

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**LOK SABHA
STARRED QUESTION NO. 276
ANSWERED ON FRIDAY, THE 7TH AUGUST, 2015
[SHRAVANA 16, 1937 (SAKA)]**

CARTELISATION

QUESTION

***276. DR. A. SAMPATH:
SHRI R. PARTHIPAN:**

**Will the Minister of CORPORATE AFFAIRS कारपोरेट कार्य मंत्री
be pleased to state:**

- (a) whether the cases of cartelisation/unethical business practices by public and private sector companies have come to the notice of the Government/Competition Commission of India and if so, the details thereof indicating the number of such cases reported during each of the last three years and the current year, sector-wise including Pharmaceutical and Petroleum sector;**
- (b) whether the Government/CCI has conducted any enquiry in this regard and if so, the details and the findings thereof;**
- (c) the details of the penalty imposed by CCI on such companies during the said period, company-wise;**
- (d) whether the penalty imposed by CCI on these companies have been honoured within the prescribed time limit, if so, the details thereof and if not, the reasons therefor, company-wise; and**
- (e) the corrective steps taken/being taken by the Government/CCI to recover the penalty and to contain cartelisation by companies in future?**

ANSWER

**THE MINISTER OF CORPORATE AFFAIRS
कारपोरेट कार्य मंत्री**

**(SHRI ARUN JAITLEY)
(अरुण जेटली)**

(a) to (e) A statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN ANSWER TO LOK SABHA STARRED QUESTION NO.
276 FOR 07.08.2015 REGARDING “CARTELISATION”**

(a) & (b) During the last three years and the current year (up to 30.06.2015), 366 cases have been filed in the Competition Commission of India (CCI) regarding violation of the provisions of the Competition Act, 2002 on anti-competitive practices as per the details given below:

Year	No. of cases filed	No. of cases decided
2012-13	94	80
2013-14	115	81
2014-15	128	84
2015-16 (till 30.06.2015)	29	10
Total	366	255

Out of 366 such cases, CCI closed 223 cases as no violation of provisions of the Competition Act was found. CCI issued cease and desist orders in 11 cases and imposed penalty along with cease and desist orders in 21 cases, involving 153 enterprises. The details are given in Annexure ‘A’.

(c) & (d) During the said period, a total penalty of Rs. 8,66,43,87,290/- has been imposed on 153 enterprises, out of which an amount of Rs. 2,24,22,333/- has been realized. Penalty amounting to Rs. 1,21,85,08,452/- has been stayed by the Competition Appellate Tribunal/Courts. The penalty of Rs. 7,42,34,56,505/- is yet to be paid by these enterprises. The details of penalties imposed, realized, stayed and not paid company-wise are at Annexure ‘B’.

(e) Steps for recovery of penalty and prevention of anti-competitive activities by enterprises are taken by CCI under the provisions of the Competition Act and regulations framed thereunder.

**Annexure - A referred to in Part (a) & (b)
of Lok Sabha Starred Question No. 276 for 07/08/2015**

SECTOR-WISE CASES FILED AND DECIDED IN CCI						
Sl. No.	Sector	2012-13	2013-14	2014-15	2015-16 (till 30/6/2015)	Cases in which CCI has imposed penalty and/or cease and desist orders
1	Film/ Entertainment/ TV	10	4	3	3	4
2	Real Estate	21	25	43	10	3*
3	Education	0	3	0	0	0
4	Petroleum/Gas	5	3	5	4	1
5	Civil Aviation	3	3	1	1	0
6	Financial Sector	4	8	7	1	1
7	Electricity	0	3	5	0	0
8	Textiles	1	0	0	0	0
9	Health/Medical/ Pharmaceuticals	6	9	9	3	6
10	Chemicals & Fertilizers	2	6	4	0	0
11	Information Technology	4	6	4	2	2*
12	Iron & Steel	2	2	1	0	0
13	Cement	1	3	2	0	0
14	Automobiles	3	7	8	0	0
15	Shipping & Transport	1	1	2	0	2
16	Railways	1	3	8	0	1
17	Coal	5	6	1	1	8*
18	Telecommunication	0	1	3	0	0
19	Food Processing	0	1	0	0	0
20	E-Commerce	0	0	0	0	0
21	Miscellaneous (Visa/Water/Lenses/P aper/glass/Xerox/ jewelers/ Games & Sports, Ceramic Tiles, Mobiles etc.)	25	21	22	4	4
	Total	94	115	128	29	32

* In 11 cases (i.e. 2 in Real Estate, 1 in Information Technology and 8 in Coal Sector) CCI has passed only cease and desist orders

**Annexure "B" referred to in Part (c) & (d) of
Lok Sabha Starred Question No. 276 for 07/08/2015
(Details of Penalties Imposed, Realised, Stayed and Not Paid in Rs.)**

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
1	Ref 1/2012	Miscellaneous	A R Polymers P Ltd.	1,21,93,000	6,09,650	1,15,83,350	-
2	Ref 1/2012	Miscellaneous	M/s Puja Enterprise	11,06,000	55,300	10,50,700	-
3	Ref 1/2012	Miscellaneous	M B rubber p Ltd.	1,68,82,000	8,44,100	1,60,37,900	-
4	Ref 1/2012	Miscellaneous	Tirupati footwears p Ltd.	13,94,000	69,700	13,24,300	-
5	Ref 1/2012	Miscellaneous	H B Rubber p Ltd.	51,36,000	2,56,800	48,79,200	-
6	Ref 1/2012	Miscellaneous	Rajkumar Dyeing & printing works	33,66,000	1,68,500	31,97,500	-
7	Ref 1/2012	Miscellaneous	Preet footwears	37,92,000	1,90,000	36,02,000	-
8	Ref 1/2012	Miscellaneous	S S Rubbers	26,70,000	1,33,500	25,36,500	-
9	Ref 1/2012	Miscellaneous	R S Industries	62,57,000	-	62,57,000	-
10	Ref 1/2012	Miscellaneous	Shiva Rubber Industries	17,88,000	89,400	16,98,600	-
11	Ref 1/2012	Miscellaneous	Derpa Industrial Polymers p Ltd.	79,59,000	3,97,950	75,61,050	-
12	39/2012	Real Estate	Dr. L H Hiranandani Hospital	3,81,58,303	-	3,81,58,303	-
13	3/2012	Railways	M/s Stone India Limited	1,91,00,000	38,20,000	1,52,80,000	-
14	3/2012	Railways	M/s Faiveley Transport Rail Technologies India Limited	5,70,00,000	1,14,00,000	4,56,00,000	-
15	3/2012	Railways	M/s Escorts Limited	54,70,00,000	-	54,70,00,000	-
16	60/2012	Pharmaceutical	Chemists and Druggists of Firozpur (CDAF)	15,136	-	15,136	-
17	60/2012	Pharmaceutical	Shri Chaman Lal Kakkar	6,16,743	-	6,16,743	-
18	60/2012	Pharmaceutical	Shri H C Gupta	24,24,806	-	24,24,806	-
19	60/2012	Pharmaceutical	Shri A K Gupta	6,73,634	-	6,73,634	-
20	60/2012	Pharmaceutical	Shri Shyam Lal Kakkar	3,72,150	-	3,72,150	-
21	60/2012	Pharmaceutical	Shri R S Bakshi	4,94,800	-	4,94,800	-
22	60/2012	Pharmaceutical	Shri Ashwini Garg	4,44,366	-	4,44,366	-
23	60/2012	Pharmaceutical	Shri Gurpreet Singh	5,01,358	-	5,01,358	-
24	SM2/12& Ref1/13	Pharmaceutical	(Bengal Chemicals & Druggists Association (BCDA)	13,24,398	-	13,24,398	-
25	SM2/12& Ref1/13	Pharmaceutical	Ranendra Narayan Roy	1,97,587	-	1,97,587	-

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
26	SM2/12& Ref1/13	Pharmaceutical	Sunil Chandra Dey	14,38,296	-	14,38,296	-
27	SM2/12& Ref1/13	Pharmaceutical	Shyamal Dhar	11,60,493	-	11,60,493	-
28	SM2/12& Ref1/13	Pharmaceutical	Rastrapati Dey	1,28,732	-	1,28,732	-
29	SM2/12& Ref1/13	Pharmaceutical	Tushar Chakraborty	10,92,040	-	10,92,040	-
30	SM2/12& Ref1/13	Pharmaceutical	Subodh Kumar Ghosh	4,04,63,747	-	4,04,63,747	-
31	SM2/12& Ref1/13	Pharmaceutical	Sankha Roy Choudhury	9,44,020	-	9,44,020	-
32	SM2/12& Ref1/13	Pharmaceutical	Rabin Ray	1,37,89,428	-	1,37,89,428	-
33	SM2/12& Ref1/13	Pharmaceutical	Hironmoy Kundu	19,21,350	-	19,21,350	-
34	SM2/12& Ref1/13	Pharmaceutical	Sajal Gangopadhyay	93,61,088	-	93,61,088	-
35	SM2/12& Ref1/13	Pharmaceutical	Rama Prasad Banerjee	5,39,195	-	5,39,195	-
36	SM2/12& Ref1/13	Pharmaceutical	Debashis Guha	10,40,608	-	10,40,608	-
37	SM2/12& Ref1/13	Pharmaceutical	Anil Vora	24,69,375	-	24,69,375	-
38	SM2/12& Ref1/13	Pharmaceutical	Ajit Kr. Majumder	4,08,131	-	4,08,131	-
39	SM2/12& Ref1/13	Pharmaceutical	Amit Roy	20,63,764	-	20,63,764	-
40	SM2/12& Ref1/13	Pharmaceutical	Amit Kumar Paul	23,782	-	23,782	-
41	SM2/12& Ref1/13	Pharmaceutical	Ajoy Kumar Lohia	64,21,033	-	64,21,033	-
42	SM2/12& Ref1/13	Pharmaceutical	Atanu Majumder	2,36,944	-	2,36,944	-
43	SM2/12& Ref1/13	Pharmaceutical	Angshuman Dey	27,82,293	-	27,82,293	-
44	SM2/12& Ref1/13	Pharmaceutical	Alip Saha	6,94,675	-	6,94,675	-
45	SM2/12& Ref1/13	Pharmaceutical	Bimal Chandra Bhoumik	4,63,129	-	4,63,129	-
46	SM2/12& Ref1/13	Pharmaceutical	Biswanath Bhakat	1,07,663	-	1,07,663	-
47	SM2/12& Ref1/13	Pharmaceutical	Babul Paul	2,60,354	-	2,60,354	-

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
48	SM2/12& Ref1/13	Pharmaceutical	Chandresh B. Sanghvi	36,30,412	-	36,30,412	-
49	SM2/12& Ref1/13	Pharmaceutical	Debapriya Bose	4,61,053	-	4,61,053	-
50	SM2/12& Ref1/13	Pharmaceutical	Me. Entaz Ali	1,09,568	-	1,09,568	-
51	SM2/12& Ref1/13	Pharmaceutical	Fazlur Rahaman Khan	1,13,457	-	1,13,457	-
52	SM2/12& Ref1/13	Pharmaceutical	Gora Tripathy	22,61,060	-	22,61,060	-
53	SM2/12& Ref1/13	Pharmaceutical	Goutam Kumar Das	11,59,423	-	11,59,423	-
54	SM2/12& Ref1/13	Pharmaceutical	Gautam patra	1,27,76,438	-	1,27,76,438	-
55	SM2/12& Ref1/13	Pharmaceutical	Gouranga Saha	52,92,218	-	52,92,218	-
56	SM2/12& Ref1/13	Pharmaceutical	Goranga Dhar	4,06,014	-	4,06,014	-
57	SM2/12& Ref1/13	Pharmaceutical	Hirak Subhra Mukherjee	3,43,836	-	3,43,836	-
58	SM2/12& Ref1/13	Pharmaceutical	Md. Irfan Lodhi	49,276	-	49,276	-
59	SM2/12& Ref1/13	Pharmaceutical	Jayant Dey	61,59,760	-	61,59,760	-
60	SM2/12& Ref1/13	Pharmaceutical	Jayanto Dey	2,08,290	-	2,08,290	-
61	SM2/12& Ref1/13	Pharmaceutical	Jayanta Kumar Mondal	20,71,378	-	20,71,378	-
62	SM2/12& Ref1/13	Pharmaceutical	Kartick Chandra Das Modak	14,02,408	-	14,02,408	-
63	SM2/12& Ref1/13	Pharmaceutical	Kanchan Chatterjee	25,20,218	-	25,20,218	-
64	SM2/12& Ref1/13	Pharmaceutical	Manik Lal Das	1,16,457	-	1,16,457	-
65	SM2/12& Ref1/13	Pharmaceutical	Milan Chakraborty	1,51,252	-	1,51,252	-
66	SM2/12& Ref1/13	Pharmaceutical	Mrinal Chakraborty	69,24,203	-	69,24,203	-
67	SM2/12& Ref1/13	Pharmaceutical	Mrinmoy Mishra	13,30,638	-	13,30,638	-
68	SM2/12& Ref1/13	Pharmaceutical	Madhab Chandra Patra	2,24,487	-	2,24,487	-
69	SM2/12& Ref1/13	Pharmaceutical	Niladri Mukherjee	1,00,775	-	1,00,775	-
70	SM2/12& Ref1/13	Pharmaceutical	Nandan Banerjee	17,29,560	-	17,29,560	-

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
71	SM2/12& Ref1/13	Pharmaceutical	Prabir prasad ghosal	88,399	-	88,399	-
72	SM2/12& Ref1/13	Pharmaceutical	Pradip Ghosh	7,99,942	-	7,99,942	-
73	SM2/12& Ref1/13	Pharmaceutical	Pratap Rudra Mahapatra	32,79,317	-	32,79,317	-
74	SM2/12& Ref1/13	Pharmaceutical	Prodyot Banerjee	18,20,744	-	18,20,744	-
75	SM2/12& Ref1/13	Pharmaceutical	Prakash Saha	21,586	-	21,586	-
76	SM2/12& Ref1/13	Pharmaceutical	Prithwi Bose	65,482	-	65,482	-
77	SM2/12& Ref1/13	Pharmaceutical	Prasun Saragi	1,89,451	-	1,89,451	-
78	SM2/12& Ref1/13	Pharmaceutical	Ripon Saha	30,07,753	-	30,07,753	-
79	SM2/12& Ref1/13	Pharmaceutical	Ramendra Narayan Roy	11,52,087	-	11,52,087	-
80	SM2/12& Ref1/13	Pharmaceutical	Swapan Kumar Sil	21,390	-	21,390	-
81	SM2/12& Ref1/13	Pharmaceutical	Swapan Kumar Karak	47,63,579	-	47,63,579	-
82	SM2/12& Ref1/13	Pharmaceutical	Shibsankr Nag Sarkar	6,70,139	-	6,70,139	-
83	SM2/12& Ref1/13	Pharmaceutical	Subhas Chakraborty	2,12,409	-	2,12,409	-
84	SM2/12& Ref1/13	Pharmaceutical	Samir Ranjan Das	80,00,390	-	80,00,390	-
85	SM2/12& Ref1/13	Pharmaceutical	Susanta Kar	27,15,823	-	27,15,823	-
86	SM2/12& Ref1/13	Pharmaceutical	Subir Sen	9,83,704	-	9,83,704	-
87	SM2/12& Ref1/13	Pharmaceutical	Swapan Kumar saha Roy	24,99,150	-	24,99,150	-
88	SM2/12& Ref1/13	Pharmaceutical	Samar dey	1,32,048	-	1,32,048	-
89	SM2/12& Ref1/13	Pharmaceutical	Sabir Chatterjee	2,84,056	-	2,84,056	-
90	SM2/12& Ref1/13	Pharmaceutical	Soumen Chakborty	87,204	-	87,204	-
91	SM2/12& Ref1/13	Pharmaceutical	Shyamal Kumar Saha	31,75,053	-	31,75,053	-
92	SM2/12& Ref1/13	Pharmaceutical	Sushanta Ghosh	13,57,824	-	13,57,824	-
93	SM2/12& Ref1/13	Pharmaceutical	Siddheswar Choudhury	7,07,339	-	7,07,339	-

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
94	SM2/12& Ref1/13	Pharmaceutical	Samindra nath banerjee	1,62,428	-	1,62,428	-
95	SM2/12& Ref1/13	Pharmaceutical	Susanta patra	1,70,367	-	1,70,367	-
96	SM2/12& Ref1/13	Pharmaceutical	Subendu Mazumder	1,52,288	-	1,52,288	-
97	SM2/12& Ref1/13	Pharmaceutical	Saumya brata rakshit	6,40,028	-	6,40,028	-
98	SM2/12& Ref1/13	Pharmaceutical	Samit das	29,61,613	-	29,61,613	-
99	SM2/12& Ref1/13	Pharmaceutical	Tarun kumar Roy	1,95,347	-	1,95,347	-
100	SM2/12& Ref1/13	Pharmaceutical	Timir baran das mohapatra	43,66,356	-	43,66,356	-
101	SM2/12& Ref1/13	Pharmaceutical	Udaychand Chatterjee	79,975	-	79,975	-
102	SM2/12& Ref1/13	Pharmaceutical	Joydip Roy	2,18,893	-	2,18,893	-
103	74/2012	Miscellaneous	Indian Trade Promotion Organization	6,75,03,540	33,75,177	6,41,28,363	-
104	71/2012	Petroleum	M/s Adani Gas Ltd.	25,67,27,640	-	25,67,27,640	-
105	SM 5 of 2013	Pharmaceutical	Chemists and Druggists Association of Goa (CDAG)	10,62,062	-	10,62,062	-
106	62 of 2012	Film	Fim Distributor Association Kerala	75,315	-	-	75,315
107	32 of 2013	Film	Fim Distributor Association Kerala	75,315	-	-	75,315
108	42 of 2012	Miscellaneous	Dumper Owners Association	2,60,463	2,60,463	-	-
109	42 of 2012	Miscellaneous	Amiya Kumar Sahoo	33,360	33,360	-	-
110	42 of 2012	Miscellaneous	Bhagwan Swain	32,084	32,084	-	-
111	42 of 2012	Miscellaneous	Tushar Kanta Bhoi	34,876	34,876	-	-
112	42 of 2012	Miscellaneous	Himanshu Patnaik	14,064	14,064	-	-
113	42 of 2012	Miscellaneous	Ajay Kumar Samal	11,645	11,645	-	-
114	78 of 2012	Pharmaceutical	Sanjeev Pandit	28,276	28,276	-	-
115	78 of 2012	Pharmaceutical	Himachal Pradesh Society of Chemists and Druggists Alliance	2,65,423	2,65,423	-	-
116	43 of 2013	Transport	KSTOCTS	2,28,540	2,28,540	-	-
117	43 of 2013	Transport	Surinder Singh	31,759	31,759	-	-
118	43 of 2013	Transport	Om Prakash Kura	15,293	15,293	-	-
119	43 of 2013	Transport	Ashwani Kumar Puri	11,378	11,378	-	-
120	43 of 2013	Transport	Krishna Kant	13,390	13,390	-	-

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
121	43 of 2013	Transport	Baldev Singh	11,475	11,475	-	-
122	43 of 2013	Transport	Balbir Singh	9,355	9,355	-	-
123	43 of 2013	Transport	Charanjit Singh	8,772	-	-	8,772
124	43 of 2013	Transport	Inder Singh	10,875	10,875	-	-
125	61 of 2012	Transport	All India Motor Transport Congress (AIMTC)	14,24,521	-	14,24,521	-
126	56 of 2012	Information Technology	Verifone India Sales Pvt Ltd	4,48,40,236	-	-	4,48,40,236
127	26 of 2013	Pharmaceutical	Glaxo Smithkline Pharmaceuticals Ltd	60,48,90,469	-	-	60,48,90,469#
128	26 of 2013	Pharmaceutical	Sanofi Ltd	3,04,34,200	-	-	3,04,34,200#
129	SM 4 of 2013	Miscellaneous	Sheth & Co	56,99,000	-	-	56,99,000#
130	SM 4 of 2013	Miscellaneous	Veekay Enterprises	1,55,030	-	-	1,55,030#
131	SM 4 of 2013	Miscellaneous	Sai Trading	4,99,427	-	-	4,99,427#
132	SM 4 of 2013	Miscellaneous	Sai Industries	6,08,740	-	-	6,08,740#
133	SM 4 of 2013	Miscellaneous	Shree Polymers	1,14,445	-	-	1,14,445#
134	SM 4 of 2013	Miscellaneous	Sai Enterprises	1,33,816	-	-	1,33,816#
135	SM 4 of 2013	Miscellaneous	Mac Polymers	1,62,635	-	-	1,62,635#
136	SM 4 of 2013	Miscellaneous	Miltech Industrial Pvt Ltd	2,08,95,458	-	-	2,08,95,458#
137	SM 4 of 2013	Miscellaneous	Nityanand Udyog	14,36,792	-	-	14,36,792#
138	SM 4 of 2013	Miscellaneous	Interplas (India) Pvt Ltd	5,178	-	-	5,178#
139	SM 4 of 2013	Miscellaneous	Narendra Explosives	4,07,060	-	-	4,07,060#
140	SM 4 of 2013	Miscellaneous	Narendra & Co	2,60,719	-	-	2,60,719#
141	45 of 2012	Film	Kerala Film Exhibitor Federation	56,134	-	-	56,134#
142	45 of 2012	Film	Fim Distributor Association Kerala	45,189	-	-	45,189#
143	45 of 2012	Film	P V Basheer Ahmed	39,478	-	-	39,478#
144	45 of 2012	Film	M C Bobby	33,445	-	-	33,445#
145	45 of 2012	Film	M M Hansa	46,331	-	-	46,331#
146	45 of 2012	Film	V C George	8,700	-	-	8,700#
147	SM 02 of 2014	Financial	National Insurance Company Ltd	1,62,80,00,000	-	-	1,62,80,00,000 #

Sl. No.	Case No.	Sector	Name	Penalty Imposed	Penalty Realised	Penalty Stayed	Penalty Not Paid
148	SM 02 of 2014	Financial	New India Insurance Company Ltd	2,51,07,00,000	-	-	2,51,07,00,000 #
149	SM 02 of 2014	Financial	Oriental Insurance Company Ltd	1,00,56,00,000	-	-	1,00,56,00,000 #
150	SM 02 of 2014	Financial	United India Insurance Ltd	1,56,62,00,000	-	-	1,56,62,00,000 #
151	58 of 2012	Film	Karnataka Film Chamber of Commerce	16,82,204	-	-	16,82,204#
152	58 of 2012	Film	Karnataka Television Association	1,74,293	-	-	1,74,293#
153	58 of 2012	Film	Karnataka Film Producers Association	1,68,124	-	-	1,68,124#
				8,66,43,87,290	2,24,22,333	1,21,85,08,452	7,42,34,56,505

The period mentioned in the order for deposit of penalty is not yet over.
