

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1174
ANSWERED ON SATURDAY THE 19TH SEPTEMBER, 2020
[BHADRAPADA 28, 1942 (SAKA)]**

CARTELISATION IN MARKET

QUESTION

+1174. SHRI ANIL FIROJIYA:

**Will the Minister of CORPORATE AFFAIRS
be pleased to state:**

कारपोरेट कार्य मंत्री

- (a) whether keeping in mind the statement of Deputy Chairman of NITI Aayog of 2019, the CII has to undertake monitoring to prevent cartelisation in the market;**
- (b) if so, the details thereof including the achievement made in this regard so far; and**
- (c) if not, the reasons therefor?**

ANSWER

**THE MINISTER OF STATE FOR FINANCE AND
CORPORATE AFFAIRS**

(SHRI ANURAG SINGH THAKUR)

वित्त एवं कारपोरेट कार्य मंत्रालय में राज्य मंत्री

(श्री अनुराग सिंह ठाकुर)

(a) to (c): Anti-competitive agreements including cartels are prohibited under the Competition Act, 2002 (Act) and the Competition Commission of India (CCI) inquires into such conduct either on the basis of formal Information(s) received from the Parties or from the References made by Central/State Governments or Statutory Authorities. CCI is also empowered to suo motu inquire into such conduct.

In this regard, CCI through its in-house mechanism constantly and regularly keeps a tab on such behaviour of market participants through examination of miscellaneous complaints/representations filed by the parties or through scanning of media reports/Comptroller and Auditor General of India reports or through processing of information gathered through information sharing protocols with Central Agencies (Financial Intelligence Unit/Central Economic Intelligence Bureau) or by examination of other publicly available information.

The Act also provides for leniency in matters where full disclosures regarding cartels are made and CCI also undertakes proactive advocacy measures through roadshows to spread greater awareness amongst stakeholders.

Market studies are also undertaken as another tool as part of market monitoring exercise which helps in identifying anti-competitive conduct of enterprises as well as structural conditions of the markets, that may be conducive to cartelisation, for enabling initiation of appropriate action.

Since the notification of the relevant provisions of the Act, the CCI has examined and penalized cartel participants across various sectors of the economy including bid-rigging/cartels in public procurement.
