



The Competition Commission of India (CCI) has amended the Combination Regulations. This amendment inter alia provide certainty & transparency and expedites faster disposal of combination cases before CCI.

Latest amendments:

The provisions of the Competition Act, 2002 (“Act”) relating to the regulation of combinations as well as the Combination Regulations have been in force with effect from 1st June 2011.

- A key change brought about by the present amendments is that **the parties to combinations can now submit remedies voluntarily in response to the notice issued under Section 29(1) of the Act**. If such remedies are considered sufficient to address the perceived competition harm, the combination can be approved. This amendment is expected to expedite disposal of such combination cases.
- In another significant amendment, where the notice is found to exhibit significant information gaps, **parties to combinations are allowed to withdraw the notice and refile the same**. With this amendment, the parties could address the deficiencies without facing an invalidation by CCI. Further, fee already paid in respect of such notice shall be adjusted against the fee payable in respect of new notice, if the refiling is done within a period of 3 months.
- Apart from these, certain consequential and other clarificatory changes have also been made in the Combination Regulations.

About Competition Commission Of India:

The Competition Commission of India (CCI) was established under the Competition Act, 2002 for the administration, implementation and enforcement of the Act, and was duly constituted in March 2009. Chairman and members are appointed by the central government.

The following are the objectives of the Commission:

- To prevent practices having adverse effect on competition.
- To promote and sustain competition in markets.
- To protect the interests of consumers.
- To ensure freedom of trade.

Functions of the commission:

- It is the duty of the Commission to eliminate practices having adverse effect on competition, promote and sustain competition, protect the interests of consumers and ensure freedom of trade in the markets of India.
- The Commission is also required to give opinion on competition issues on a reference received from a statutory authority established under any law and to undertake competition advocacy, create public awareness and impart training on competition issues.

The Competition Act:

The Competition Act, 2002, as amended by the Competition (Amendment) Act, 2007, prohibits anti-competitive agreements, abuse of dominant position by enterprises and regulates combinations (acquisition, acquiring of control and M&A), which causes or likely to cause an appreciable adverse effect on competition within India.

To be looked in UPSC Paper 2 Topic: Statutory, regulatory and various quasi-judicial bodies.