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CCI dismissed the complaint of abuse of dominant position filed against Arthur Flurry India

An information was filed by Kshitij Srivastava before the Competition Commission of India (“CCI”) under Section 19(1)(a) of the Competition Act, 2002 (“Act”) against Arthur Flurry India Private Limited alleging contravention of Section 4 of the Act in the supply of Short Neutral Section Assemblies (‘SNSA’). The allegations raised were with regards to (i) price escalation after approval, (ii) sudden reduction after competition (iii) Adverse exchange rate ignored and (iv) Dual pricing.

CCI noted that the Informant has made allegation of violation of Section 4 of the Act by the OP without specifying the specific clause, of which contravention has occurred. The Informant has also not provided any submission with respect to the relevant market as is required for analysis under Section 4 of the Act. It observed that Arthur Flurry appears to have reduced the rates to Rs 11.99 lakh when the quantity ordered was twenty-five sets of SNSA.

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The highest rate charged by the OP during the alleged AoD period is Rs 13.89 lakh for four sets of SNAS. The CCI noted that in a market, generally when the quantity ordered is more, the rates offered are less as compared to when less quantity is purchased/demanded. Further CCI observed that the prices quoted by Arthur Flury have fallen after the entry of Atlantic Tradeengineers LLP Lucknow in the relevant market, which demonstrates that competition in

the market is leading to better outcome for the buyers. This can be seen as a positive outcome of competition due to entry of a new player in the market. In view of the aforesaid, CCI held that prima facie there does not appear to be any abuse of dominance by the OP and the rates offered by the OP to various zonal railways of Indian Railways can be attributable to multiple factors such as inflation, transport costs, currency fluctuations, quantity ordered etc.



CCI dismissed the complaint of abuse of dominant position filed against Adani Enterprises Ltd. and others:

An information was filed by Shri Ravi Sharma ('Informant'), under Section 19(1)(a) of the Competition Act, 2002 (the 'Act'), against Adani Enterprises Ltd. ('OP-1'), Adani Green Energy Limited ('OP-2'), Shri Gautam S. Adani ('OP-3'), Shri Sagar R. Adani ('OP-4'), Azure Power India Private Limited ('OP-5'), Solar Energy Corporation of India Ltd. ('OP-6'/'SECI'), Andhra Pradesh Central Power Distribution Corporation Ltd. ('OP-7'), Andhra Pradesh Eastern Power Distribution Company Limited ('OP-8'), Andhra Pradesh Southern Power Distribution Company Limited ('OP-9'), Government of Andhra Pradesh, Energy Department ('OP-10'), GRIDCO Ltd. ('OP-11'), and Tamil Nadu Generation and Distribution Corporation ('OP-12'/'TANGEDCO'), alleging contravention of the provisions of the Act. The

allegations were with regards to anti competitive conduct in the tender process and abuse of dominant position. It was alleged that the tender documents were designed to favour the opposite parties and OP 5 acted as a proxy of OP 1 and Op 2 to reallocate the project capacity to Op -2 thereby ousting the other entities from participating in the tender process and creating a monopoly. Further it was alleged that OP-1 and OP-2, collectively dominating the power generation market with 16% or more market share, abused their market dominance and created a platform where all other interested power generation companies were ousted from competition. The Informant also relied on a US Department of Justice and SEC indictment dated October 24, 2024 alleging that OP-1 to OP-4, in connivance with OP-5, bribed

Indian government officials and defrauded investor. The CCI observed the allegation with regards to tender process did not favour the OP 2 and OP 5 and there was no evidence furnished that established the OP 5 was merely a bidder for OP 2. There are significant players in the market and therefore, the OP group does not appear to be dominant in the power generation market. The alleged conduct of

bribing government officials to facilitate PSAs does not qualify as abusive conduct (exclusionary or exploitative) within the meaning of Section 4 of the Act. The CCI held that there is no prima facie case of contravention of Sections 3 and 4 of the Act warranting an investigation. The matter was directed to be closed forthwith under Section 26(2) of the Act.



CCI dismissed the complaint of abuse of dominant position filed against National Bank for Agriculture and Rural Development and others:

The Informant, M/s Natural Support Consultancy Services Private Limited, alleged that NABARD and Infosys violated Sections 3 and 4 of the Act by entering into an anti-competitive arrangement through repeated extensions of the CBS contract beyond its stipulated period and by issuing a 2023 RFP that restricted participation only to System Integrators who were authorised partners of Infosys (the OEM for Finacle CBS), thereby excluding other service providers from the market and constituting exclusive dealing, refusal to deal, and abuse of NABARD's

dominant position in the market for procurement of CBS services for Rural Cooperative Banks in India. The CCI held that the restriction to authorised Finacle partners was justified on grounds of compatibility, data security, and software integrity, that the extensions and renewals were done to maintain continuity of essential banking operations, and that no evidence of bias towards Infosys or any anti-competitive agreement was established; accordingly, the Commission found no prima facie contravention of Sections 3 and 4 of the Act and directed the matter to be closed forthwith under Section 26(2) of the Act.



CCI dismisses complaint against Jupiter Rubber Pvt. Ltd and Jupiter Coaters Pvt. Ltd.

Universal Yarns & Tex Pvt. Ltd. (Informant) filed information against M/s Jupiter Rubber Pvt. Ltd. (OP-1) and M/s Jupiter Coaters Pvt. Ltd. (OP-2)—both manufacturers of Thermoplastic Polyolefin (TPO) coated fabrics—alleging that the OPs, having common management and shareholding, engaged in collusive bidding and bid rigging by quoting identical bids in tenders floated by Ordnance Equipment Factory (OEF), Kanpur, and supplying goods at relatively higher prices, in contravention of Sections 3(3) (a) and 3(3)(d) read with Section 3(1) of the Act. The CCI had already directed investigation under Section 26(1) vide order dated March 5,

2026 and the Informant subsequently sought interim relief under Section 33 of the Act to restrain the OPs from submitting bids in OEF tenders during the pendency of the inquiry. The CCI, applying the principles laid down in the SAIL judgment, rejected the prayer for interim relief, holding that the Informant failed to establish a strong prima facie case warranting such a far-reaching direction, did not demonstrate irreparable or irreversible harm, and that no compelling or exceptional circumstances had been brought on record—while clarifying that the order does not constitute a final expression of opinion on the merits of the case.



CCI orders investigation in the alleged Rs 200 crore financial assistance by Pernod Ricard to retailers to boost sales

An information was filed against Pernod Ricard India Private Limited and Others wherein it was alleged that the opposite parties have contravened the provisions of Section 3 of the Act, on the ground that (i) bid rigging in tenders invited by the Delhi Excise Department for the grant of wholesale licence for supply of country

liquor in the NCT of Delhi during 2022-23, where bidders quoted prices in a suspiciously narrow band (Rs. 421 to Rs. 423) and showed similar percentage increases across subsequent tenders; and (ii) cartelization amongst liquor manufacturers, wholesalers, and retailers in the context of the Delhi Excise

Policy, 2021-22 — specifically alleging that Pernod Ricard, using the platform of ISWAI and through its wholesaler Indo Spirits, entered into exclusive dealing arrangements with selected retailers by offering corporate guarantees worth approximately Rs. 200 crore to induce brand pushing, thereby increasing its market share from 15% to 35% while excluding competing brands. The CCI found insufficient evidence for the bid rigging allegations regarding country liquor and IMFL tenders. The CCI held that a

prima facie case of contravention under Section 3(4)(b) read with Section 3(1) of the Act (exclusive dealing agreement) was made out against Pernod Ricard, Indo Spirits, Pathway HR Solutions, Universal Distributors, Khao Gali, Bubbly Beverages, Shiv Associates, and Organomix Ecosystems, and accordingly directed the Director General to investigate the matter under Section 26(1) of the Act, with a report to be submitted within 90 days.



National Company Law Appellate Tribunal stays CCI order on Intel Corporation

The National Company Law Appellate Tribunal (NCLAT) has stayed the Rs 27.38 crore penalty imposed by the CCI on Intel Corporation over its India-specific warranty policy for boxed microprocessors.

NCLAT observed that Intel has deposited 25% of the penalty amount and therefore, directed CCI to refrain from taking any coercive steps for implementation of the order.



Supreme Court dismisses petition by Karnataka Power Corporation and upholds the order of NCLAT:

The Supreme Court has dismissed a petition by Karnataka Power Corporation (KPCL), upholding an NCLAT ruling that the CCI is not legally mandated to notify informants before closing a case at the prima facie stage. NCLAT has held that as per Section 26(2) of the Act and Regulation 19, no notice is required to be given if the CCI is of the opinion there exists no

prima facie case and the Regulation in such circumstance, requires the Secretary to send a copy of the CCI's order regarding closure of the matter to the Central Government or the parties concerned as provided under subsection (2) of Section 26 of the Act and that the Act and Regulations do not warrant any notice to the Informant at initial stage.



Combination Orders

- CCI approved the proposed merger of A1 Agri Global Limited, B.N. Agritech Limited and Salasar Balaji Overseas Private Limited into BN Agrochem Limited. The proposed combination, inter alia, relates to the proposed merger of A1 Agri Global Limited (Agri), B.N. Agritech Limited (BNA) and Salasar Balaji Overseas Private Limited (Salasar) into BN Agrochem Limited (BNAC), which will be the only surviving entity, pursuant to Scheme of Amalgamation, which has been approved through board resolution dated June 28 2025.
- CCI approved the acquisition of certain equity share capital of Aventus Capital Private Limited by Mizuho Securities Co., Ltd. on a fully diluted basis.
- CCI approved the proposed acquisition by MAIF 4 Investments India 2 Pte. Ltd. of 42.5% of the equity share capital of Maple IM, 40.0% of the equity share capital of Maple PM and up to 37.5% of the units of Maple Trust
- CCI approved the proposed restructuring by Vishakha Renewables Pvt. Ltd. of its renewables business and merge with and into Vishakha Glass Private Limited. The proposed combination entails the restructuring by Vishakha Renewables Private Limited (VRPL) of its renewables business and merge with and into Vishakha Glass Private Limited (VGPL). The restructuring will be through the following steps: a) Transfer and vesting of the pipes division and mouldings division by VRPL to Progressive Pipes Private Limited (PPPL) as a going concern, on a slump sale basis. b) Amalgamation of Vishakha Renewables 1 Private Ltd. (VR1PL), Vishakha Metals Private Limited (VMPL) and Vishakha Metals 1 Private Limited (VM1PL), with and into VRPL. c) Amalgamation of VRPL with and into VGPL/Merged Entity



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