

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA**

STARRED QUESTION NO. 326

ANSWERED ON MONDAY, MARCH 24, 2025/ CHAITRA 3, 1947 (Saka)

CASES OF CARTELISATION INVESTIGATED BY CCI

QUESTION

***326. Shri Mukeshkumar Chandrakaant Dalal:**

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

- (a) the sector-wise data on the number of cases of cartelization investigated by the Competition Commission of India during the last five years;**
- (b) the details of the bilateral or multilateral agreements signed by the Government to address cross-border cartelization issues;**
- (c) the details of mechanisms in place to monitor and detect instances of cartelization among companies in various industries;**
- (d) the measures taken/being taken by the Government to protect small businesses and startups from the adverse effects of cartelization by dominant market players; and**
- (e) whether the Government is proposing or taking efficient steps to increase awareness about cartelization and its negative impacts on businesses, consumers and trade associations and if so, the details thereof?**

ANSWER

**THE MINISTER OF FINANCE (SHRIMATI NIRMALA SITHARAMAN)
AND CORPORATE AFFAIRS**

(a) to (e) A statement is laid on the Table of the House.

STATEMENT REFERRED TO PARTS (a) to (e) OF LOK SABHA STARRED QUESTION NO. 326 FOR 24.03.2025 REGARDING CASES OF CARTELISATION INVESTIGATED BY CCI

(a) Sector-wise data on the number of cartel cases investigated by the Competition Commission of India (CCI) during the last five financial years (till 13.03.2025) is as follows:

| S.No | Sector | Number of cartel cases |
|-------------|----------------------------|-------------------------------|
| 1 | Civil Aviation | 1 |
| 2 | Power | 1 |
| 3 | Coal | 2 |
| 4 | Financial Services | 2 |
| 5 | Iron & Steel | 2 |
| 6 | Railway | 4 |
| 7 | Health & Pharma | 5 |
| 8 | Misc. | 18 |
| | Total | 35 |

(b) The Competition Commission of India (CCI) has signed Bilateral/Multilateral Memorandum of Understanding (MoU) with Egypt, Mauritius, Japan, Brazil, BRICS (Brazil, the Russian Federation, People's Republic of China and the Republic of South Africa), Canada, European Commission, Australia and United States Department of Justice (DOJ) for cooperation in the field of competition law and policy. These MOUs include provision for enforcement cooperation between CCI and its MoU partners, subject to their respective legal framework, constraints, enforcement interests and available resources.

In addition, India has signed 14 Free Trade Agreements (FTAs) with its trading partners. Some of these FTAs have a separate Chapter on Competition, according to which each Party shall, in accordance with its laws and regulations, take measures which it considers appropriate against anticompetitive activities, in order to facilitate

trade and investment flows between the Parties and the efficient functioning of its market.

(c) The Commission has a Division for trend analysis and conducting research in various sectors of the economy to have a holistic view and to detect any anti-competitive activities.

(d) The Competition (Amendment) Act, 2023 introduced the concept of "lesser penalty plus" within the framework of Section 46 of the Act. Consequently, on 20.02.2024, the CCI (Lesser Penalty) Regulations, 2024 were notified, replacing the 2009 regulations and introducing a "lesser penalty plus"(LPP) mechanism to incentivize disclosures of cartels. The LPP mechanism was introduced to incentivize an existing lesser penalty applicant in respect of a cartel to give full, true, and vital disclosures about another cartel, hitherto not in the knowledge of the CCI.

To further widen the scope of cartel investigation, Hub & Spoke mechanism has been incorporated by introducing the Proviso in Section 3(3) of the Competition Act, 2002 through the Amendment Act 2023 which provides that an enterprise or association of enterprises or a person or association of persons though not engaged in identical or similar trade shall also be presumed to be part of the agreement under this sub-section if it participates or intends to participate in the furtherance of such agreement.

(e) CCI, through its enforcement and advocacy mandate, seeks to promote and sustain competition in the markets by conducting market studies and advocacy events, imparting training about competition issues besides carrying out market corrections to eliminate distortions. The CCI conducted 1446 advocacy programmes during the last five financial years (till 19.03.2025).
