

**GOVERNMENT OF INDIA
CORPORATE AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1222
ANSWERED ON:18.07.2014
TRANSPARENT GUIDELINES BY CCI
Kothapalli Smt. Geetha

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the Government has taken/proposes to take any initiative to rationalise the working of Competition Commission of India to make transparent guidelines for fine /penalty keeping in view the different tier slabs;
- (b) if so, the details and the present position thereof; and
- (c) the proposals/demands if any pending with the Government in this regard?

Answer

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY)

(a) to (c) Competition Commission of India is a statutory body constituted under the Competition Act, 2002. Government discharges such role as is assigned to it under the said Act. Power to levy penalty is vested in the Commission under Section 27(b) of the Act. This section authorizes the Commission to levy penalty of upto 10% of the average turnover of the last three preceding years for abuse of dominant position and anti- competitive agreements. Section 46, however, authorizes the Commission to impose lesser penalty. To effectuate the power of Section 46, the commission has framed Competition Commission of India (Lesser Penalty) Regulations, 2009 to serve as guidelines in the matter.