notification of all sections of the Competition Commission Act for bringing about the results anticipated from legislation.</li> <li>– Supreme Court Judge Justice Altamas Kabir stressed the need for CCI to take up advocacy on promoting competition as it would ensure quality services to people at competitive prices.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-andhrapradesh/article154668.ece">http://www.thehindu.com/todays-paper/tp-national/tp-andhrapradesh/article154668.ece</a></p>	☹
7.	Oct. 20, 2009	<p><b><u>Tribunal inaugurated</u></b></p> <ul style="list-style-type: none"> <li>– Competition Appellate Tribunal (CAT) will act as the appropriate forum for hearing grievances against the decisions and remedies given by the CCI.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/article165259.ece">http://www.thehindu.com/todays-paper/tp-national/article165259.ece</a></p>	☺
8.	Dec 15, 2009	<p><b><u>The future of competition (By Rahul Singh)</u></b></p> <ul style="list-style-type: none"> <li>– CCI ought to make optimal choices as it focuses on its mandate of consumer welfare and seeks to earn legitimacy in the eyes of the market. Due to scarcity of resources CCI faces competing demands upon its available resources therefore the need of the hour is to select those few cases that involve a substantial impact upon consumers, and then to concentrate the commission's energy on them which means prioritizing cases. Carefully calibrated steps by CCI have the potential of ensuring that it does not become yet another humdrum regulator.</li> </ul> <p><a href="http://www.livemint.com/2009/12/15214739/The-future-of-competition.html">http://www.livemint.com/2009/12/15214739/The-future-of-competition.html</a></p>	☹
9.	Dec 18, 2009	<p><b><u>Nod for Competition (Amendment) Bill</u></b></p> <ul style="list-style-type: none"> <li>– The Bill repeals and replaces the Competition (Amendment) Ordinance, 2009 and provides for transfer of anti-competition cases pending before MRTPC to an appellate tribunal. MRTPC would cease to exist.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/article118404.ece">http://www.thehindu.com/todays-paper/tp-national/article118404.ece</a></p>	☺
10.	Jan 26, 2010	<p><b><u>Competition Commission of India: A game changer?</u></b> (Arvind Panagariya)</p> <ul style="list-style-type: none"> <li>– 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.</li> <li>– 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.</li> <li>– The article discusses about the role of CCI in antidumping area, agriculture and anti-competitive practices of the government.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2010-01-26/news/27626620_1_prepayment-competition-act-cci">http://articles.economictimes.indiatimes.com/2010-01-26/news/27626620_1_prepayment-competition-act-cci</a></p>	☺

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11.	Mar 20, 2010	<p><b><u>Helpless Spectator</u></b> (by John Samuel Raja D)</p> <ul style="list-style-type: none"> <li>– 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.</li> <li>– 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.</li> </ul> <p><a href="http://business.outlookindia.com/article.aspx?264609">http://business.outlookindia.com/article.aspx?264609</a></p>	☹
12.	April 2, 2010	<p><b><u>Contractors demand steps to control cement price</u></b></p> <ul style="list-style-type: none"> <li>– Kerala Government Contractors' Association has demanded the State government to take up the issue with the CCI.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-kerala/article742912.ece">http://www.thehindu.com/todays-paper/tp-national/tp-kerala/article742912.ece</a></p>	☹
13.	Jun 29, 2010	<p><b><u>Corporate houses keep CCI busy</u></b> (By Joe C Mathew)</p> <ul style="list-style-type: none"> <li>– 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.</li> <li>– 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.</li> </ul> <p><a href="http://www.business-standard.com/india/news/corporate-houses-keep-cci-busy/399770/">http://www.business-standard.com/india/news/corporate-houses-keep-cci-busy/399770/</a></p>	☺
14.	Jun 29, 2010	<p><b><u>SC starts CCI hearing; decision likely to have bearing on future of competition law</u></b> (By Nikhil Kanekal and Sangeeta Singh)</p> <ul style="list-style-type: none"> <li>– 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.</li> <li>– Investigation—launched without giving the company concerned an opportunity to be heard</li> <li>– “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.</li> <li>– 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.</li> </ul> <p><a href="http://www.livemint.com/2010/07/28235021/SC-starts-CCI-hearing-decisio.html">http://www.livemint.com/2010/07/28235021/SC-starts-CCI-hearing-decisio.html</a></p>	☹

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15.	Jun 29, 2010	<p><b><u>CCI to post-mortem cashless mediclaim issue soon</u></b> (By Ronojoy Banerjee)</p> <ul style="list-style-type: none"> <li>- 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, te 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.</li> <li>- Earlier this month, leading insurance companies that provide mediclaim policies withdrew the cashless arrangement with all major hospitals.</li> <li>- Under the Competition Act, CCI is empowered to take up suo moto cases and if enough evidence is found can even order an investigation.</li> <li>- MM Sharma, head, competition law practice at Vaish Associates, said there appears to be two fronts:</li> <li>- There is unfair trade practice as insurance companies’ withdrew the policy in first place. <ul style="list-style-type: none"> <li>▪ If all insurance companies withdrew policy, there appears a coordinated behaviour on their part.</li> <li>▪ 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.</li> </ul> </li> </ul> <p><a href="http://www.financialexpress.com/news/cci-to-postmortem-cashless-mediclaim-issue-soon/653051/0">http://www.financialexpress.com/news/cci-to-postmortem-cashless-mediclaim-issue-soon/653051/0</a></p>	☺
16	Jul 31, 2010	<p><b><u>No SC stay for Kingfisher appeal on CCI powers</u></b></p> <ul style="list-style-type: none"> <li>- The Supreme Court today declined to stay a Mumbai high court order to Kingfisher Airlines to cooperate with an investigation by the Competition Commission of India on charges of forming a cartel with Jet Airways.</li> <li>- The question being argued is whether an injunction can be ordered if the commission comes to a preliminary opinion that an action by an enterprise is anti-competitive.</li> </ul> <p><a href="http://www.business-standard.com/india/news/no-sc-stay-for-kingfisher-appealcci-powers/403115/">http://www.business-standard.com/india/news/no-sc-stay-for-kingfisher-appealcci-powers/403115/</a>  <a href="http://articles.economictimes.indiatimes.com/2010-07-30/news/27610714_1_kingfisher-airlines-plea-against-cci-probe-competition-act">http://articles.economictimes.indiatimes.com/2010-07-30/news/27610714_1_kingfisher-airlines-plea-against-cci-probe-competition-act</a></p>	☺
17.	Aug 02, 2010	<p><b><u>Is competition commission of India a jinxed body</u></b> (By Kumkum Sen)</p> <ul style="list-style-type: none"> <li>- Most quasi judicial bodies encounter resistance and hostility at the start up stage, notably DRT and NCLT. But, the CCI’s involvement in a raging legal battle with its own appellate body within months of becoming operational is unprecedented.</li> <li>- One of the first complaints before the CCI, was by JSPL, informing the SAIL had entered into an anti-competitive agreement with Indian Railways on supply of Rails in breach of Sections 3(4) and 4(1) of the Competition Act, (‘Act’).</li> <li>- The Commission did not record any reason in arriving at a decision that there was a prima facie case based on SAIL’s interim reply.</li> </ul>	☹

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		<ul style="list-style-type: none"> <li>- The Appellate Tribunal relied on Sections 53A and 53B which provide for disposal of appeals against decisions and orders passed by the CCI under various Sections of the Act, including but not limited Section 31(1) to hold that the direction for investigation amounted to a decision could be appealed from</li> <li>- It was submitted by the Counsel for CCI that if appeals are permitted to be filed by extending Section 53(A) relating to directions or to a process, it may open a flood gate of litigation encouraging litigants to file appeals and thereby scuttling investigative procedures altogether.</li> <li>- The key issue is that of jurisdiction and powers which will determine the future functioning of the CCI.</li> <li>- The other critical query is whether CCI is bound to record reasons for directing an investigation. As in case of other highly sensitive economic offences. It should be possible and desirable to record reasons, disclosed only under specific situations.</li> </ul> <p><a href="http://www.business-standard.com/india/news/is-competition-commissionindiajinxed-body/403229/">http://www.business-standard.com/india/news/is-competition-commissionindiajinxed-body/403229/</a></p>	
18.	Aug 11, 2010	<p><b><u>Should certain weak sectors be excluded from the jurisdiction of CCI?</u></b></p> <ul style="list-style-type: none"> <li>- CCI has made recommendations to the Planning Commission, for the NCP, to scrap the import tariffs on power equipment which will hit domestic major BHEL and benefit Chinese equipment suppliers. The competition would benefit the consumer. But, as a nation, the interests of Indian manufacturers/ producers in sectors where they are not strong enough to compete should be sacrificed? This creates a dilemma between protection and competition.</li> </ul> <p><a href="http://www.competitionlawindia.com/author/editor/">http://www.competitionlawindia.com/author/editor/</a></p>	☹
19.	Aug. 23, 2010	<p><b><u>CCI suggests setting up State-level commissions</u></b> (PTI)</p> <ul style="list-style-type: none"> <li>- CCI has proposed setting up of State-level commissions to safeguard interests of small businesses and spread its reach to different parts of the country.</li> </ul> <p><a href="http://www.thehindu.com/business/Industry/article589806.ece">http://www.thehindu.com/business/Industry/article589806.ece</a>  <a href="http://www.b-s.co.in/india/news/cci-suggests-setting-upstate-level-commissions/405615/">http://www.b-s.co.in/india/news/cci-suggests-setting-upstate-level-commissions/405615/</a></p>	☺
20.	Sep 01, 2010	<p><b><u>CCI mulls probe into contracts for Commonwealth Games</u></b> (by Ronojoy Banerjee)</p> <ul style="list-style-type: none"> <li>- The commission has noted that several contracts relating to the Games have been doled out to private players without conducting a fair tendering process. There are serious competition violations.</li> <li>- CWG is a case of non-tendering. The simple and transparent tendering process for selecting a sponsorship servicing contract has not been followed. We need to find out which are the firms that benefited the most from non-tendering.</li> </ul> <p><a href="http://www.financialexpress.com/news/cci-mulls-probe-into-contracts-for-commonwealth-games/675560/0">http://www.financialexpress.com/news/cci-mulls-probe-into-contracts-for-commonwealth-games/675560/0</a></p>	☺



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21.	Sept. 9, 2010	<p><b><u>CCI probe cannot be challenged before Competition Appellate Tribunal: Supreme Court</u></b> (PTI)</p> <ul style="list-style-type: none"> <li>The Supreme Court held that the CCI has authority to investigate directly pertaining to fair trade practices and its directions cannot be challenged before COMPAT but such powers have to be exercised sparingly and had put some time-bound conditions.</li> </ul> <p><a href="http://www.thehindu.com/news/national/article622907.ece">http://www.thehindu.com/news/national/article622907.ece</a>  <a href="http://www.livemint.com/2010/09/09113925/CCI-probe-cannot-be-challenged.html">http://www.livemint.com/2010/09/09113925/CCI-probe-cannot-be-challenged.html</a></p> <p><b><u>SC paves way for smooth working of Competition Commission</u></b> (Hindustan Times)  <a href="http://www.hindustantimes.com/India-news/NewDelhi/SC-paves-way-for-smooth-working-of-Competition-Commission/Article1-598614.aspx">http://www.hindustantimes.com/India-news/NewDelhi/SC-paves-way-for-smooth-working-of-Competition-Commission/Article1-598614.aspx</a></p>	☺
22..	Sept.10, 2010	<p><b><u>KFCC drags CCI to court over Raavan</u></b></p> <ul style="list-style-type: none"> <li>The chamber questioned the legality and validity of the commission's order in asking it to allow <i>Raavan</i> to be exhibited in Karnataka without any restriction.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-karnataka/article624264.ece">http://www.thehindu.com/todays-paper/tp-national/tp-karnataka/article624264.ece</a>  <a href="http://www.southscope.in/kannada/news/karnataka-film-chambers-drags-raavan-court">http://www.southscope.in/kannada/news/karnataka-film-chambers-drags-raavan-court</a></p>	☹
23.	Sept.12, 2010	<p><b><u>CCI to maintain confidentiality in anti-competition probes: SC</u></b></p> <ul style="list-style-type: none"> <li>Any breach of confidentiality during the process of investigation, the corporates would be entitled to seek appropriate directions from the CCI.</li> <li>Diljeet Titus, a senior partner at law firm Titus and Co, said, "The Supreme Court ruling and the directions given by it are welcome and will ensure speedier resolution of commercially sensitive disputes by the CCI."</li> </ul> <p><a href="http://www.hindustantimes.com/India-news/NewDelhi/CCI-to-maintain-confidentiality-in-anti-competition-probes-SC/Article1-599163.aspx">http://www.hindustantimes.com/India-news/NewDelhi/CCI-to-maintain-confidentiality-in-anti-competition-probes-SC/Article1-599163.aspx</a></p>	☺
24.	Sep 13, 2010	<p><b><u>Govt mulls state watchdogs to tone up competition laws</u></b> (By Ronojoy Banerjee)</p> <ul style="list-style-type: none"> <li>In a bid to strengthen competition laws in the country, the government is mulling setting up state competition regulators to look into issues arising out of health and education that form a part of the state list.</li> <li>According to a corporate affairs ministry official, it would not only create awareness about competition-related issues but would be well placed to deal with local problems effectively.</li> <li>As per the plan, the Competition Commission of India would continue to operate as the apex competition body looking into high-profile disputes including inter-State problems and issues arising in the areas etched out in the Union and Concurrent list.</li> <li>“State competition bodies would work towards strengthening competition in education, health and waste</li> </ul>	☺

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		<p>management issues of which they would be in the best position to understand because of their local expertise and act upon them directly</p> <p><a href="http://www.financialexpress.com/news/govt-mulls-state-watchdogs-to-tone-up-competition-laws/680745/0">http://www.financialexpress.com/news/govt-mulls-state-watchdogs-to-tone-up-competition-laws/680745/0</a></p>	
25.	Sep 15, 2010	<p><b><u>M J Antony: CCI wins a 'competition'</u></b></p> <ul style="list-style-type: none"> <li>- The court ruled in a judgment running to over 100 pages that the commission can order an investigation into a complaint of an anti-competitive agreement or abuse of dominant position in the market. It cannot be appealed against except in rare cases. It can also issue orders temporarily restraining a firm from carrying on a disputed act till the enquiry is over. A decision must be taken within two months.</li> <li>- The court has, therefore, put enormous power in the hands of the commission.</li> </ul> <p><a href="http://www.business-standard.com/india/news/m-j-antony-cci-wins%5Ccompetition%5C/408110/">http://www.business-standard.com/india/news/m-j-antony-cci-wins%5Ccompetition%5C/408110/</a></p>	☺
26.	Nov 22, 2010	<p><b><u>CCI imposes Rs 1 cr fine on KFA for not providing facts</u></b></p> <ul style="list-style-type: none"> <li>- CCI imposed a fine of Rs 1 crore on Kingfisher for non-compliance. Kingfisher Airlines has not furnished certain information that the Director General (Investigations) had asked for while probing the case.</li> <li>- According to Section 44 (b) of the Competition Act 2002, if any person, being a party to a combination, "omits to state any material particular knowing it to be material, such person shall be liable to a penalty which shall not be less than Rs 50 lakh but which may extend to Rs 1 crore, as may be determined by the Commission".</li> <li>- The high court passed its judgment in favour of CCI, after which the probe resumed.</li> </ul> <p><a href="http://www.business-standard.com/india/news/cci-imposes-rs-1-cr-finekfa-for-not-providing-facts/415726/">http://www.business-standard.com/india/news/cci-imposes-rs-1-cr-finekfa-for-not-providing-facts/415726/</a></p>	☺
27.	Nov 30, 2010	<p><b><u>CCI examining complaints against real estate companies</u></b></p> <ul style="list-style-type: none"> <li>- CCI was examining 11 complaints of anti-competitive practices received against real estate companies.</li> </ul> <p><a href="http://www.thehindu.com/business/Industry/article922333.ece">http://www.thehindu.com/business/Industry/article922333.ece</a></p>	☺
28.	Dec 24, 2010	<p><b><u>CCI starts probe into airfares hike</u></b></p> <ul style="list-style-type: none"> <li>- The fares continue to be on the higher side despite the Centre's intervention and tough talk. But the CCI, which looks into issues of cartelisation between airlines, has yet to formally initiate an inquiry into the matter.</li> <li>- For the past several years, airfares have become 'dynamic' and their levels depend on the market demand. Last year too, the competition regulator had sent notices to airlines whether they were acting together to raise or lower airfares. The airlines had then replied in the negative</li> </ul> <p><a href="http://m.indiatoday.in/story/cci-starts-probe-into-airfares-hike/1/124376.html">http://m.indiatoday.in/story/cci-starts-probe-into-airfares-hike/1/124376.html</a>  <a href="http://businesstoday.intoday.in/video/probe-into-airfare-hikes/1/11681.html">http://businesstoday.intoday.in/video/probe-into-airfare-hikes/1/11681.html</a></p>	☺

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29.	Dec 27 2010	<p><b><u>CCI outsources talent search to National Law School</u></b> (By Nikhil Kanekal &amp; Utpal Bhaskar)</p> <ul style="list-style-type: none"> <li>– NLSIU, the country’s premier law school, has started the process of hiring officers for the understaffed CCI for a second year.</li> <li>– Pallavi Shroff said “None of the people (in CCI) really have experience on competition law. They all have to be trained. People from the European Union, United States of America and United Kingdom have been brought in to train them periodically. Everybody is learning.”</li> </ul> <p><a href="http://www.livemint.com/2010/12/26203119/CCI-outsources-talent-search-t.html?atype=tp">http://www.livemint.com/2010/12/26203119/CCI-outsources-talent-search-t.html?atype=tp</a></p>	☹
30.	Jan 04, 2011	<p><b><u>'CCI verdict on home loan foreclosure penalty a test case'</u></b> (By Joe C Mathew)</p> <ul style="list-style-type: none"> <li>– The main question before CCI was to see whether there was an abuse of dominant position by any banks.</li> <li>– Samir Gandhi, associate partner of Economic Laws Practice the majority decision of CCI in the bank pre-payment penalty case is notable not just because it is its first substantive order on the merits of a case, but also because it clearly outlines the approach that CCI is likely to take when balancing consumer interests with the commercial practices of enterprises”.</li> <li>– While the majority verdict did not find merit in the argument of its investigation wing, thereby ruling in favour of banks, the dissenting rulings suggested it was indeed an issue of cartelisation.</li> <li>– The experts felt CCI should step up its advocacy activities, sighting such verdicts as case studies to avoid contentious decisions in future.</li> </ul> <p><a href="http://www.b-s.co.in/india/news/%5Ccci-verdicthome-loan-foreclosure-penaltytest-case%5C/420645/">http://www.b-s.co.in/india/news/%5Ccci-verdicthome-loan-foreclosure-penaltytest-case%5C/420645/</a></p>	☺
31.	Jan 07, 2011	<p><b><u>CCI orders probe into high onion prices</u></b> (By Joe C Mathew)</p> <ul style="list-style-type: none"> <li>– The CCI move has come at a time when India is reeling under food inflation, led by high onion prices. This has compelled the central government to ask the state governments to manage supply chains efficiently to rein in high prices of vegetables, including onions.</li> <li>– CCI is known to have found a prima facie case against onion trade, thereby hinting at the possibility of the existence of cartels that are creating an artificial price increase.</li> </ul> <p><a href="http://www.business-standard.com/india/news/cci-orders-probe-into-high-onion-prices/421031/">http://www.business-standard.com/india/news/cci-orders-probe-into-high-onion-prices/421031/</a></p>	☺
32.	Jan 12, 2011	<p><b><u>CCI gets HC go-ahead in case against DLF</u></b> (By Joe C Mathew)</p> <ul style="list-style-type: none"> <li>– DLF’s petition in the HC had challenged the very first move of CCI in May last year, to ask its investigation wing to conduct an inquiry into the prima facie merit of the case. DLF also questioned the findings of the director general (investigations) of CCI</li> <li>– In an order on January 4, the HC rejected most of the complaints made by DLF against the actions of CCI in the case so far.</li> </ul>	☺

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33.	Jan. 23, 2011	<p><a href="http://www.business-standard.com/india/news/ci-gets-hc-go-ahead-in-case-against-dlf/421559/">http://www.business-standard.com/india/news/ci-gets-hc-go-ahead-in-case-against-dlf/421559/</a></p> <p><b>Competition watchdog faces fresh challenge to jurisdiction</b> (By Nikhil Kanekal, Sangeeta Singh &amp; Utpal Bhaskar)</p> <ul style="list-style-type: none"> <li>– Delhi High Court stopped CCI from investigating alleged anti-competitive practices in aviation fuel supply by state-owned oil marketing companies (OMCs). OMCs approached the court challenging CCI’s jurisdiction, stating that the case fell under the remit of the Petroleum and Natural Gas Regulatory Board (PNGRB).</li> <li>– The issue was whether CCI will have jurisdiction over a section of the market for which there exists a specialized statutory regulator?</li> </ul> <p><a href="http://www.livemint.com/2011/01/23232944/Competition-watchdog-faces-fre.html">http://www.livemint.com/2011/01/23232944/Competition-watchdog-faces-fre.html</a></p>	☹
34.	Feb 22, 2011	<p><b>CCI gears to check malpractices in biz</b></p> <ul style="list-style-type: none"> <li>– The Competition Commission of India (CCI) plans to take stringent action against the business outfits engaged in malpractices that undermine the interests of the consumers. Sectors like real estate, entertainment, cement, petroleum, steel, travel industry, healthcare and education are on CCI’s radar.</li> <li>– Dhanendra Kumar said the abuse of dominant position included imposing unfair conditions or price; predatory pricing; limiting production/market or technical development; creating barriers to entry; applying dissimilar conditions to similar transactions; denying market access; and using dominant position in one market to gain advantages in another market.</li> <li>– CCI is now fully geared to play its stipulated role as an effective instrument in accelerating economic growth through the various spin-off effects of competition in the economy and ensuring the markets work for the benefit of the common man.</li> </ul> <p><a href="http://www.business-standard.com/india/news/ci-gears-to-check-malpractices-in-biz/426060/">http://www.business-standard.com/india/news/ci-gears-to-check-malpractices-in-biz/426060/</a></p>	☺
35.	Mar 11, 2011	<p><b>Godspeed!</b></p> <ul style="list-style-type: none"> <li>– The author raises the question on the regulator's ability to deliver quick decisions. The commission will attempt to issue its final decision on a merger proposal within 180 days as against the 210 days required by the Competition Act. But six months are still too long for a transaction, and an adverse decision can prove too costly for the parties to the merger.</li> <li>– Regulators must learn from other countries and be competitive with them. The author also suggests that the quality staff is the primary requirement for regulatory agencies. Its decisions seemed to honour only the letter of the law, raising questions on whether it ignored its spirit.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2011-03-11/news/28680204_1_merger-proposal-mergers-and-acquisitions-competition-commission">http://articles.economictimes.indiatimes.com/2011-03-11/news/28680204_1_merger-proposal-mergers-and-acquisitions-competition-commission</a></p>	☹

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36.	Mar 31, 2011	<p><b><u>End regulatory stasis- Empower or wind up the Competition Commission of India</u></b></p> <ul style="list-style-type: none"> <li>- Since its inception in 2003, the CCI has been in the news, and for all the wrong reasons. Members of the judiciary questioned the legality of the clauses under which the government could exclude members of the judiciary while considering candidates for heading the CCI. The legal battle remained unresolved for several years, weakening the institution since its inception.</li> <li>- For well over five years, the CCI could not have a full-time chairperson and for most of this period, it had only one functioning member in Vinod Dhall. The latest challenge to the CCI has come from within the government. The finance ministry has piloted an amendment bill for the banking sector, which seeks to take away CCI's jurisdiction over M&amp;As by banks.</li> <li>- The government has two options before it. One, it can decide that the CCI must be suitably empowered by ending all such legislation in different sectors. Two, it can take the bold decision to scrap it without further delay.</li> </ul> <p><a href="http://www.business-standard.com/india/news/end-regulatory-stasis/430350/">http://www.business-standard.com/india/news/end-regulatory-stasis/430350/</a></p>	☹
37.	April 06, 2011	<p><b><u>Should the CCI be abolished?</u></b> (By Pradeep S. Mehta)</p> <ul style="list-style-type: none"> <li>- The competition law needs to be amended to enable the Commission to work in an autonomous manner, without explicit and implicit government control. The author has suggested the following ways to have effective Competition Act: <ul style="list-style-type: none"> <li>i) The procedure for selecting the chairman and members of the Commission needs to be re- examined.</li> <li>ii) The competition law needs to be amended to ensure its independence.</li> <li>iii) The law needs to be amended to enable the Commission to work in an autonomous manner.</li> <li>iv) Resolve overlap issues between the CCI and sector regulators permanently so that the integrity of our economic governance system is not suborned.</li> </ul> </li> </ul> <p>(By Amitabh Kumar)</p> <ul style="list-style-type: none"> <li>- Competition law requires expertise, but to be effective the Competition Commission of India needs real autonomy.</li> </ul> <p><a href="http://www.business-standard.com/india/news/shouldcci-be-abolished/431035/">http://www.business-standard.com/india/news/shouldcci-be-abolished/431035/</a></p>	☺
38.	April 25, 2011	<p><b><u>Merger, acquisition regime to be effective from June 1: Deora</u></b> (PTI)</p> <ul style="list-style-type: none"> <li>- Under the Competition Act, companies with a turnover of more than Rs 1,500-crore will have to approach the CCI for approval before merging with another firm. Also, companies with combined assets of Rs 1,000-crore or more, or a combined turnover of Rs 3,000-crore or more, would require the CCI's nod.</li> <li>- The maximum time limit for the CCI to vet mergers has been reduced to 180 days from the earlier 210 days.</li> </ul> <p><a href="http://www.thehindu.com/business/Industry/article1766471.ece">http://www.thehindu.com/business/Industry/article1766471.ece</a></p>	☺

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39.	April 28, 2011	<p><b><u>CCI promises quick disposal of merger and acquisition cases</u></b></p> <ul style="list-style-type: none"> <li>The Commission would examine in detail only a few complex cases which would adverse effect on competition.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-andhrapradesh/article1775611.ece">http://www.thehindu.com/todays-paper/tp-national/tp-andhrapradesh/article1775611.ece</a></p>	☺
40.	May 10, 2011	<p><b><u>CCI Orders Probe into 'Cartelisation' by Pvt Airlines</u></b></p> <ul style="list-style-type: none"> <li>Competition watchdog CCI has found prima-facie evidence of cartelisation by private airlines to take advantage of strike by pilots of national carrier Air India. According to the preliminary findings, the airlines have been found to have formed a cartel to decide ticket prices during the period when Air India pilots went on a strike.</li> <li>The CCI has called private airlines on May 13 to pass an interim order. The interim order would ask private airlines to immediately stop opportunistic pricing of tickets.</li> </ul> <p><a href="http://news.outlookindia.com/items.aspx?artid=721441">http://news.outlookindia.com/items.aspx?artid=721441</a>  <a href="http://www.samachar.com/cci-orders-probe-into-cartelisation-by-private-airlines-lfkvKRiecjh.html">http://www.samachar.com/cci-orders-probe-into-cartelisation-by-private-airlines-lfkvKRiecjh.html</a>  <a href="http://www.b-s.co.in/india/news/cci-orders-probe-into-cartelisation-by-pvt-airlines/134724/on">http://www.b-s.co.in/india/news/cci-orders-probe-into-cartelisation-by-pvt-airlines/134724/on</a></p>	☺
41.	May 12, 2011	<p><b><u>CCI eases merger regulations further, lowers filing fees</u></b> (By Sangeeta Singh)</p> <ul style="list-style-type: none"> <li>CCI has relaxed rules relating to M&amp;As, after two months of extensive lobbying by industry and corporate law firms. Some significant changes have been introduced in March draft norms: <ul style="list-style-type: none"> <li>i) reduction in the filing fee to Rs. 50,000-Rs. 10 lakh from Rs. 10-40 lakh, exempting certain kinds of transactions from being notified to CCI.</li> <li>ii) Only cases made (through board resolutions, binding documents, etc.) on and after 1 June will need CCI's approval.</li> <li>iii) A large number of business transactions have been given exemption, multiple filings in interconnected deals will not be required, besides elaborate safeguards have been built to protect deal confidentiality.</li> <li>iv) Maximum time it will take to approve M&amp;As over a certain size from 210 days to 180 days.</li> </ul> </li> </ul> <p><a href="http://www.livemint.com/2011/05/12004100/CCI-eases-merger-regulations-f.html">http://www.livemint.com/2011/05/12004100/CCI-eases-merger-regulations-f.html</a></p>	☺
42.	May 13, 2011	<p><b><u>'We'll ensure confidentiality of M&amp;As'</u></b></p> <ul style="list-style-type: none"> <li>The CCI released guidelines for mergers and acquisitions (M&amp;A)</li> </ul> <p><a href="http://timesofindia.indiatimes.com/business/india-business/Well-ensure-confidentiality-of-MAs/articleshow/8285904.cms">http://timesofindia.indiatimes.com/business/india-business/Well-ensure-confidentiality-of-MAs/articleshow/8285904.cms</a></p>	☺
43.	May 25, 2011	<p><b><u>CCI probes carmakers on parts, servicing</u></b> (By Nandini Sen Gupta)</p> <ul style="list-style-type: none"> <li>Top carmakers including Fiat, Honda and Volkswagen are under investigation by the Competition Commission of India (CCI) for restricting the supply of spare parts and technical know-how for servicing cars in the open market.</li> <li>The contention is that when car brands have a limited distribution network, customers face inconvenience if their</li> </ul>	☺

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		<p>city does not have a workshop or dealer outlet. As a result the consumer is held hostage to the OEM dealerships.  <a href="http://timesofindia.indiatimes.com/business/india-business/CCI-probes-carmakers-on-parts-servicing/articleshow/8564191.cms">http://timesofindia.indiatimes.com/business/india-business/CCI-probes-carmakers-on-parts-servicing/articleshow/8564191.cms</a></p>	
44.	May 30, 2011	<p><b><u>CCI order against NSE: A challenge for SEBI?</u></b> (by Kripa Raman)</p> <ul style="list-style-type: none"> <li>- A whole snarl of regulatory complications has been thrown up with the CCI finding the National Stock Exchange guilty of unfair trade practices in currency derivatives trading.</li> <li>- The order has created differences between the two regulatory bodies. NSE is registered under SEBI. Therefore SEBI needs to be the part of the whole process. Regulatory expert asked volley of questions. He asked, “Are NSE's actions within the arena that SEBI oversees. NSE itself is regulated by SEBI. Can SEBI just stand by and watch when an entity regulated by it is accused of unfair trade practices?”</li> <li>- It could be a possibility that the NSE has violated the Competition Act but has not violated any regulation governed by the SEBI, said another regulatory expert. “But that creates an anomalous situation in the regulatory arena. If one entity is not compliant with one regulator but is compliant with another in respect of the same action, it is odd.”</li> <li>- NSE can always say that all its schemes were approved by SEBI and that it was operating under its control. And where can its guilt lie?” asked a legal practitioner.</li> <li>- “Can SEBI just stand by and watch when an entity regulated by it is accused of unfair trade practices? Should it not look into the case at once?”</li> </ul> <p><a href="http://www.thehindubusinessline.com/markets/stock-markets/article2063191.ece">http://www.thehindubusinessline.com/markets/stock-markets/article2063191.ece</a></p>	☹
45.	Jun 3, 2011	<p><b><u>CCI to look at food price spike</u></b></p> <ul style="list-style-type: none"> <li>- CCI is undertaking an exercise to look into competition issues into the agriculture sector with a focus on tracking down any "distortions and imperfections" in the distribution channel of commodities.</li> <li>- Process of price discovery will be based on direct field investigations and identification of competition and efficiency bottlenecks.</li> </ul> <p><a href="http://timesofindia.indiatimes.com/business/india-business/CCI-to-look-at-food-price-spike/articleshow/8701604.cms">http://timesofindia.indiatimes.com/business/india-business/CCI-to-look-at-food-price-spike/articleshow/8701604.cms</a></p>	☺
46.	Jun 3, 2011	<p><b><u>Fair-play watchdog gets aggressive on cartels, monopolies</u></b> (Pankaj Doval)</p> <ul style="list-style-type: none"> <li>- The Chairman said that "To ensure fair and healthy competition in the Indian economy, the CCI is initiating a series of market studies to analyse and monitor the competitive dynamics in various industries. In the initial phase, we have taken up agriculture, steel and paper,"</li> </ul> <p><a href="http://timesofindia.indiatimes.com/business/india-business/Fair-play-watchdog-gets-aggressive-on-cartels-monopolies/articleshow/8714260.cms?">http://timesofindia.indiatimes.com/business/india-business/Fair-play-watchdog-gets-aggressive-on-cartels-monopolies/articleshow/8714260.cms?</a></p>	☺

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47.	June 20, 2011          Sep 8, 2011	<p><b><u>Apple sued in India</u></b></p> <ul style="list-style-type: none"> <li>– iPhone and iPad maker Apple Inc has come under the scanner of the Competition Commission of India for allegedly limiting the availability of its products to a few service providers using its dominant market position. Besides, Apple phones could only be serviced in Apple centres, which in turn charge high rates for servicing.</li> </ul> <p><a href="http://timesofindia.indiatimes.com/tech/news/hardware/Apple-sued-in-India/articleshow/8927565.cms">http://timesofindia.indiatimes.com/tech/news/hardware/Apple-sued-in-India/articleshow/8927565.cms</a></p> <p><b><u>CCI orders probe against Apple</u></b></p> <ul style="list-style-type: none"> <li>– CCI has ordered investigations into allegations that iPhone- and iPad-maker Apple is limiting the availability of its products to few service providers using its dominant position.</li> </ul> <p><a href="http://articles.timesofindia.indiatimes.com/2011-09-08/hardware/30129798_1_iphone-apple-phones-anti-competitive-agreements-and-abuse">http://articles.timesofindia.indiatimes.com/2011-09-08/hardware/30129798_1_iphone-apple-phones-anti-competitive-agreements-and-abuse</a></p> <p><a href="http://www.financialexpress.com/news/cci-orders-probe-against-apple/843167/">http://www.financialexpress.com/news/cci-orders-probe-against-apple/843167/</a></p> <p><a href="http://www.business-standard.com/india/news/cci-orders-probe-against-apple/146198/on">http://www.business-standard.com/india/news/cci-orders-probe-against-apple/146198/on</a></p>	☺
48.	Jun 22, 2011	<p><b><u>MCA to look into regulatory overlap in competition law</u></b> (By Ronojoy Banerjee)</p> <ul style="list-style-type: none"> <li>– Fearing a sectoral backlash against the competition law, MCA has formed a core committee to look at the issue of regulatory overlap in relation to the Competition Act.</li> <li>– Among the key mandates that the committee is empowered with is to identify specific examples of other extant laws that allow sectoral regulators to deal with competition issues.</li> <li>– The ministry wants the CCI to have a clear mandate to tackle every kind of competition issue that arises principally from three situations — cartels, abuse of dominance and combinations.</li> <li>– According to competition law expert M M Sharma, “the CCI is best suited to tackle every case of competition. There are many sectoral regulators like Trai, Central Electricity Regulatory Commission, Irda, Sebi and PNGRB which have been vested with powers to promote competition in their respective sectors. But since the CCI has got the special mandate, they are best suited to look into these issues.”</li> <li>– Pradeep S Mehta advised that structural issues should be dealt with the sectoral regulators and behavioural issues should lie with the CCI like it happens in Europe.</li> </ul> <p><a href="http://www.financialexpress.com/news/mca-to-look-into-regulatory-overlap-in-competition-law/806775/0">http://www.financialexpress.com/news/mca-to-look-into-regulatory-overlap-in-competition-law/806775/0</a></p>	☺
49.	June 24, 2011	<p><b><u>India’s top bourse fined for free trades</u></b> (By Mary Watkins)</p> <ul style="list-style-type: none"> <li>– MCX-SX, backed by entrepreneur Jignesh Shah’s Financial Technologies Group, alleged that NSE had used its dominant position to eliminate competition from the Indian currency derivatives market by, among other things, not charging for its services.</li> </ul>	☺



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		<ul style="list-style-type: none"> <li>- India's competition watchdog said that by not charging for currency derivatives transactions, NSE's rivals had been forced to offer their services for free in order to compete. The regulator said it found "a clear intention on the part of NSE to eliminate competition in the relevant market"</li> <li>- The Competition Commission of India ordered the NSE to modify its zero price policy and introduce "appropriate transaction costs" within the next 60 days.</li> </ul> <a href="http://www.ft.com/intl/cms/s/0/8ecff4e0-9e8c-11e0-9469-00144feabdc0.html#axzz25mNvAcdd">http://www.ft.com/intl/cms/s/0/8ecff4e0-9e8c-11e0-9469-00144feabdc0.html#axzz25mNvAcdd</a>	
50.	Jun 27, 2011	<p><b><u>FE Editorial: Competing for the future</u></b></p> <ul style="list-style-type: none"> <li>- When a decision was taken to withhold some important codes from the trading software ODIN (developed by rival MCX-SX's promoter firm Financial Technologies), it's not clear just how focused NSE's top management was on its implications. When the CCI's powers were notified, and push came to shove, MCX-SX took the case to CCI; the latter investigated the matter and found NSE guilty of abusing its dominant position to stifle competition.</li> <li>- For company managements focused only on the future, this is timely wake-up call—it's a good idea to stick to the straight and narrow since you don't know when the past can come back to haunt the future. With this order, which NSE will certainly contest in the courts, India's CCI has arrived as a serious competition watchdog.</li> </ul> <a href="http://www.financialexpress.com/news/fe-editorial-competing-for-the-future/809059/0">http://www.financialexpress.com/news/fe-editorial-competing-for-the-future/809059/0</a>	☹
51.	Aug 17, 2011	<p><b><u>Competition Commission slaps Rs 630cr penalty on DLF</u></b> <i>(By Tanushree Roy Chowdhury &amp; Yogesh Kumar)</i></p> <ul style="list-style-type: none"> <li>- CCI imposed penalty for misusing its dominant position in the market by drafting one-sided agreements with flat buyers in Belaire housing complex in Gurgaon.</li> </ul> <a href="http://timesofindia.indiatimes.com/business/india-business/Competition-Commission-slaps-Rs-630cr-penalty-on-DLF/articleshow/9628210.cms">http://timesofindia.indiatimes.com/business/india-business/Competition-Commission-slaps-Rs-630cr-penalty-on-DLF/articleshow/9628210.cms</a> <a href="http://www.indianexpress.com/news/cci-fines-dlf-rs-630-cr-for-unfair-trade-practices/832940/">http://www.indianexpress.com/news/cci-fines-dlf-rs-630-cr-for-unfair-trade-practices/832940/</a> <a href="http://www.financialexpress.com/news/cci-slaps-rs-630-cr-penalty-on-dlf/832648/">http://www.financialexpress.com/news/cci-slaps-rs-630-cr-penalty-on-dlf/832648/</a> <a href="http://www.business-standard.com/india/news/rs-630-cr-penaltydlf-for-unfair-trade-practices/446068/">http://www.business-standard.com/india/news/rs-630-cr-penaltydlf-for-unfair-trade-practices/446068/</a> <a href="http://www.thehindubusinessline.com/companies/article2611281.ece">http://www.thehindubusinessline.com/companies/article2611281.ece</a> <a href="http://www.hindustantimes.com/News-Feed/HTBusiness/Competition-watchdog-slaps-Rs-630-cr-fine-on-DLF/Article1-734025.aspx">http://www.hindustantimes.com/News-Feed/HTBusiness/Competition-watchdog-slaps-Rs-630-cr-fine-on-DLF/Article1-734025.aspx</a>	☺
		<p><b><u>CCI order may change realty scene</u></b></p> <ul style="list-style-type: none"> <li>- Order will invite a revision of all one-sided clauses in the Builder-Buyer Agreement.</li> </ul> <a href="http://timesofindia.indiatimes.com/city/gurgaon/CCI-order-may-change-realty-scene/articleshow/9630219.cms">http://timesofindia.indiatimes.com/city/gurgaon/CCI-order-may-change-realty-scene/articleshow/9630219.cms</a>	



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		sector. <a href="http://business.outlookindia.com/printarticle.aspx?278293">http://business.outlookindia.com/printarticle.aspx?278293</a>	
54.	Sept. 6, 2011	<p><b><u>CCI's Tag of Market may Fail Legal Test</u></b> (By John Samuel Raja D)</p> <ul style="list-style-type: none"> <li>– Under its three-step process to judge abuse of dominant market position, the CCI first defines what the relevant market is. It then ascertains if the company is a dominant player in that relevant market and, lastly, if it abused its dominance.</li> <li>– Rahul Singh (who advises companies on competition matters) said that in the DLF case, CCI has used all-India revenue data to estimate the company's market share in Gurgaon, which might not be defensible in higher courts.</li> <li>– Samir R Gandhi, a competition lawyer with Economic Laws Practice said, "It is unclear on what basis the CCI decided that Gurgaon is the relevant market, and not the NCR."</li> <li>– Another issue relates to use of an economic test called 'small but significant and non-transitory increase in price', or SSNIP, to determine relevant market. The CCI, in its order against the NSE in June, did not consider this test saying it's not suitable in India but later in DLF case it used the same test.</li> </ul> <p><a href="http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Archive&amp;Source=Page&amp;Skin=ETNEW&amp;BaseHref=ETD%2F2011%2F09%2F06&amp;ViewMode=HTML&amp;PageLabel=6&amp;EntityId=Ar00600&amp;AppName=1">http://epaper.timesofindia.com/Default/Scripting/ArticleWin.asp?From=Archive&amp;Source=Page&amp;Skin=ETNEW&amp;BaseHref=ETD%2F2011%2F09%2F06&amp;ViewMode=HTML&amp;PageLabel=6&amp;EntityId=Ar00600&amp;AppName=1</a></p>	☹
55.	Sept. 07, 2011	<p><b><u>DLF to challenge CCI order in Competition Appellate Tribunal</u></b> (By Dilasha Seth)</p> <ul style="list-style-type: none"> <li>– DLF is planning to appeal against the CCI's order imposing a Rs 630-crore penalty on the firm.</li> <li>– Research report has said DLF had the highest market share of overall residential development in Gurgaon in 2008 and 2009 which is denied by DLF..</li> <li>– The Competition Appellate Tribunal takes about 12-18 months to deliver a verdict. R R Singh, director general of NAREDCO said, "Terming the penalty imposed on DLF by CCI is too harsh."</li> </ul> <p><a href="http://www.business-standard.com/india/news/dlf-to-challenge-cci-order-in-competition-appellate-tribunal/448340/">http://www.business-standard.com/india/news/dlf-to-challenge-cci-order-in-competition-appellate-tribunal/448340/</a></p>	☺
56.	Sept. 24 2011	<p><b><u>Competition watchdog headless amid mountain of cases</u></b> (By Ronojoy Banerjee)</p> <ul style="list-style-type: none"> <li>– India's anti-trust watchdog, saddled with dozens of high-profile cases of great import to the economy, is virtually rudderless since early June, with the Appointments Committee of the Cabinet yet to take a call on who should chair the body next.</li> <li>– Till date, there is little clarity as to when the commission, now being run by an acting chairman, will get its full-time chief.</li> <li>– Pradeep S Mehta said: "When the commission is operating without a full-time chairman, its advocacy functions could be impacted. This is an important time for the CCI when so many cases are pending. It needs a full-time chairman</li> </ul>	☹

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		<ul style="list-style-type: none"> <li>Chawla's name as the CCI chairman has been contested by Goel and Gupta, two of the commission's members who were senior to him in the Indian Administrative Service.</li> </ul> <a href="http://www.indianexpress.com/news/competition-watchdog-headless-amid-mountain-of-cases/851069/0">http://www.indianexpress.com/news/competition-watchdog-headless-amid-mountain-of-cases/851069/0</a>	
57.	Oct 5, 2011	<p><b><u>Antitrust body seeks tighter M&amp;A norms</u></b> (By Sangeeta Singh)</p> <p>An M&amp;A between two companies now needs prior CCI approval if their combined sales is more than Rs4,500 crore. For global M&amp;As, this threshold is \$2.25 billion with sales within India of Rs2,250 crore. However, in cases where the target company has sales of less than Rs750 crore the deal is exempt from CCI's prior approval. CCI official said this wording could see many M&amp;As being exempted, "especially if the acquisition is done through creating a special purpose vehicle with zero turnover".</p> <p><a href="http://www.livemint.com/2011/10/05003136/Antitrust-body-seeks-tighter-M.html">http://www.livemint.com/2011/10/05003136/Antitrust-body-seeks-tighter-M.html</a>  <a href="http://businesstoday.intoday.in/story/antitrust-body-seeks-tighter-manda-norms/1/19138.html">http://businesstoday.intoday.in/story/antitrust-body-seeks-tighter-manda-norms/1/19138.html</a></p>	☺
58.	Oct 11, 2011	<p><b><u>Pharma acquisitions to be routed through CCI</u></b></p> <ul style="list-style-type: none"> <li>Brownfield investment would be allowed through the FIPB for six months, following which such acquisitions would be routed through the CCI</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-national/tp-newdelhi/article2527094.ece">http://www.thehindu.com/todays-paper/tp-national/tp-newdelhi/article2527094.ece</a></p>	☺
59.	Oct 13, 2011	<p><b><u>Ashok Chawla to take charge as CCI chairman</u></b></p> <ul style="list-style-type: none"> <li>the Appointments Committee of Cabinet (ACC) has approved the appointment of Chawla as head of the anti-trust body.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2011-10-13/news/30275439_1_ashok-chawla-cci-dhanendra-kumar">http://articles.economictimes.indiatimes.com/2011-10-13/news/30275439_1_ashok-chawla-cci-dhanendra-kumar</a>  <a href="http://www.indianexpress.com/news/ashok-chawla-to-head-cci/859774/">http://www.indianexpress.com/news/ashok-chawla-to-head-cci/859774/</a>  <a href="http://www.hindustantimes.com/India-news/NewDelhi/Ashok-Chawla-is-new-CCI-chairman/Article1-759754.aspx">http://www.hindustantimes.com/India-news/NewDelhi/Ashok-Chawla-is-new-CCI-chairman/Article1-759754.aspx</a>  <a href="http://www.moneycontrol.com/news/business/new-cci-boss-ashok-chawla-promises-effective-competition_603132.html">http://www.moneycontrol.com/news/business/new-cci-boss-ashok-chawla-promises-effective-competition_603132.html</a></p>	☺
60.	Oct 17, 2011	<p><b><u>CCI efficacy to clear pharma deals doubtful: Experts</u></b> (By Joe C Mathew)</p> <ul style="list-style-type: none"> <li>Experts doubt the effectiveness of giving charge to CCI to scrutinise all mergers and acquisitions (M&amp;As) happening in Indian pharmaceutical sector. According to them, competition law is not the appropriate platform to deal with the issue of developing and maintaining indigenous drug research capabilities for production of low-cost generic medicines.</li> <li>Experts also feel the move to take away financial threshold limit for allowing CCI scrutiny of all pharma M&amp;As is not practical</li> <li>Pradeep S. Mehta considers the discussions about not having any financial thresholds for the pharma sector mergers/takeovers as "silly" and impractical</li> </ul>	☹



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61.	Oct 30 2011	<p><a href="http://www.business-standard.com/india/news/cci-efficacy-to-clear-pharma-deals-doubtful-experts/452802/">http://www.business-standard.com/india/news/cci-efficacy-to-clear-pharma-deals-doubtful-experts/452802/</a></p> <p><b>No ground for sectoral exemptions: CCI Chief</b></p> <ul style="list-style-type: none"> <li>- Ashok Chawla is against granting exemptions to more sectors from provisions of competition law as it would dilute the purpose of the anti-trust legislation. The fundamental premise of competition law is that any commercial activity has to be in the purview of competition law.</li> <li>- Chawla said the exemptions should only be given to sensitive sectors like defence, atomic energy and, coins and currencies. Where even the state discharging functions are commercial in nature, for example the oil companies and parts of the railways, those logically cannot be exempted.</li> <li>- Section 54 of the Competition Act 2002, grants the government the power to exempt a sector from the purview of the CCI</li> </ul> <p><a href="http://www.indianexpress.com/news/no-ground-for-sectoral-exemptions-cci-chief/867760/2">http://www.indianexpress.com/news/no-ground-for-sectoral-exemptions-cci-chief/867760/2</a></p>	☺
62.	Nov 19, 2011	<p><b>Competition Commission of India to referee Indian hockey slugfest</b> (by Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>- India's officially-sanctioned hockey body is playing the bully by threatening sanctions against players who take part in hockey's version of the IPL organised by a rival group.</li> <li>- A senior CCI official said, "CCI will be looking into Hockey India's dominant role in the sport management aspect of the game and will seek international best practices as well."</li> <li>- According to competition law experts, such cases are very common internationally and CCI needs to set precedence in India.</li> <li>- Interestingly, in an identical case last week, the Delhi High Court had asked CCI to probe whether the All India Chess Federation (AICF) is abusing its dominant position by prohibiting players associating themselves with other chess federations. "</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2011-11-19/news/30419506_1_hockey-india-competition-act-international-hockey-federation">http://articles.economictimes.indiatimes.com/2011-11-19/news/30419506_1_hockey-india-competition-act-international-hockey-federation</a></p>	☺
63.	Nov 28, 2011	<p><b>State monopolies not exempt from Competition Act: Ashok Chawla</b> (By Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>- Chawla says proposals to grant the commission powers to conduct unannounced inspection on all businesses, which will give the watchdog more teeth, are under consideration.</li> <li>- Whenever there is a misuse of monopoly, CCI will take action. Another way to deal with government monopolies is advocacy, where CCI send advisory notes to departments and engage with them in changing their policy paradigms.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2011-11-28/news/30450357_1_competition-act-ashok-chawla-competition-law/2">http://articles.economictimes.indiatimes.com/2011-11-28/news/30450357_1_competition-act-ashok-chawla-competition-law/2</a></p>	☺

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64.	Dec 14, 2011	<p><b><u>CCI with Par Panel view to keep bank M&amp;As out of its purview</u></b></p> <ul style="list-style-type: none"> <li>– Competition watchdog CCI has welcomed parliamentary panel's recommendation to keep bank mergers outside its purview temporarily and said that it will pitch in wherever there is "an element of urgency" in decision making.</li> <li>– Chawla said "Where some weak bank or failing bank is going to be acquired by a healthy bank where there is an element of urgency, where there is some dispatch required in the decision-making, CCI will intervene, but not across the board in respect of all mergers,"</li> </ul> <p><a href="http://profit.ndtv.com/news/politics/article-cci-with-par-panel-view-to-keep-bank-m-as-out-of-its-purview-294094">http://profit.ndtv.com/news/politics/article-cci-with-par-panel-view-to-keep-bank-m-as-out-of-its-purview-294094</a></p>	☹
65.	Dec 19, 2011	<p><b><u>Competition regulator to screen big JVs too</u></b> (By KG Narendranath and Ronojoy Banerjee)</p> <ul style="list-style-type: none"> <li>– The corporate affairs ministry is considering two key changes in the Competition Act, 2002: <ul style="list-style-type: none"> <li>i) to give the CCI regulatory powers over big joint ventures (JVs) and</li> <li>ii) to include deal size as a criterion for mergers and acquisitions (M&amp;As) to come under the Commission's purview.</li> </ul> </li> <li>– Policy behind it is that JVs have tendency to create concentration of market power, potentially harming competition within the relevant markets.</li> </ul> <p><a href="http://www.financialexpress.com/news/competition-regulator-to-screen-big-jvs-too/889468/">http://www.financialexpress.com/news/competition-regulator-to-screen-big-jvs-too/889468/</a></p>	☺
66.	Dec 20, 2011	<p><b><u>'Don't keep bank mergers out of CCI purview'</u></b></p> <ul style="list-style-type: none"> <li>– CCI said the proposed exclusion of bank mergers from its purview was 'not good', as other sectors might also claim such exemptions.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-business/article2730195.ece">http://www.thehindu.com/todays-paper/tp-business/article2730195.ece</a></p>	☹
67.	Dec 29, 2011	<p><b><u>Pharma deals may come under scanner</u></b> (By Joe C Mathew)</p> <ul style="list-style-type: none"> <li>– The MCA is planning to amend the Competition Act, 2002, to introduce sector-specific assets and turnover thresholds for merger and acquisition (M&amp;A) scrutiny. While the move is primarily meant to empower the CCI to take up the scrutiny of all M&amp;As happening in the domestic pharmaceutical space, it will make sector-specific exemptions, if required, easy across industrial sectors.</li> </ul> <p><a href="http://www.business-standard.com/india/news/pharma-deals-may-come-under-scanner/460117/">http://www.business-standard.com/india/news/pharma-deals-may-come-under-scanner/460117/</a></p>	☺
68.	Jan 20, 2012	<p><b><u>MCA resists Competition Act changes</u></b> (By Sangeeta Singh)</p> <ul style="list-style-type: none"> <li>– A proposed amendment would widen the ambit of cartels to include buyers' cartels and trade associations, which are currently not subject to investigation. Besides, the committee has suggested the inclusion of joint ventures (currently a grey area) while notifying CCI before any M&amp;A is executed.</li> <li>– It has also suggested tightening the definition of 'change in control'. It would be one that leads to "decisive influence" by the acquirer.</li> </ul>	☹

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		<ul style="list-style-type: none"> <li>- The panel also proposed giving CCI the power of defining turnover for the purpose of deciding threshold limits that will require the watchdog's clearance.</li> <li>- The proposed amendments would also empower the CCI chairman to allocate cases to members</li> <li>- The CCI chairman would be empowered to authorize its director general for search and seizure of documents of companies being investigated.</li> <li>- MCA on its part is reluctant to accept all changes. Senior MCA official said "The Act is still young and to bring in several changes will create confusion both within the CCI and the corporate world,"</li> </ul> <p><a href="http://www.livemint.com/2012/01/19224116/MCA-resists-Competition-Act-ch.html?atype=tp">http://www.livemint.com/2012/01/19224116/MCA-resists-Competition-Act-ch.html?atype=tp</a></p>	
69.	March, 2012	<p><b><u>CCI is an overall market regulator: Ashok Chawla</u></b></p> <ul style="list-style-type: none"> <li>- CCI is an overall market regulator whose objective is to ensure that market forces operate with transparency and fair play. It has been put in place to identify the boundaries of behaviour of the industry. CCI ensures that the economic activity is not restricted and freedom of trade is not affected. The main objective is to ensure that the consumer should benefit by the more efficiency. He also said that self-regulation was of prime importance to avoid infringement of law or market practices.</li> </ul> <p><a href="http://www.mxmindia.com/2012/03/ff12-cci-is-an-overall-market-regulator-ashok-chawla/">http://www.mxmindia.com/2012/03/ff12-cci-is-an-overall-market-regulator-ashok-chawla/</a></p>	☺
70.	May 7, 2012	<p><b><u>Competition Commission of India disposed of 75 per cent of the cases till Mar'12: Government</u></b></p> <ul style="list-style-type: none"> <li>- Competition Commission of India (CCI) received a total number of 304 cases up to March 31, 2012 under various sections of the Competition Act. Out of these, 227 cases have been disposed off," the Minister of State for Corporate Affairs R P N Singh</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2012-05-07/news/31610694_1_complaints-against-private-airlines-competition-act-cci">http://articles.economictimes.indiatimes.com/2012-05-07/news/31610694_1_complaints-against-private-airlines-competition-act-cci</a></p>	☺
71.	May 15, 2012	<p><b><u>Competition panel ropes in key business leaders</u></b> (Mahua Venkatesh)</p> <ul style="list-style-type: none"> <li>- CCI is taking advice from industry veterans to deal with complex deals. These eminent personalities would bring experience to ensure that fair-play and competition are upheld to eventually benefit the end consumer.</li> <li>- 8-member group advised CCI on issues ranging from monopolistic practices to cartel formation. Some of these members are NR Narayana Murthy, Kiran Mazumdar Shaw, Rakesh Mohan and Bakul Dhokalia</li> </ul> <p><a href="http://www.hindustantimes.com/business-news/WorldEconomy/Competition-panel-ropes-in-key-business-leaders/Article1-856339.aspx">http://www.hindustantimes.com/business-news/WorldEconomy/Competition-panel-ropes-in-key-business-leaders/Article1-856339.aspx</a></p>	☺

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72.	Jun 4, 2012	<p><b><u>CCI orders on tyre, cement cartels soon: Chawla</u></b></p> <ul style="list-style-type: none"> <li>CCI today said final orders on tyre and cement cartels are in the final stages and are expected in the next two-three weeks. Chawla said that the exclusion of banks and telcos from the purview of CCI weakens the institution.</li> </ul> <p><a href="http://www.firstpost.com/business/cci-orders-on-tyre-cement-cartels-soon-chawla-332109.html">http://www.firstpost.com/business/cci-orders-on-tyre-cement-cartels-soon-chawla-332109.html</a></p>	😊
73.	Jun 11, 2012	<p><b><u>CCI complements sectoral regulators like Trai</u></b> (By Rishi Raj, KG Narendranath)</p> <ul style="list-style-type: none"> <li>Market regulator is an expert in its area with mostly ex-post functions, unlike sectoral regulators who are supposed to take ex-ante actions, in keeping with their objectives. They (sectoral regulators) may have a role in issues like licensing. It is a misconception that when there are sector regulators, there isn't the need for another (market) regulator.</li> </ul> <p><a href="http://www.financialexpress.com/news/cci-complements-sectoral-regulators-like-trai/960425/9">http://www.financialexpress.com/news/cci-complements-sectoral-regulators-like-trai/960425/9</a></p>	😐
74.	Jun 16,2012	<p><b><u>Turf War! Sectoral Regulators vs CCI</u></b></p> <ul style="list-style-type: none"> <li>One section in the Banking Laws Amendment Bill, 2011 is fuelling a potential turf war amongst sectoral regulators and CCI. The section says 'nothing contained in the Competition Act, 2002 shall apply to any banking company, the state bank of India, any subsidiary bank, any corresponding new bank or any regional rural bank or co-operative bank or multi-state co-operative bank in respect of the matters relating to amalgamation, merger, reconstruction, transfer, reconstitution or acquisition. This would mean that CCI will have no jurisdiction over banking sector.</li> <li>But majority of veterans, namely Ashok Chawla (CCI Chairman), Laura Carstensen (Former Deputy Chairman Competition Commission, UK), Christine Wilson (Partner, Kirkland &amp; Ellis LLP, Former Vice Chair, Federal Civil Enforcement Committee, Antitrust Section) believe that both should co-exist.</li> <li>Laura Carstensen said that there are no exemptions from the Competition rules in UK. Similarly in US exemptions are disfavoured and have very rare and limited in scope as informed by Christine Wilson.</li> <li>However SL Rao (Former Chairman, CERC) have different opinion on the same. According to him no sector has the kind of differentiation that banking does. . Banking is a part of the overall financial and economic policies and if it is not closely regulated then , it can go completely out of hand.</li> </ul> <p><a href="http://thefirm.moneycontrol.com/story_page.php?autono=718698">http://thefirm.moneycontrol.com/story_page.php?autono=718698</a></p>	😐
	Jun 22, 2012	<p><b><u>Former CCI chairman pushes for inclusion of all sectors under CCI's ambit</u></b> (By Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>Several regulators like RBI and TRAI demands for exemption from Competition Act.</li> <li>According to Dhanendra Kumar "Sectoral regulators specialize in mandating pricing, quality control etc within their sectors and CCI comes into the picture ex post when an activity leads to appreciable adverse effect on</li> </ul>	



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		<p>competition, therefore there is no reason why they cannot complement each other,"  <a href="http://articles.economictimes.indiatimes.com/2012-06-22/news/32369085_1_sectoral-regulators-cci-competition-act">http://articles.economictimes.indiatimes.com/2012-06-22/news/32369085_1_sectoral-regulators-cci-competition-act</a></p>	
75.	<p>June 19, 2012</p> <p>June 22, 2012</p> <p>June 22, 2012</p>	<p><b>CCI finds cement firms guilty of forming cartel</b> (By Bindu D. Menon and Suresh P. Iyengar)</p> <ul style="list-style-type: none"> <li>CCI imposed penalties on 11 leading cement manufacturers for alleged cartelisation. CCI on investigation found that the companies were under reporting production and colluding to form a cartel.</li> </ul> <p><a href="http://www.thehindubusinessline.com/industry-and-economy/article3547504.ece">http://www.thehindubusinessline.com/industry-and-economy/article3547504.ece</a>  <a href="http://articles.economictimes.indiatimes.com/2012-06-20/news/32335811_1_cement-companies-cci-ultratech">http://articles.economictimes.indiatimes.com/2012-06-20/news/32335811_1_cement-companies-cci-ultratech</a>  <a href="http://business.topnewstoday.org/business/article/2214338/">http://business.topnewstoday.org/business/article/2214338/</a>  <a href="http://www.moneycontrol.com/news/cnbc-tv18-comments/cci-says-cement-cos-guiltycartelisation-to-fine-10-cos_719816.html">http://www.moneycontrol.com/news/cnbc-tv18-comments/cci-says-cement-cos-guiltycartelisation-to-fine-10-cos_719816.html</a></p> <p><b>Over Rs.6,300 crore penalty slapped on 11 cement firms for cartel sale</b> (K. T. Jagannathan)</p> <p><a href="http://www.thehindu.com/todays-paper/tp-business/article3556616.ece">http://www.thehindu.com/todays-paper/tp-business/article3556616.ece</a></p> <ul style="list-style-type: none"> <li>In July 2011, the Serious Fraud Investigation Office (SFIO), the probe arm of the Corporate Affairs Ministry was also asked to investigate cement manufacturing majors ACC, Ambuja and Ultratech.</li> </ul> <p><a href="http://news.outlookindia.com/items.aspx?artid=766403">http://news.outlookindia.com/items.aspx?artid=766403</a>  <a href="http://m.indiatoday.in/story/cement-firms-penalised-for-cartelisation/1/201766.html">http://m.indiatoday.in/story/cement-firms-penalised-for-cartelisation/1/201766.html</a>  <a href="http://businesstoday.intoday.in/story/impact-of-competition-commission-fining-cement-firms/1/186476.html">http://businesstoday.intoday.in/story/impact-of-competition-commission-fining-cement-firms/1/186476.html</a></p> <p><b>Cementing CCI's role</b></p> <ul style="list-style-type: none"> <li>The article complements CCI as it has emerged as a force to reckon with, a body that industry needs to watch out for.</li> </ul> <p><a href="http://www.financialexpress.com/news/fe-editorial-cementing-ccis-role/965275/1">http://www.financialexpress.com/news/fe-editorial-cementing-ccis-role/965275/1</a></p>	
76.	June 21, 2012	<p><b>Cement companies disappointed with Competition Commission order</b></p> <ul style="list-style-type: none"> <li>India Cements and Madras Cements have expressed indignation and disappointment over the CCI's order penalising them for manipulating the cement market. Both companies are planning to file an appeal against the order.</li> </ul> <p><a href="http://www.thehindubusinessline.com/industry-and-economy/article3555190.ece">http://www.thehindubusinessline.com/industry-and-economy/article3555190.ece</a></p>	

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77.	June 22, 2012	<p><b><u>Competition panel now eyes ‘milk, tyre cartels’</u></b></p> <ul style="list-style-type: none"> <li>– After having looked at the real estate, aviation, pharmaceutical, cement and other sectors, CCI is now keeping eyes on milk and tyre industries.</li> </ul> <p><a href="http://www.thehindubusinessline.com/industry-and-economy/article3559532.ece">http://www.thehindubusinessline.com/industry-and-economy/article3559532.ece</a></p>	☺
78.	June 28, 2012	<p><b><u>Welcome assertiveness</u></b></p> <ul style="list-style-type: none"> <li>– CCI has demonstrated its assertiveness in the path breaking order of penalizing cement companies. CCI hopes firmly to delineate the contours of competition law.</li> <li>– The battle for an effective competition law has begun in earnest. The CCI’s assertiveness is a welcome sign.</li> </ul> <p><a href="http://www.thehindu.com/todays-paper/tp-opinion/article3578951.ece">http://www.thehindu.com/todays-paper/tp-opinion/article3578951.ece</a></p>	☺
79.	July 3, 2012	<p><b><u>India’s CCI in talks with other competition regulators about penalty guidelines</u></b> (By Freny Patel)</p> <ul style="list-style-type: none"> <li>– CCI is in talks with competition regulators in other countries, like Europe, to come up with clear-cut guidelines and make the penalties as scientific or mathematical as possible.</li> <li>– India’s Competition Acts provide for penalties of up to 10% of annual turnover or three times net profit during the period that any anti-competitive agreements. CCI decides on the basis of merits of each case.</li> </ul> <p><a href="http://www.ft.com/cms/s/2/8e16b5b4-c534-11e1-940d-00144feabdc0.html#axzz25TXHgrVI">http://www.ft.com/cms/s/2/8e16b5b4-c534-11e1-940d-00144feabdc0.html#axzz25TXHgrVI</a></p>	☺
80.	July 3, 2012	<p><b><u>CCI Chairman Ashok Chawla focuses on quick decision-making and big cases</u></b> ( By John Samuel Raja D &amp; Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>– India's competition regulator 23 months to decide on a complaint that cement companies were colluding to fix product prices.</li> <li>– Ashok Chawla said that the new CCI is positioning itself to be about selectivity and speed. He further asserted that CCI will not accept weak cases and the cases it admits; it will pursue them with vigour.</li> <li>– CCI will start investigation only when there is a very high degree of prima facie evidence.</li> <li>– CCI had 58 cases pending in December 2011. This has dropped to around 20 today.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2012-07-03/news/32523916_1_cci-chairman-ashok-chawla-clear-cases-competition-commission">http://articles.economictimes.indiatimes.com/2012-07-03/news/32523916_1_cci-chairman-ashok-chawla-clear-cases-competition-commission</a></p>	☺
81.	Jul 04, 2012	<p><b><u>CCI must regulate all sectors: Chawla</u></b></p> <ul style="list-style-type: none"> <li>– Anti-trust body CCI wants to retain the powers to regulate competition issues in all the sectors including banking, insurance, telecom and power, saying there is no conflict of jurisdiction.</li> <li>– Essentially and conceptually the two regulators have to work in coordination and according to us there is no issue of conflict of jurisdiction. Chawla added that when the government brought out the competition law and prescribed a market regulator "then everybody should be subject to that unless there are extremely serious public</li> </ul>	☺

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		<p>policy considerations which need certain activities to be out".  <a href="http://www.financialexpress.com/news/cci-must-regulate-all-sectors-chawla/970290/0">http://www.financialexpress.com/news/cci-must-regulate-all-sectors-chawla/970290/0</a></p>	
82.	July 9, 2012	<p><b><u>Cement cos wait for stay on CCI penalty to avoid provisioning</u></b></p> <ul style="list-style-type: none"> <li>– The eleven cement companies that were penalised for price cartelisation have moved the Competition Appellate Tribunal against the order.</li> <li>– Mr Sudip Bandyopadhyay, Managing Director, Destimoney Securities, said the penalty on a core sector such as the cement industry will weaken the foreign and domestic investor confidence.</li> </ul> <p><a href="http://www.thehindubusinessline.com/industry-and-economy/article3621102.ece">http://www.thehindubusinessline.com/industry-and-economy/article3621102.ece</a></p>	☹
83.	July 09, 2012	<p><b><u>Unhealthy abuse of dominance</u></b> (By Pradeep S Mehta)</p> <ul style="list-style-type: none"> <li>– In health sector firms usually find themselves in a dominant position, with huge opportunities for abuse due to the existence of several barriers to entry. This makes the need to protect the sector against any anti-competitive tendencies that can suppress its growth paramount. Therefore competition authorities around that world monitor the market closely to ensure that firms abusing their dominance are fined heavily. Various examples have been cited in the article.</li> <li>– India is among the top five producers of bulk drugs in the world, with a share of 20% in the pharmaceutical market. Only some 35% of Indians are able to access essential medicines. Therefore it is suggested that the Competition Act, 2002 can be used as a tool to remedy the situation.</li> <li>– It is recommended that health sector is a crucial sector therefore CCI needs to take serious action against the companies. The abuse of dominance in the health sector is due to the abuse of intellectual property rights (IPRs). Therefore CCI need to invest heavily in getting acquainted with the whole rubric of the interface between competition and IPR, which would prove useful in dealing with abuse of dominance in the health and similar sectors.</li> </ul> <p><a href="http://www.financialexpress.com/news/unhealthy-abuse-of-dominance/971857/">http://www.financialexpress.com/news/unhealthy-abuse-of-dominance/971857/</a></p>	☺
84.	Jul 21, 2012	<p><b><u>CCI to frame regulations to decide the penalty levied on companies</u></b> (By Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>– The competition regulator will frame clear regulations to decide the penalty it imposes on companies found guilty under anti-competition laws in a bid to ensure that its orders pass the scrutiny of appellate authorities. CCI will issue a regulation to add the guidelines under section 27 of the Act.</li> <li>– The Act in its current form allows the competition watchdog to issue regulations regarding procedures on its own without having to approach the Cabinet which is a time consuming process.</li> <li>– Vinod Dhall, former Chairman, CCI said that in respect of the proportionality of the fines, the CCI need to consider the approach of some other competition authorities, and also issue guidelines on this subject.</li> </ul>	☺

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		<a href="http://articles.economictimes.indiatimes.com/2012-07-21/news/32776845_1_competition-act-competition-commission-average-turnover">http://articles.economictimes.indiatimes.com/2012-07-21/news/32776845_1_competition-act-competition-commission-average-turnover</a>	
85.	Jul 25, 2012	<p><b>Competition watchdog seeks whistleblowers</b> (By Bhuma Shrivastava &amp; Aman Malik)</p> <ul style="list-style-type: none"> <li>– CCI has advertised for whistleblowers from within cartels to make “vital disclosures” before it, promising them confidentiality and lenient penalties in return as part of a drive to ferret out such information about such practices.</li> </ul> <p><a href="http://www.livemint.com/2012/07/24225551/Competition-watchdog-seeks-whi.html?d=1">http://www.livemint.com/2012/07/24225551/Competition-watchdog-seeks-whi.html?d=1</a></p>	😊
86.	Jul 25, 2012	<p><b>CCI takes up suo-moto inquiry against milk players</b> (by Rutam Vora)</p> <ul style="list-style-type: none"> <li>– The milk retailers were alleged to have indulged into price cartelisation by making frequent price rise in a short span of time.</li> <li>– Chawla also hinted that the commission would take a note of the increase in petroleum prices by oil companies.</li> <li>– Further, in order to overcome the disconnect between the government policy and competition law in the country, a proposal has been mooted to form a Cabinet Committee on Competition.</li> </ul> <p><a href="http://www.business-standard.com/india/news/cci-takessuo-moto-inquiry-against-milk-players/478331/">http://www.business-standard.com/india/news/cci-takessuo-moto-inquiry-against-milk-players/478331/</a></p>	😊
87.	Jul 30, 2012	<p><b>CCI Imposes Rs 397 Cr Penalty on Shree Cement</b></p> <p><a href="http://news.outlookindia.com/items.aspx?artid=770423">http://news.outlookindia.com/items.aspx?artid=770423</a></p>	😊
88.	Jul 31, 2012	<p><b>Competition commission needs to have guidelines on fines</b> (Vivek Law)</p> <ul style="list-style-type: none"> <li>– In an interview with livemint, Pallavi Shroff points out couple of glitches in the CCI’s policy. One is that the CCI or the director general investigates, using sophisticated tools and an economic tool of investigation is very important as far as the competition law is concerned. In order to impose high fine it is necessary to look at the economics or the econometric models of certain products otherwise it would be very unfair.</li> <li>– CCI also needs to have set guidelines for fining like other countries. Globally every country has the formula of how they are going to fine which CCI needs to put in the system.</li> </ul> <p><a href="http://www.livemint.com/articles/2012/07/30220718/Competition-commission-needs-t.html?atype=tp">http://www.livemint.com/articles/2012/07/30220718/Competition-commission-needs-t.html?atype=tp</a></p>	😞
89.	Aug 9, 2012	<p><b>Ashok Chawla on what gives the CCI its teeth</b> (by Arlene Chang)</p> <p>In an interview with Firstpost Ashok Chawla discussed about the pressure from other regulatory bodies and state monopolies. Some of the pointers are the following:</p> <ul style="list-style-type: none"> <li>– Overall we have about 275 cases of which 210 have been decided and penalties have been imposed on about 30— most others have been closed so far.</li> <li>– The imposition of the fine is a culmination of the legal process , which starts with a complaint or information to</li> </ul>	😊

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		<p>us. The penalties have covered a fairly wide range of sectors and activities — both in the manufacturing and the services sector.</p> <ul style="list-style-type: none"> <li>– So many corporates and people who have to ensure that the act is followed are not entirely aware of the Act. they are certainly not ignoring it, they are trying to take it seriously.</li> <li>– CCI hopes to strengthen themselves, both in terms of capacity and in terms of their investigative abilities. CCI will put out to all stakeholders the fact that most other activities that are going to cause problems will be put under the scanner and that this is an act which cannot be treated lightly and cannot be ignored in the years to come.</li> </ul> <p><a href="http://www.firstpost.com/business/ashok-chawla-on-what-gives-the-cci-its-teeth-408942.html">http://www.firstpost.com/business/ashok-chawla-on-what-gives-the-cci-its-teeth-408942.html</a></p>	
90.	August 09, 2012	<p><b><u>India probing anti-competitive practices by car makers</u></b></p> <ul style="list-style-type: none"> <li>– CCI is investigating anti-competitive practices by car makers. CCI was looking into a practice whereby automakers do not allow dealers to sell other brands.</li> </ul> <p><a href="http://profit.ndtv.com/news/corporates/article-india-probing-anti-competitive-practices-by-car-makers-309109">http://profit.ndtv.com/news/corporates/article-india-probing-anti-competitive-practices-by-car-makers-309109</a></p>	☺
91.	Aug. 17, 2012	<p><b><u>Competition panel order on DLF project may send strong signal to unregulated realty market</u></b> (By Moumita Bakshi Chatterjee)</p> <ul style="list-style-type: none"> <li>– Mr Vinod Dhall, former acting Chairman of CCI termed the CCI's decision as “landmark”. He further added that the real estate sector was waiting to get some kind of discipline but this does not mean that CCI has become a consumer court. Both have different roles. CCI's role comes in only where competition is affected.</li> </ul> <p><a href="http://www.thehindubusinessline.com/industry-and-economy/article2366470.ece">http://www.thehindubusinessline.com/industry-and-economy/article2366470.ece</a></p>	☺
92.	Aug 18, 2012	<p><b><u>Flaw in Competition Act likely to make CCI orders void</u></b> (By Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>– The current Competition Act, 2002 does not have any provision for the CCI to close a case if the Director-General's report recognizes a contravention of the Act. Though surprisingly, a majority of cases have been closed by the Commission despite DG stating otherwise.</li> <li>– The absence of such a crucial provision leads to a situation where the affected party is left with no power to appeal with the higher authorities once the case is struck down by the commission.</li> </ul> <p><a href="http://articles.economictimes.indiatimes.com/2012-08-18/news/33262530_1_compat-competition-act-competition-commission">http://articles.economictimes.indiatimes.com/2012-08-18/news/33262530_1_compat-competition-act-competition-commission</a></p>	☹
93.	Aug 21, 2012	<p><b><u>Google under CCI lens for adopting anti-competitive practices</u></b> (By Indu Nandakumar)</p> <ul style="list-style-type: none"> <li>– Google ranks its search results is beginning to resonate in India as e-commerce takes off in Asia's third-largest economy. Some Indian businesses that depend on internet search for users to discover their services find the search giant's near-monopoly. Google has a 97% share of the Indian search market. Also there is no transparency on what parameters ranking is given.</li> </ul>	☺

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		<ul style="list-style-type: none"> <li>– Google has submitted its responses and is awaiting further communication from the government body. <a href="http://timesofindia.indiatimes.com/tech/news/internet/Google-under-CCI-lens-for-adopting-anti-competitive-practices/articleshow/15581919.cms">http://timesofindia.indiatimes.com/tech/news/internet/Google-under-CCI-lens-for-adopting-anti-competitive-practices/articleshow/15581919.cms</a></li> </ul>	
94.	21 Aug, 2012	<p><b><u>Economic fundamentals strong; need holistic reforms, says Moily</u></b></p> <ul style="list-style-type: none"> <li>– Corporate Affairs Minister Veerappa Moily emphasized on the need for effective implementation of competition policy since anti-competitive forces cause hurdles to growth. <a href="http://economictimes.indiatimes.com/news/economy/policy/economic-fundamentals-strong-need-holistic-reforms-says-moily/articleshow/15584672.cms">http://economictimes.indiatimes.com/news/economy/policy/economic-fundamentals-strong-need-holistic-reforms-says-moily/articleshow/15584672.cms</a></li> </ul>	☺
95.	Aug. 22, 2012	<p><b><u>Aditya Birla Nuvo, Pantaloon to re-submit CCI application</u></b></p> <ul style="list-style-type: none"> <li>– Aditya Birla Nuvo Ltd said it will approach the CCI again with final details of its proposed takeover of Pantaloon retail business from Future group.</li> <li>– Both entities, according to the CCI, had sought approval based on their MoU for the proposed deal. However, the CCI rules require applications to be made after the boards of the concerned companies' approval for the final deal. <a href="http://indiatoday.intoday.in/story/aditya-birla-nuvo-pantaloon-to-re-submit-cci-application/1/214158.html">http://indiatoday.intoday.in/story/aditya-birla-nuvo-pantaloon-to-re-submit-cci-application/1/214158.html</a></li> </ul>	☺
96.	Aug 24, 2012	<p><b><u>CCI must scrutinise M&amp;As in all sectors and coordinate with sectoral regulators</u></b></p> <ul style="list-style-type: none"> <li>– The government has reportedly decided to bring bank mergers under the scrutiny of the CCI. Matters on competition should not be left to sectoral regulators, many of whom are keen to enlarge their turf. <a href="http://economictimes.indiatimes.com/opinion/editorial/cci-must-scrutinise-mas-in-all-sectors-and-coordinate-with-sectoral-regulators/articleshow/15626455.cms">http://economictimes.indiatimes.com/opinion/editorial/cci-must-scrutinise-mas-in-all-sectors-and-coordinate-with-sectoral-regulators/articleshow/15626455.cms</a></li> </ul>	☺
97.	Aug 26, 2012	<p><b><u>Fifth wheel of match making</u></b></p> <ul style="list-style-type: none"> <li>– The proposal to give the Competition Commission of India (CCI) a veto power on bank mergers is ill-advised as they will be unnecessarily delayed.</li> <li>– The regulatory philosophy of the two institutions is fundamentally different. The RBI, by its very mandate, must operate on the principle of secrecy and speedy/decisive action. In contrast, the CCI procedure is built around the notion of open debate and complete transparency. They cannot coexist.</li> <li>– Market dominance in the banking is not possible as there are number of banking institutions. <a href="http://www.thehindubusinessline.com/opinion/editorial/article3824523.ece?homepage=true">http://www.thehindubusinessline.com/opinion/editorial/article3824523.ece?homepage=true</a></li> </ul>	☹

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98.	Aug 27, 2012	<p><b><u>Competition Commission of India to look over sectoral regulators</u></b> (By Shruti Choudhury)</p> <ul style="list-style-type: none"> <li>- The deadlock regarding the overlap of jurisdiction of the anti trust authority over other sectoral regulators such as banking and telecom is set to be resolved soon with the group of ministers taking a view that no sector can be given a blanket exemption from the CCI's purview.</li> <li>- CCI official said that "Section 21 and 21 (A) of the Act states that the commission as well as the other authority may make reference to each other if need be. This will now be changed to 'shall', making it mandatory for both to consult each other.,"</li> </ul> <p><a href="http://economictimes.indiatimes.com/news/economy/policy/competition-commission-of-india-to-look-over-sectoral-regulators/articleshow/15830591.cms">http://economictimes.indiatimes.com/news/economy/policy/competition-commission-of-india-to-look-over-sectoral-regulators/articleshow/15830591.cms</a></p>	☺
99.	Aug 28, 2012	<p><b><u>CUTS approaches competition panel against global potash cartel</u></b> (By Bindu D. Menon)</p> <ul style="list-style-type: none"> <li>- CUTS has approached the CCI against a global potash cartel operated by seven companies abroad. In its preliminary report submitted to CCI on August 25, CUTS said India is dependent on imports for its potash nutrient requirement. It imports entire requirement of over six million tonnes.</li> </ul> <p><a href="http://www.thehindubusinessline.com/news/international/article3832173.ece">http://www.thehindubusinessline.com/news/international/article3832173.ece</a></p>	☺
100.	Aug 29, 2012	<p><b><u>CCI approves Birla groups 27.5% buy in Living Media</u></b></p> <ul style="list-style-type: none"> <li>- CCI approved Aditya Birla group's purchase of 27.5 per cent in Living Media India Ltd, the holding firm of media giant India Today Group. CCI held that the transaction "is not likely to have an appreciable adverse effect on competition in India"</li> </ul> <p><a href="http://business-standard.com/india/news/cci-approves-birla-groups-275-buy-in-living-media-/484777/">http://business-standard.com/india/news/cci-approves-birla-groups-275-buy-in-living-media-/484777/</a></p> <p><b><u>Competition panel clears Birla's 27.5% stake in India Today Group</u></b></p> <p><a href="http://www.thehindubusinessline.com/companies/article3831836.ece">http://www.thehindubusinessline.com/companies/article3831836.ece</a></p> <p><a href="http://zeenews.india.com/business/news/companies/cci-approves-birla-groups-27-5-stake-buy-in-living-media_59030.html">http://zeenews.india.com/business/news/companies/cci-approves-birla-groups-27-5-stake-buy-in-living-media_59030.html</a></p> <p><a href="http://www.financialexpress.com/news/cci-nod-for-birla-groups-27.5-stake-buy-in-living-media/994466/">http://www.financialexpress.com/news/cci-nod-for-birla-groups-27.5-stake-buy-in-living-media/994466/</a></p> <p><a href="http://www.indianexpress.com/news/cci-nod-for-birla-groups-27.5-stake-buy-in-living-media/994466/">http://www.indianexpress.com/news/cci-nod-for-birla-groups-27.5-stake-buy-in-living-media/994466/</a></p>	☺
101.	Aug 30, 2012	<p><b><u>Competition watchdog may have its say on all M&amp;As</u></b> (By Sushmi Dey)</p> <ul style="list-style-type: none"> <li>- The Cabinet Committee on Economic Affairs (CCEA) is likely to consider the proposal of empowering the competition watchdog for this, while keeping provisions for consultations between the two.</li> <li>- The GoM, set up for considering amendments in the Competition Act, has suggested more powers for CCI. The GoM also recommended powers for search and seizure to CCI at the level of Director General of Investigations.</li> </ul> <p><a href="http://www.business-standard.com/india/news/competition-watchdog-may-have-its-sayall-mas/484880/">http://www.business-standard.com/india/news/competition-watchdog-may-have-its-sayall-mas/484880/</a></p>	☺

S.No.	Date	News/Abstract	Smileys
102.	Aug 31, 2012	<p><b><u>Deepak Parekh nominated to CCI's expert advisory group</u></b></p> <ul style="list-style-type: none"> <li>The government today nominated industry leader Deepak Parekh to Competition Commission's Eminent Persons Advisory Group, which advises the anti-trust regulator on good global practices and other issues.</li> </ul> <p><a href="http://economictimes.indiatimes.com/news/news-by-company/corporate-announcement/deepak-parekh-nominated-to-ccis-expert-advisory-group/articleshow/16077946.cms">http://economictimes.indiatimes.com/news/news-by-company/corporate-announcement/deepak-parekh-nominated-to-ccis-expert-advisory-group/articleshow/16077946.cms</a></p>	😊
103.	Aug 31, 2012	<p><b><u>COMPAT sets aside Rs 72.5 lakh CCI penalty on Kingfisher</u></b></p> <ul style="list-style-type: none"> <li>Kingfisher Airlines was charged with not furnishing certain information during a probe into a strategic pact announced with Jet Airways in 2008.</li> <li>the COMPAT observed that the CCI had acted beyond its scope in the matter. The Tribunal further said it is "factually incorrect" to term communications sent by CCI's Director General as notices, as they amounted to extension of time.</li> </ul> <p><a href="http://www.moneycontrol.com/news/business/compat-sets-aside-rs-725-lakh-cci-penaltykingfisher_751963.htm">http://www.moneycontrol.com/news/business/compat-sets-aside-rs-725-lakh-cci-penaltykingfisher_751963.htm</a></p>	😞
104.	Sep 3, 2012	<p><b><u>CCI probing alleged cartelisation in real estate, pharma, telecom sectors</u></b></p> <ul style="list-style-type: none"> <li>R P N Singh, Minister of State for Corporate Affairs, said that CCI is mandated to look into the cartelisation by enterprises, which is anti-competitive activity having appreciable adverse effect on competition that could adversely affect prices.</li> <li>In June, the anti-competition regulator had slapped a hefty penalty of about Rs 6,200 crore on 11 leading cement companies. There were also cases related to banking and financial services, film/entertainment/TV, information technology/ telecom, medical/pharmaceuticals, civil aviation, petroleum /gas and automobiles, among others.</li> </ul> <p><a href="http://economictimes.indiatimes.com/news/economy/indicators/cci-probing-alleged-cartelisation-in-real-estate-pharma-telecom-sectors/articleshow/16233874.cms">http://economictimes.indiatimes.com/news/economy/indicators/cci-probing-alleged-cartelisation-in-real-estate-pharma-telecom-sectors/articleshow/16233874.cms</a>  <a href="http://business-standard.com/india/news/cci-probing-alleged-cartelisation-in-pharma-telecom-sectors/185163/on">http://business-standard.com/india/news/cci-probing-alleged-cartelisation-in-pharma-telecom-sectors/185163/on</a>  <a href="http://www.thehindubusinessline.com/industry-and-economy/article3854217.ece">http://www.thehindubusinessline.com/industry-and-economy/article3854217.ece</a>  <a href="http://profit.ndtv.com/news/corporates/article-cci-probing-alleged-cartelisation-in-real-estate-pharma-telecom-sectors-310248">http://profit.ndtv.com/news/corporates/article-cci-probing-alleged-cartelisation-in-real-estate-pharma-telecom-sectors-310248</a>  <a href="http://zeenews.india.com/business/news/economy/cci-probing-alleged-cartelisation-in-pharma-telecom-sectors_59451.html">http://zeenews.india.com/business/news/economy/cci-probing-alleged-cartelisation-in-pharma-telecom-sectors_59451.html</a>  <a href="http://www.expressindia.com/latest-news/cartelisation-in-pharma-telecom-cci-to-probe/997079/">http://www.expressindia.com/latest-news/cartelisation-in-pharma-telecom-cci-to-probe/997079/</a></p>	😊
105.	Sep 3, 2012	<p><b><u>CCI probes cartels in pharma, telecom</u></b></p> <p><a href="http://www.hindustantimes.com/business-news/CorporateNews/CCI-probes-cartels-in-pharma-telecom/Article1-924051.aspx">http://www.hindustantimes.com/business-news/CorporateNews/CCI-probes-cartels-in-pharma-telecom/Article1-924051.aspx</a></p>	😊



S.No.	Date	News/Abstract	Smileys
106.	Sep 06, 2012	<p><b><u>Cartelisation: CCI has its hands full</u></b></p> <ul style="list-style-type: none"> <li>- The work of CCI has spread to over a dozen sectors. While the CCI is also looking into 39 cases of violation of anti-competitive norms under the Competition Act, 2002, the director general's office in CCI is investigating 26 other cases of cartelisation and violations of laid down norms. Large number of cases under investigation are related to the infrastructure sector.</li> <li>- CCI imposed a penalty of R55.5 crore on the National Stock Exchange (NSE) for abusing its dominant position in the currency derivative market.</li> </ul> <p><a href="http://www.financialexpress.com/news/cartelisation-cci-has-its-hands-full/998576/3">http://www.financialexpress.com/news/cartelisation-cci-has-its-hands-full/998576/3</a></p>	☺
107.	Sept. 2012	<p><b><u>Ceteris Peribus</u></b> (Nathan India- Newsletter)</p> <ul style="list-style-type: none"> <li>- The article highlights the pitfalls of CCI's approach to abuse of dominance cases.</li> <li>- One is that of defining "relevant market": if sound empirical techniques are not applied to reliable data the market can be defined too narrowly or too broadly. In DLF case, the CCI ruled in favour of the Director General who defined the market too narrowly and rejected the need for empirical analysis of that definition. Determination of dominance is also complex as it depends on definition of relevant market.</li> <li>- It is suggested that CCI should take an "effects-based" approach. It should ask whether a firm wields enough market power to perpetrate abuse regardless of market share in a defined relevant market. The CCI should determine             <ol style="list-style-type: none"> <li>i) Whether or not terms and conditions are manifestations of efficiencies,</li> <li>ii) Why the accused firm is able to impose such terms and conditions (e.g., barriers to entry, natural or otherwise, that prevent others from offering better terms and conditions),</li> <li>iii) Whether the terms and conditions have affected market competition, and</li> <li>iv) The loss to consumers as a result of the terms and conditions.</li> </ol> </li> </ul> <p><a href="http://www.nathaninc.com/company/organization/nathan-india">http://www.nathaninc.com/company/organization/nathan-india</a></p>	☹