



Mapping the Growth of Competition Watchdogs in India Recent Years

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An article exploring the evolution of competition legislation in India, the role of competition authorities and the relationship between competition law and intellectual property. Competition law in India was governed from 1969 to 2002/2003 by the Monopolies and Restrictive Trade Practices Act 1979 (MRTP Act). This Act essentially regulated three types of practices: monopolistic practices, restrictive trade practices and unfair trade practices. The Parliament in its wisdom thought it fit to repeal this law and replaced it with the Competition Act 2002 which has brought about some fundamental changes:

- Monopolistic practices were replaced with “abuse of dominance”, and per se dominance was no longer culpable;
- Unfair trade practices were shifted out of the competition legislation and added to the Consumer Protection Act 1986; and
- The Competition Commission of India (CCI) was set up as a watchdog for competition.

Over 500 cases have come before the CCI and the appellate body, the Competition Appellate Tribunal (COMPAT). The most recent decisions of the CCI and the COMPAT can be roughly classified into: cases relating to unilateral conduct; relating to concerted action; and, those leading to questions regarding powers of the CCI and the ambit of competition law. *Authored by Abhilasha Nautiyal and Udayan Jain. This article was published in Australian Journal of Competition and Consumer Law December 2014. To continue reading, please contact us at email@anandandanand.com*

