

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 520
ANSWERED ON TUESDAY THE 07th February, 2023**

CONSUMER PROTECTION AGAINST ANTI-COMPETITIVE PRACTICES

QUESTION

520. DR. AMAR PATNAIK:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) the details of arrangements for compensating consumers who faced anti-competitive practices by big-tech companies, e-commerce companies and other cartels in manufacturing & services sector companies on whom the Competition Commission of India has imposed fines and other penalties;
- (b) the details of the number of such cases and their updated status, year-wise,
- (c) whether the Ministry has a specific provision or directive for class suits and its results thereof on consumers;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor and the subsequent timeline for its introduction?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION; MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF PLANNING; AND MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS.

(RAO INDERJIT SINGH)

(a) to (e): As per Section 53N of the Competition Act, 2002 (the 'Act'), the Central Government or a State Government or a local authority or any enterprise or any person may make an application to the Appellate Tribunal (NCLAT) to adjudicate on claim for compensation that may arise from the findings of the Commission (CCI) or the orders of the Appellate Tribunal in an appeal against any findings of the Commission and to pass an order for the recovery of compensation from any enterprise for any loss or damage shown to have been imposed as a result of any contravention of the provisions of Chapter II of the Act, having been committed by the enterprise.

The Appellate Tribunal may, after an inquiry made into the allegations mentioned in the application seeking compensation, pass an order directing the enterprise to make payment to the applicant, of the amount determined by it as realisable from the enterprise as compensation for the loss or damage caused to the applicant as a result of any contravention of the provisions of Chapter II of the Act, having been committed by such enterprise.

Further, Section 53N (4) of the Act provides that where any loss or damage is caused to numerous persons having the same interest, one or more of such persons may, with the permission of the Appellate Tribunal, make an application for and on behalf of, or for the benefit of, the persons so interested.

List of Applications filed before the National Company Law Appellate Tribunal for compensation, where CCI has been impleaded as a party is as below:

S. No.	CCI Case No.	Compensation Application No.	Title	Filed before Appellate Tribunal
1.	86/2016	01/2018	Satyendra Singh v. Ghaziabad Development Authority & CCI.	12.07.2018
2.	76/2011	1/2020	East India Petroleum Pvt Ltd v. South Asia LPG Co. Pvt. Ltd. and Anr.	18.02.2020
3.	38/2019	02/2020	Venkateshwara Agencies v. Competition Commission of India & Anr.	19.10.2020
4.	33/2019	01/2021	International Subscription Agency v. Competition Commission of India & Ors.	14.09.2021
5.	50/2014	01/2022	Prem Prakash v. Competition Commission of India & amp; Ors.	14.03.2022
