

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO. 3821
ANSWERED ON MONDAY, MARCH 24, 2025/ CHAITRA 3, 1947 (SAKA)**

Competition Commission of India

QUESTION

3821. Shri Ramesh Awasthi:

Shri Jagdambika Pal:

Will the Minister of CORPORATE AFFAIRS

be pleased to state:

- (a) the outcome of investigations initiated by the Office of Director General, Competition Commission of India during the last three years;**
- (b) the measures taken by the Government to remedy cartelization in various sectors during the last three years; and**
- (c) the measures are being taken by the Government to address anti-competitive practices by the Competition Commission of India?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS AND
MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS.**

(SHRI HARSH MALHOTRA)

(a) The Competition Commission of India (CCI) caused investigation under Section 26(1) of the Competition Act, 2002(the 'Act') in 49 cases in last three (03) Financial Years i.e. 2021-22 to 2024-25 (till 13.03.2025). Out of these 49 cases, the Director General (DG) has submitted its investigation report in 31 cases and 18 cases are pending for investigation before the DG. Out of the 31 cases for which the investigation report has been received, the Commission has passed the final order in 11 cases and 20 cases are under consideration before the Commission.

(b) Twenty One (21) cases pertaining to cartelization in various sectors such as Civil Aviation, Financial Services, Health & Pharma, Iron & Steel, Power,

Railway, Misc etc. were sent for investigation to the DG in the last three Financial Years i.e. 2021-22 to 2024-25 (till 13.03.2025). Out of these cases, investigation report in 11 cases has been received & 10 cases are under investigation before the DG. Final order in 01 case has been passed and 10 cases are under consideration before the Commission.

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 disclosure 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.

(c) The Competition Act, 2002 prohibits anti-competitive agreements (Section 3), abuse of dominant position (Section 4) and provides for regulation of combinations i.e., mergers and acquisitions (Sections 5 & 6). The Competition Commission of India (CCI) has been established under the Act to enforce these provisions and empowers CCI to issue appropriate remedies for such anti-competitive behavior. Since its inception, CCI has been enforcing the Act and promoting fair competition in the markets. It has issued various decisions and orders against firms that have violated the provisions of the Act and has imposed penalties and issued other remedies on firms engaging in anti-competitive conduct.

Further, CCI, through its enforcement and advocacy mandate, seeks to promote and sustain competition in the markets, besides carrying out market corrections to eliminate distortions.
