

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1309
ANSWERED ON TUESDAY, THE 01st AUGUST, 2023**

VIOLATIONS OF THE COMPETITION ACT, 2002

QUESTION

1309 SHRI ANEEL PRASAD HEGDE:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) the types of violations by firms attracting penalty under Section 27 of the Competition Act, 2002 as per the Competition Commission of India (CCI), the details thereof;
- (b) the status of orders passed by CCI under section 27 of the Act and other cases of inquiry against Amazon, Flipkart, Zomato, Swiggy, Bookmyshow, Apple, Whatsapp, Facebook (Meta) and Google so far; and
- (c) the details of total amount of penalty imposed by CCI on each of the agriculture, chemical and fertilizers, pharmaceutical and information technology related firms in the last five years, firm-wise?

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): Where after inquiry the Competition Commission of India (CCI) finds that any agreement referred to in Section 3 or an action of an enterprise in a dominant position, is in contravention of Section 3 (prohibition of anti-competitive agreements) or Section 4 (prohibition of abuse of dominant position), as the case may be, it may pass orders including imposition of monetary penalty in terms of the provisions of Section 27 of the Competition Act, 2002 ('the Act').

(b): As per the information provided by CCI, the CCI has passed orders under Section 27 of the Act in Case No. 39 of 2018 (Google Android Case), Case Nos. 07 of 2020, 14 of 2021 & 35 of 2021 (Google Pay matter) and Case Nos. 07 & 30 of 2012 (Google Search Bias Case) on 20.10.2022, 25.10.2022 and 31.01.2018 respectively. Inquiry against Amazon & Flipkart, BookMyShow, Zomato & Swiggy, WhatsApp & Facebook (Meta), Apple and Google (in matters other than those where orders under Section 27 of the Act have already been passed) is currently pending before the CCI.

(c): The details of total amount of penalty imposed by CCI on each of the Agriculture, Chemical and Fertilizers, Pharmaceutical and information Technology related firms in the past five years, firms-wise as provided by CCI is given at Annexure '1'.

Annexure 'I'

Sl. No	Case No. & Date of Final Order	Firm Name	Sector	Penalty Imposed (in Rs.)				
				2018-19	2019-20	2020-21	2021-22	2022-23
1	Suo-Moto Case No. 01/2020 & 04.04.2022	Yash Solutions	Agriculture					84,31,706
2		M/s Satish Kumar Agarwal	Agriculture					15,59,451
3		M/s Siddhi Vinayak and Sons	Agriculture					12,62,007
4		M/s Saraswati Sales Corporation	Agriculture					6,66,975
5		Austere System Pvt. Ltd	Agriculture					44,25,569
6		Delicacy Continental Pvt. Ltd	Agriculture					32,99,405
7		Fimo Info Solutions Pvt. Ltd	Agriculture					36,442
8		M/s Toyfort	Agriculture					12,27,472
9		Chaitanya Business Outsourcing Pvt. Ltd.	Agriculture					10,12,323
10		Mr Praveen Kumar Agarwal (MD Yash Solutions)	Agriculture					1,49,265
11		Mr Rahul Gajanan Teni (Director, Austere System)	Agriculture					44,712
12		Mr. Ankur Kumar (Director, Delicacy Continental)	Agriculture					19,307
13		Jai Kumar Gupta (Director, Fimo Info Solution)	Agriculture					21,447
14		Mr. Nitish Kumar Agarwal (Director Chaitanya Business)	Agriculture					84,541
15	Sahakari Khand Udyog Mandal Ltd.	Chemical & Fertilizer		78,03,000				
16	Shree Ganesh Khand Udyog Mandal Ltd.	Chemical & Fertilizer		30,15,000				

17	Case Nos. 21,29,36,4 7,48 and 49/2013 & 18.09.2018	Sri Kamrej Vibhag Sahakari Khand Udyog Mandal Ltd.	Chemical & Fertilizer		30,43,000			
18		Shree Mahuva Pradesh Sahakari Khand Udyog Mandli Ltd.	Chemical & Fertilizer		67,67,000			
19		The Andhra Sugars Ltd.	Chemical & Fertilizer		1,64,69,00 0			
20		Sri Sarvarya Sugars Ltd.	Chemical & Fertilizer		71,86,000			
21		Bajaj Hindusthan Ltd.	Chemical & Fertilizer		12,34,84,0 00			
22		Triveni Engineering Industries Ltd.	Chemical & Fertilizer		1,74,16,00 0			
23		Simbhaoli Sugars Ltd.	Chemical & Fertilizer		2,29,29,00 0			
24		Avadh Sugar & Energy Ltd.	Chemical & Fertilizer		3,72,49,00 0			
25		Dhampur Sugar Mills Ltd.	Chemical & Fertilizer		12,11,000			
26		Balrampur chini Mills Ltd.	Chemical & Fertilizer		4,27,85,00 0			
27		Mawana Sugars Ltd.	Chemical & Fertilizer		2,44,81,00 0			
28		KM Sugar Mills Ltd.	Chemical & Fertilizer		30,84,000			
29		Uttam Sugar Mills Ltd.	Chemical & Fertilizer		78,14,000			
30		Dalmia Bharat Sugar & Industries ltd.	Chemical & Fertilizer		3,92,51,00 0			
31		Seksaria Biswan Sugar Factory Ltd.	Chemical & Fertilizer		76,53,000			
32		Sir Shadi Lal Enterprises Ltd.	Chemical & Fertilizer		41,63,000			
33		Indian Sugar Mills Association	Chemical & Fertilizer		46,94,000			
34		Ethanol Manufacturers Association of India	Chemical & Fertilizer		22,000			
35			CDAB	Health & Pharmaceuti cal	1,08,588			

36	Case No. 97/2013 & 04.01.2018	Federation of Gujarat State Chemists and Druggists	Health & Pharmaceutical	11,11,549				
37		VT Shah, President CDAB	Health & Pharmaceutical	34,048				
38		Jasvantbhai P Patel, President Federation of Gujarat State Chemists and Druggists	Health & Pharmaceutical	62,144				
39	Case Nos. 65, 71, 72/2014 and 68/2015 & 12.07.2018 and 06.11.2018	Federation of Gujarat State Chemists and Druggists (OP1)	Health & Pharmaceutical	5,63,274				
40		Amdavad Chemist Association (OP2)	Health & Pharmaceutical	1,11,278				
41		Surat Chemists & Druggists Association (OP3)	Health & Pharmaceutical	1,09,413				
42		Chemist & Druggist Assn of Baroda (OP4)	Health & Pharmaceutical	61,232				
43		Shri Jashvant Patel, Office Bearer OP1 & 2	Health & Pharmaceutical	1,03,700				
44		Shri Pravin Vekaiya, Office Bearer OP3)	Health & Pharmaceutical	62,854				
45		Shri VT Shah, Office Bearer OP4	Health & Pharmaceutical	36,535				
46		Shri Alpesh Z Patel, Office Bearer OP4	Health & Pharmaceutical	60,878				
47		Glenmark Pharma	Health & Pharmaceutical	45,00,00,000				
48		B.M. Thakkar & Company	Health & Pharmaceutical	20,000				
49		Hetero Healthcare Ltd.	Health & Pharmaceutical	1,37,35,000				
50		Divine Savior Pvt. Ltd.	Health & Pharmaceutical	5,61,000				
51		Shri Tapash Ranjan Paul, Office Bearer, Glenmark Pharma	Health & Pharmaceutical	10,172				

52		Shri Arun Poojari, Office Bearer, Glenmark Pharma	Health & Pharmaceutical	12,050				
53		Shri V.S. Reddy, Office Bearer, Glenmark Pharma	Health & Pharmaceutical	43,704				
54		Shri Dakshay Thakkar, Partner Thakkar & Co.	Health & Pharmaceutical	22,460				
55	Case No. 61/2015 & 27.08.2018	Sh. Sushant Nand kumar Chachad	Health & Pharmaceutical	10,00,000				
56	Case Nos. 65,71,72/2014 and 68/2015 & 30.08.2018	Sh Srinivasa Reddy	Health & Pharmaceutical	3,94,607				
57		Sh Bharat Pandiya	Health & Pharmaceutical	3,772				
58		Sh Glenn M Saldanha	Health & Pharmaceutical	8,88,822				
59		Sh Rakesh Shah	Health & Pharmaceutical	9,004				
60	Case No. 09/2016 & 27.09.2018	Esaote S.p.A (OP-1)	Health & Pharmaceutical	9,33,000				
61	Case No. 61/2015 & 23.10.2018	Cerovene Healthcare Pvt. Ltd	Health & Pharmaceutical	10,000				
62	C-87/2009/D GIR & 15.01.2019	Chemist and Druggist Association of Baroda	Health & Pharmaceutical		32,724			
63		Madhya Pradesh Chemists and Druggist Associaton	Health & Pharmaceutical		4,18,404			

64	Case No. 64/2014 & 03.06.2019	The Indore Chemists Association	Health & Pharmaceutical		39,812			
65		Mr. Gautam Chand Dhing, President, MPCDA/OP-1	Health & Pharmaceutical		97,271			
66		Mr. Vinay Bakliwal, President, Indore Chemist Association/OP-11	Health & Pharmaceutical		64,630			
67		Mr. Nirmal Jain, General Secretary, Indore Chemist Association/OP-11	Health & Pharmaceutical		76,681			
68		The Himalaya Drug Company (OP-12)	Health & Pharmaceutical		18,59,58,000			
69		Intas Pharmaceuticals Ltd (OP-14)	Health & Pharmaceutical		55,59,68,000			
70		Mr. Philippe Haydon, CEO, Himalaya (OP-12)	Health & Pharmaceutical		3,61,716			
71		Mr. R.K. Vachher, Sales Manager, Himalaya (OP-12)	Health & Pharmaceutical		31,322			
72		Ms. Sagaya Mary, Manager-Distribution, Himalaya (OP-12)	Health & Pharmaceutical		6,600			
73		Mr. Nimesh Chudgar, Managing Director and CEO, Intas (OP-14)	Health & Pharmaceutical		11,39,079			
74		Mr. Sanjay Dixit, General Manager, Intas (OP-14)	Health & Pharmaceutical		17,271			
75		Mr. Anil Nair, Assistant Manager, Intas (OP-14)	Health & Pharmaceutical		3,945			
76		Mr. Hitesh Paida, Sales Manager, Wish Division, Intas (OP-14)	Health & Pharmaceutical		18,510			
77		Jalgoan District Medicine Dealers Association	Health & Pharmaceutical		80,185			

78	Case No. 61/2015	Mr Sunil R Bhangale, President	Health & Pharmaceutical		2,14,340			
79	& 20.06.2019	Mr Anil R Zawar, Vice President	Health & Pharmaceutical		1,27,447			
80	Case Nos. 7/2012 & 30/2012 & 31.01.2018	Google Inc.	Information Technology	1,35,86,00,000				
81	Case No. 12/2017 & 13.08.2019	SAAR IT Resources Pvt. Ltd (OP-1)	Information Technology		1,26,00,000			
82		CADD Systems and Services Pvt. Ltd (OP-2)	Information Technology		11,00,000			
83		Pentacle Consultants (I) Pvt Ltd (OP-3)	Information Technology		1,33,00,000			
84		Mr. Arun Rao, Director of OP-1	Information Technology		2,40,258			
85		Mr. Ajay Rao, Director of OP-1	Information Technology		1,69,298			
86		Mr. Pankaj Bobra, MD of OP-2	Information Technology		79,959			
87		Mr. Chetan Pathare, Director of OP-3	Information Technology		57,994			
88	Case No. 39/2018 & 20.10.2022	Google LLC and Google India Private Limited	Information Technology					13,37,76,00,000
89	Case No. 07/2020 & 14/2021 & 35/2021 & 25.10.2022	Google Inc.	Information Technology					9,36,44,00,000