



POLICY BRIEF

THE 25TH REPORT OF THE PARLIAMENTARY STANDING COMMITTEE ON FINANCE

EVOLVING ROLE OF COMPETITION COMMISSION OF INDIA IN THE ECONOMY,
PARTICULARLY THE DIGITAL LANDSCAPE

September, 2025



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List of Abbreviations

Abbreviation	Full Form
ACC	Australian Competition and Consumer Commission
ADE	Associate Digital Enterprise
ACPs	Anti-Competitive Practices
AER	Australian Energy Regulator
AI	Artificial Intelligence
CCI	Competition Commission of India
DCB	Digital Competition Bill
DMD	Digital Markets Division
DPDP Act	Digital Personal Data Protection Act
DVT	Deal Value Threshold
DMA	Digital Markets Act
GIA	Grants-in-Aid
ICN	International Competition Network
M&A	Mergers and Acquisitions
MCA	Ministry of Corporate Affairs
MeitY	Ministry of Electronics and Information Technology
MoU	Memorandum of Understanding
MSMEs	Micro, Small and Medium Enterprises
NCLAT	National Company Law Appellate Tribunal
NCP	National Competition Policy
OECD	Organisation for Economic Co-operation and Development
PLI	Production-Linked Incentive (Scheme)
RBI	Reserve Bank of India
SEBI	Securities and Exchange Board of India
SFIO	Serious Fraud Investigation Office

SIDI	Systemically Important Digital Intermediary
SSDE	Systemically Significant Digital Enterprise
TRAI	Telecom Regulatory Authority of India
UNCTAD	United Nations Conference on Trade and Development

Theme of the report: Evolving Role of Competition Commission of India in the Economy, particularly the Digital Landscape

Date of release: August 11, 2025

Link to the report: [here](#)

Structure of the report: The Parliamentary Standing Committee Report is primarily divided into two parts. Part I discusses various aspects of digital markets and the regulation of competitiveness within those markets. It also details the stances taken by the Competition Commission of India (CCI), the Ministry of Corporate Affairs (MCA), and the Committee. Part II presents the Committee's observations and recommendations. For this analysis, the recommendations in Part II are integrated with the concerned sub-heads from Part I for ease of reading

1. Introduction

India's shift from a controlled economy in the 1990s to a market-driven model has been underpinned by the belief that competition fuels growth, innovation, and consumer welfare.¹ The Competition Act, 2002 (Competition Act) established the CCI as the market watchdog to prevent anti-competitive practices (ACPs), regulate mergers, and ensure fairness.²

In recent years, India's rapid digital transformation has reshaped markets and consumer behaviour. It has unlocked new opportunities for growth while creating novel challenges.³ To address these shifts, the CCI has adapted its enforcement strategies and regulatory tools to keep pace with evolving market dynamics, while upholding the principles of fair competition that underpin India's liberalised economy.⁴

¹ Twenty Fifth Report of the Lok Sabha's Standing Committee on Finance, *Evolving Role of Competition Commission of India in the Economy, particularly the Digital Landscape*, released on August 11, 2025, Lok Sabha Secretariat, page 1, para 1.1.

² Ibid, page 1, para 1.2

³ Ibid, Page 1, para 1.3

⁴ Ibid, Page 1, para 1.3

2. Digitalisation of Markets

Digital platforms have expanded access and efficiency⁵ but also entrenched dominance via network effects, data advantage, ecosystem control, and zero-price models.⁶ Harmful practices include self-preferencing, exclusivity, predatory pricing, tying/bundling, and exploiting bargaining power.⁷

The CCI faces three main challenges in regulating rapidly evolving digital markets:⁸

- **Technological Complexity:** Rapid advances in artificial intelligence (AI), machine learning (ML), blockchain, and big data analytics demand constant updates to regulatory tools.
- **Cross-Jurisdictional Issues:** Digital platforms operate globally, and anti-competitive conduct abroad often affects Indian markets, these dynamics necessitate closer coordination with foreign regulators.
- **Resource and Capacity Gaps:** Cases in digital market demand expertise beyond traditional economics/law. They require skills in algorithm analysis, big data evaluation, and additional human resources to implement potential ex-ante regimes.

Stakeholder Stances

- **CCI:** The CCI discusses the importance of establishing its Digital Markets Division (DMD) in September 2024 as a specialised unit to address challenges in the digital market. The DMD's mandate includes facilitating cross-divisional discussions, engaging with industry/academia, coordinating with other domestic and international regulators, providing policy inputs, supporting data analytics, and conducting market studies. It operates with a core team of seven specialists focused on niche digital market issues. Training initiatives include workshops on AI and algorithmic modelling. The CCI views this unit as critical for agility, proactive engagement, and the early detection of competition risks in digital markets.⁹
- **MCA:** The MCA agrees with stakeholder feedback on the need to strengthen the CCI's institutional capacity for digital markets and acknowledges the DMD's role in building expertise in algorithmic pricing, data-driven network effects, and AI-enabled models.¹⁰

Importantly, the MCA also notes that the CCI has submitted a cadre restructuring proposal to create 55 additional posts, aimed at recruiting data scientists, technologists, and market analysts alongside legal and economic experts. The Ministry is actively considering this proposal. It views such capacity expansion as essential for effectively implementing the

⁵ Ibid, page 2, para 1.4

⁶ Ibid, page 3, para 1.8

⁷ Ibid, page 4 & 5, para 1.9

⁸ Ibid, page 6, para 1.11

⁹ Ibid, pages 7 & 8, para 1.13

¹⁰ Ibid, pages 8 & 9, para 1.14

forthcoming Digital Competition Bill (DCB) and for keeping pace with the growing complexity of digital markets.¹¹

Committee's Key Recommendations

- Expedite the cadre restructuring proposal and increase the sanctioned strength of the CCI, particularly with a focus on specialised roles within the DMD.¹²
- Formalise and institutionalise cross-regulatory collaboration with privacy, cybersecurity, and sectoral regulators to address jurisdictional overlaps and ensure holistic oversight of digital platforms.¹³
- Expand advanced training programmes in AI, big data analytics, algorithmic modelling, and platform economics for both DMD staff and other CCI officers.¹⁴
- The Committee recommends shifting to a proactive, ex-ante regulatory framework to address complex practices such as self-preferencing and predatory pricing. It calls for a nuanced, context-specific approach in the DCB, guided by evidence from ongoing market studies in AI and other sectors.¹⁵

The Dialogue's Comments

The Dialogue strongly supports strengthening the CCI's institutional capacity, particularly through the creation of the DMD. As we highlighted in our previous research,¹⁶ capacity building is essential for effective enforcement and requires expertise beyond traditional economics and law. We continue to stress that the DMD should serve as the anchor for advanced training, inter-regulatory coordination, and evidence-based market studies.¹⁷

The Committee's clarifications on the DMD's structure, mandate, and staffing are therefore welcome, given the limited transparency that existed until now. At the same time, we emphasise the need for greater transparency from the CCI to enable a deeper study of the DMD's functioning and a clearer assessment of its effectiveness in practice. We particularly endorse the recommendation to approve and operationalise the 55 specialist posts proposed by the CCI, which would strengthen the DMD's capacity in algorithmic pricing, AI, and big data analysis. This aligns

¹¹ Ibid, pages 8 & 9, para 1.14

¹² Ibid, Page 86

¹³ Ibid, Page 92

¹⁴ Ibid, Page 86

¹⁵ Ibid, Page 81

¹⁶ Malik, S., Shekar, K., Agarwal, B., Mishra, A. & Sharma, V. (2024, February). Indian policy instruments and objectives of the proposed Digital Competition Act: Implications, Challenges and Way Forward. The Dialogue.

¹⁷ Malik, S., Mishra, A. & Agarwal, B. (May 2024) Written Comments: Report of the Committee on Digital Competition Law and the Digital Competition Bill, 2024. The Dialogue.

directly with our previous submissions advocating for the infusion of technologists, data scientists, and interdisciplinary experts within the CCI's framework.

We view this capacity expansion as critical to ensuring that India's competition regime remains agile, evidence-based, and capable of addressing both domestic and cross-border challenges in the digital economy, while also laying the foundation for effective implementation of forthcoming law or regulation.

3. CCI's Regulatory Response under the Competition (Amendment) Act, 2023

The Competition (Amendment) Act, 2023 strengthens the CCI's capacity to regulate digital markets through several key reforms. It introduced a Deal Value Threshold (DVT) of ₹2,000 crore to capture high-value, asset-light mergers and acquisitions (M&As) that might otherwise escape scrutiny, particularly in new-age markets.¹⁸

The Act also established settlement and commitment mechanisms to enable faster resolution of cases and introduced a revised penalty framework to ensure fair and proportionate sanctions. To operationalise these provisions, the CCI issued new regulations in 2024 covering combinations, settlements, commitments, and monetary penalties.¹⁹

Stakeholder Stances

- **CCI:**
 - **Approach to ex-ante regulations:** In its written view, the CCI supports an ex-ante framework with clear limits: it should be balanced, focus only on "*the largest of the technology behemoths with systemic significance*" and target conduct that is "*unambiguously anti-competitive*," all within a transparent rule-set that gives regulatory certainty.²⁰
 - **DCB:** The CCI highlights stakeholder concerns that the DCB's thresholds, qualitative criteria, and expansive definitions risk encompassing Indian firms that are not globally competitive, creating policy unpredictability and potentially stifling innovation. It further notes stakeholders' demands for rebuttal mechanisms, refined criteria for Associate Digital Enterprises (ADEs), and proportional obligations that account for pro-competitive effects of practices such as bundling or self-preferencing.²¹
 - **Data Regulation and Integration with the Digital Personal Data Protection Act (DPDP Act):** The CCI clarifies that, while it does not regulate privacy directly, it acts when data practices harm competition. It underscores that data can become an entry barrier and entrench dominance, making data-related obligations in the DCB essential to preserving market contestability.²²
- **MCA:**
 - **DVT:** The MCA views the ₹2,000 crore DVT as a major advancement, enabling the CCI to examine high-value transactions with "substantial business operations in India" that may not meet traditional asset or turnover thresholds. This is particularly relevant in the

¹⁸ Twenty Fifth Report of the Lok Sabha's Standing Committee on Finance, Evolving Role of Competition Commission of India in the Economy, particularly the Digital Landscape, released on August 11, 2025, Lok Sabha Secretariat, pages 9 & 10, para 1.15

¹⁹ Ibid, pages 9 & 10, para 1.15

²⁰ Ibid, page 12, para 1.22

²¹ Ibid, pages 14 and 15, para 1.24

²² Ibid, pages 14 and 15, paras 1.24 and 1.25

digital economy, where acquisitions of nascent or innovative firms could otherwise escape scrutiny.²³

- **Settlement and Commitment Mechanisms:** The MCA emphasises that these provisions will allow faster resolution of cases, reduce litigation, and promote compliance through a cooperative approach. It notes that this aligns India's framework with global best practices and provides flexibility to tailor remedies for complex or evolving markets.²⁴
- **Shift to ex-ante regulation & the Digital Competition Bill:** The MCA emphasises the importance of building an evidence-based foundation through market studies, given that ex-ante regulation remains nascent globally.²⁵ The Ministry underscores the need for a harmonised and cautious framework to avoid adverse effects on startups/Micro, Small and Medium Enterprises (MSMEs).²⁶
- **Threshold for Systemically Significant Digital Enterprise (SSDEs):** The Ministry stated that the DCB incorporates built-in flexibility, as the thresholds for designating SSDEs will be revised periodically. This mechanism is intended to help the framework to adapt to rapidly evolving technologies while sustaining a competitive digital ecosystem.²⁷
- **National Competition Policy (NCP):** The MCA states that the NCP has not yet been implemented.²⁸ The report also cites the Supreme Court's 2018 observation in **CCI vs. Bharti Airtel** which underscored the need for an NCP.²⁹

Committee's Key Recommendations

- **Inclusion of virtual assistants within the DCB:** The Committee recommends including provisions for virtual assistants in the DCB, in line with international practice.³⁰
- **NCP Finalisation:** The Committee recommends expedited adoption of the NCP to harmonise competition considerations across cross-sectoral frameworks. It emphasises that the NCP can provide a unifying framework to align sectoral policies with competition principles, thereby reducing the risk of contradictory regulations. It can also strengthen coordination with other regulators, particularly in areas where competition issues intersect with data protection, consumer affairs, and sector-specific rules.³¹

²³ Ibid, page 10 and 11, para 1.16

²⁴ Ibid, page 10 and 11, para 1.16

²⁵ Ibid, page 12, para 1.20

²⁶ Ibid, page 12, para 1.21

²⁷ Ibid, page 16, para 1.26

²⁸ Ibid, page 21, para 1.34

²⁹ Ibid, page 21, para 1.34

³⁰ Ibid, page 81

³¹ Ibid, page 81

The Dialogue's Comments

We believe that the proposed NCP should be developed through a robust stakeholder consultation process, ensuring a participatory and consultative approach that reflects the perspectives of startups, MSMEs, civil society, and industry. Such an inclusive process would create legitimacy and buy-in while helping harmonise competition principles across government policymaking.

We view this capacity expansion as critical to ensuring that India's competition regime remains agile, evidence-based, and capable of addressing both domestic and cross-border challenges in the digital economy.

4. CCI's Experience

In this chapter, the Committee examines the evolving role of the CCI in light of recent reforms in the competition law and policy in India. It records written and oral submissions made by the CCI and MCA to show how institutional practice and policy considerations are shaping the future direction of India's competition regime.

Stakeholder Stances

- **CCI:**

- The CCI emphasises that fair competition is central to lowering entry barriers, protecting consumers, and sustaining innovation. Yet, in practice, markets often fail to self-correct because of cartelisation, abuse of dominance, and information asymmetries. Since its substantive provisions came into force in 2009, the CCI has steadily expanded its enforcement, merger control, advocacy, and advisory functions. It has disposed of more than a thousand antitrust and merger cases while embedding a culture of compliance through training, outreach, and policy inputs. Reforms under the 2023 Amendment Act, such as the introduction of the DVT, faster merger timelines, settlement and commitment mechanisms, and leniency-plus, have significantly strengthened the CCI's regulatory toolkit. The CCI has also enhanced its global presence through Memorandum of Understanding (MoUs) and active participation in international forums, while conducting market studies in e-commerce, AI, and renewable energy to shape policy with evidence.³²

At the same time, the CCI Chairperson highlighted the challenges of digital markets, where network effects, data concentration, and gatekeeper platforms create high entry barriers and incentivise practices such as self-preferencing, exclusivity, predatory pricing, and unfair terms that harm MSMEs and consumers. Enforcement actions against firms like Google, Meta, and MakeMyTrip demonstrate the CCI's ability to address such conduct. However, the rapid pace of technological change has necessitated a shift toward an ex-ante framework, in line with global developments. To this end, the CCI has set up a dedicated DMD with specialists in data and technology, and is steering the proposed Digital Competition Bill. Going forward, the Commission seeks to balance incentives for innovation with the need to curb ACPs, ensuring that India's digital economy remains competitive, consumer-friendly, and globally aligned.³³

- On industrial policy schemes such as the Production-Linked Incentive (PLI), the CCI clarified that it is not the regulator's role to assess the desirability of such policies. Its remit is limited to ensuring a level playing field and preventing distortions within whatever framework the Government adopts.³⁴

³² Ibid, pages 22 to 29, para 1.36

³³ Ibid, pages 22 to 29, para 1.36

³⁴ Ibid, page 37, para 1.43

- **MCA:**

- The MCA summarised the major concerns raised during stakeholder consultations on the DCB. These included the breadth of the Core Digital Services list, ambiguity around ADEs, the absence of a rebuttal mechanism for SSDE designation, low and complex thresholds, potential negative effects on MSMEs (for instance, from curbs on targeted ads or single sign-on), and regulatory overlaps with the DPDP Act, Consumer Protection Act, FDI policy, and sectoral regulators.³⁵
- The MCA Secretary emphasised that ex-ante regulation remains nascent globally and that India should proceed cautiously, building an evidence-based framework through market studies before introducing binding obligations. The MCA also noted that the CCI itself is conducting an internal study, which will help inform the Ministry's decision-making.

Committee's Key Recommendations

- In order to address stakeholder concerns, the Committee recommended the introduction of a rebuttal mechanism in exceptional cases of SSDE designation, similar to the EU's Digital Markets Act (DMA), to ensure fairness and provide regulatory certainty.³⁶
- It further recommended that the CCI sustain proactive investigations into predatory pricing and deep discounting by dominant online platforms, supported by clear guidelines on when such practices become anti-competitive.³⁷

The Dialogue's Comments

The Dialogue commends the advocacy efforts undertaken by the CCI and welcomes the Committee's recommendation to introduce a rebuttal mechanism for SSDE designation. Such a mechanism is an important safeguard to ensure that the regulatory framework remains proportionate, transparent, and responsive to the realities of diverse digital ecosystems.

³⁵ Ibid, pages 38 to 42, para 1.46

³⁶ Ibid, page 83

³⁷ Ibid, page 90

5. Monitoring of Digital Markets

This chapter covers the enforcement challenges within digital markets, highlighted through testimony from the CCI and MCA.

Stakeholder Stances

- **CCI:**

- In determining whether dominance arises from genuine innovation or anti-competitive behavior, the CCI relies on the definition of “*dominant position*” under the Explanation to Section 4 of the Act, along with the qualitative and quantitative factors provided in Section 19(4), analysed on a case-to-case basis.³⁸
- The CCI addresses concerns regarding side-loading in the digital ecosystem through multiple cases, such as *Umar Javeed & Ors vs. Google LLC*, where it had directed Google not to restrict app developers from distributing their apps through side-loading.³⁹
- While low data protection standards can harm consumers through poor service-quality, creating entry barriers, and distorting competition, the CCI recognises that it does not per se look into data protection issues. However, it upholds consumer welfare principles, as enshrined in the preamble of the Competition Act, in the context of digital markets.⁴⁰
- In addition to revamping in-house capacities, the CCI collaborates with academic institutions, think tanks, and other stakeholders to facilitate knowledge sharing, considering these steps necessary for regulating digital markets.⁴¹

- **MCA:**

- The MCA acknowledges that the CCI has actively monitored the issue of self-preferencing, as evident by its role in cases such as *Umar Javeed & Ors vs. Google LLC*; *XYZ vs. M/s Alphabet Inc. & Ors.*, etc.⁴² However, the MCA notes that while the CCI performs effectively as a market regulator in the merger and acquisition sector, it faces enforcement challenges in the digital sector, due to, *inter alia*, investigations involving major digital companies have been stalled by courts.⁴³
- To understand AI and the competition framework, the MCA highlights that the CCI has outlined a comprehensive scope of work for its study, which is currently at an advanced stage.⁴⁴
- The MCA Secretary noted that the settlement framework, operational only since September 2024, requires a few more months of observation before firm conclusions

³⁸ Ibid, page 44, para 1.51

³⁹ Ibid, page 45 & 46, para 1.54

⁴⁰ Ibid, page 46, para 1.55

⁴¹ Ibid, page 50 & 51, para 1.63

⁴² Ibid, page 42, para 1.47

⁴³ Ibid, page 42 & 43, para 1.48

⁴⁴ Ibid, page 43, para 1.49

can be drawn. They emphasised the need to balance faster resolution with protecting consumer interests, cautioning that fully restricting appeals may not withstand judicial scrutiny. The Ministry plans to review the mechanism after gaining more experience to determine whether further refinements are necessary.⁴⁵

- The MCA explained that the 2023 Competition Amendment Act introduced a formal settlement mechanism under Section 48A, allowing enterprises facing inquiries under Sections 3(4) or 4 to settle cases before full adjudication. Alongside, Section 53N ensures that governments, enterprises, or individuals may still seek compensation before the National Company Law Appellate Tribunal (NCLAT) for losses caused by violations, even after a settlement order. This framework allows settlements to enable quicker resolution and reduce litigation while preserving affected parties' right to redress.⁴⁶

The Ministry highlighted that, under the earlier regime, the absence of a settlement framework often prolonged proceeding. The new system, aligned with global practices in the EU, UK, and US, aims to enable faster market correction. Unlike India, however, many jurisdictions require an explicit admission of guilt in cartel cases, which forms the basis for compensation claims. While some settlement-related documents may be exempt from disclosure in the EU to prevent self-incrimination, safeguards ensure that victims can still pursue compensation.⁴⁷

Committee's Key Recommendations

- The Committee recommends that the CCI should integrate consumer welfare into enforcement by considering non-price factors such as data privacy and service quality, and coordinate with the Data Protection Authority to address overlaps between data use, competition, and consumer protection.⁴⁸
- Ongoing market studies on AI and other sectors should provide foundational evidence to refine the DCB.⁴⁹
- The CCI, in collaboration with the MCA, should explore measures to reduce litigation delays and improve enforcement effectiveness, including robust legal defense strategies and continuous assessment of new provisions such as the 25% pre-deposit for appeals.⁵⁰
- The CCI should expand its sector-specific market studies into emerging areas where new business models disrupt traditional competition dynamics. The findings can directly inform policy interventions.⁵¹

⁴⁵ Ibid, pages 47 & 48, para 1.59

⁴⁶ Ibid, pages 48 & 49, para 1.60

⁴⁷ Ibid, pages 48 & 49, para 1.60

⁴⁸ Ibid, page 94

⁴⁹ Ibid, page 93

⁵⁰ Ibid, page 88

⁵¹ Ibid, page 93

The Dialogue's Comments

The Dialogue supports the Committee's recognition that regulating digital markets requires a forward-looking, evidence-based approach. We welcome the CCI's reliance on market studies, continuous monitoring, and collaborations with academic and policy institutions, including its ongoing AI study, as these tools are vital for anticipating risks early. At the same time, persistent challenges such as litigation delays and enforcement roadblocks risk undermining timely interventions, underscoring the need for stronger legal strategies and procedural clarity.

6. Mergers and Acquisitions

The Committee notes that the CCI's merger control regime has traditionally relied on turnover and asset-based thresholds to determine which transactions require notification.⁵² The Competition (Amendment) Act, 2023 addressed this gap by introducing the DVT, set at ₹2,000 crore, alongside a requirement that the acquired entity demonstrate "substantial business operations in India".⁵³

Stakeholder Stance

- **CCI:** While the CCI acknowledges the unique challenges posed by digital markets, it carries out assessment of combinations through the factors set out under Section 20(4) of the Competition Act. In addition to scrutinising transactions falling within the ambit of the newly introduced DVT, the CCI also monitors M&A transactions that are not reported or notified. Further, it maintains channels of international cooperation with peer authorities to strengthen oversight and ensure consistency with global practices.⁵⁴

Committee's Key Recommendation

- The Committee notes that while the ₹2,000 crore DVT was introduced to capture strategic digital transactions in the digital economy, concerns persist that it may still provide scope for large corporations to acquire MSMEs without sufficient regulatory scrutiny.⁵⁵ Accordingly, the Committee recommended that the threshold be reviewed by the MCA and CCI to ensure it does not inadvertently facilitate such acquisitions. It also suggested that a lower threshold specifically for MSME-related acquisitions could be considered, provided such a measure is supported by detailed market studies.

The Dialogue's Comments

The Dialogue welcomes the introduction of the DVT under the 2023 Amendment Act as a significant and timely enhancement to India's merger control framework. By aiming to capture high-value, asset-light transactions involving "substantial business operations in India," the DVT plays a crucial role in addressing the risk of "killer acquisitions" of startups, IP, or user bases that may otherwise elude scrutiny under traditional turnover and asset-based thresholds. At the same time, we recognise the Committee's concern that the current ₹2,000 crore threshold may, in some cases, permit acquisitions of MSMEs by larger corporations without adequate oversight. Any such review, however, should be firmly grounded in evidence and accompanied by broad-based stakeholder consultations to avoid creating undue compliance burdens or chilling investment.

⁵² Ibid, pages 10 & 11, para 1.16

⁵³ Ibid, pages 51 & 52, para 1.64

⁵⁴ Ibid, pages 51 & 52, para 1.64

⁵⁵ Ibid, page 89

7. Regulation of Duopolies in Critical Sectors

The Committee observes that certain sectors in India, including telecom, exhibit entrenched duopolistic market structures.⁵⁶ To illustrate the CCI's long-term strategy for addressing such market concentrations in critical sectors, including aviation and telecom, the MCA highlights that the conduct of duopolies may be examined within the framework of Section 3 of the Competition Act.⁵⁷

⁵⁶ Ibid, pages 52 & 53, para 1.65

⁵⁷ Ibid, pages 52 & 53, para 1.65

8. Protection of MSMEs and Small Businesses

In the digital economy, MSMEs and small businesses face structural disadvantages due to the dominance of large platforms with network effects, data control, and predatory pricing strategies.⁵⁸ Practices such as exclusive arrangements, deep discounting, self-preferencing, and bundling were flagged by the Committee as creating significant entry barriers and constraining the ability of smaller players to compete on fair terms.⁵⁹

Stakeholder Stances

- **CCI:** Even when competition concerns exist in a scenario where large corporates can acquire MSMEs to avoid notifying the transaction as it will be below the DVT, the CCI maintains that lowering the DVT threshold below ₹2,000 crore would not be an effective measure to protect the interests of MSMEs. It argues that such a move would draw review in cases with little to no competitive impact, given their limited market presence, while simultaneously increasing regulatory and administrative burdens for small companies.⁶⁰
- **MCA:** The MCA emphasises that alongside CCI's enforcement mandate, other regulatory instruments also address the risks posed by large digital enterprises. In particular, the Ministry of Electronics and Information Technology (MeitY) plays a pivotal role in mitigating data-related harms through frameworks such as the DPDP Act, the Information Technology Act, 2000, and initiatives such as the National Data Governance Framework Policy.⁶¹

Committee's Key Recommendations

- The Committee recommends that the current ₹2,000 crore DVT for merger notifications be subjected to periodic review after adequate implementation experience. This review should particularly assess whether the threshold effectively captures potentially anti-competitive acquisitions involving MSMEs in the digital economy. At the same time, the threshold must not be set so low that it imposes unnecessarily compliance costs on benign or pro-competitive transactions, especially those that support the growth of startups and small businesses.⁶²
- Develop mechanisms to guarantee data access for smaller businesses, enabling them to compete more effectively against large digital enterprises that control significant data resources.⁶³

⁵⁸ Ibid, page 89

⁵⁹ Ibid, page 89

⁶⁰ Ibid, pages 53 & 54, para 1.66

⁶¹ Ibid, pages 54 & 55, para 1.68

⁶² Ibid, page 89

⁶³ Ibid, pages 89 & 90

The Dialogue's Comments

The Dialogue strongly welcomes the Committee's focus on protecting MSMEs and small businesses, which form the backbone of India's economy and innovation ecosystem. We particularly support the recommendations for greater access to data and tailored grievance redressal mechanisms to ensure MSMEs compete on fair terms. In our earlier research, The Dialogue has consistently highlighted the importance of increased data access as tools to level the playing field, and we view these recommendations as consistent with that approach.⁶⁴

At the same time, we note the differing stances between the CCI and the MCA. We concur with the CCI's view that lowering the DVT could impose unnecessary regulatory costs. However, should the Committee's recommendation to reduce the threshold be adopted, it should follow sufficient implementation experience and be introduced in a calibrated manner. For instance, a lower threshold may be considered specifically for MSME-related acquisitions, provided market studies justify such an approach. This balanced, evidence-based framework would safeguard small businesses while ensuring that benign transactions are not unduly burdened.

To ensure effectiveness, revise the DVT thresholds based on evidence from sector-specific market studies and lessons from India's enforcement experience. Equally, the CCI and MCA should also conduct extensive multi-stakeholder consultations, engaging startups, MSMEs, larger enterprises, civil society, and academic experts.

Finally, we strongly endorse the Committee's emphasis on regulatory coordination. Collaboration between the CCI, MeitY, and the forthcoming Data Protection Authority will be vital to address issues at the intersection of competition and data. Similarly, international engagement through MoUs and multilateral forums can help India learn from global best practices while tailoring solutions to its unique market context.

⁶⁴ Malik, S., Mishra, A. & Agarwal, B. (2024, December) Research Study: Implications of the Proposed Digital Competition Bill for Small Businesses in India: A Survey-Based Study. The Dialogue

9. Market Study

The CCI has conducted market studies across a range of sectors, including e-commerce (2020),⁶⁵ diagnostic medical equipment,⁶⁶ the film distribution chain, and most recently, AI. Each study aims to deepen understanding of sectoral dynamics, identify emerging competition issues, and guide policy responses. Currently, the Commission is pursuing a Market Study on AI and Competition,⁶⁷ reflecting its recognition of AI's transformative role in shaping digital markets.

Stakeholder Stances

- **CCI:**

- The CCI actively monitors and investigates potential monopolistic and ACPs in both the cement and airline industries. In the cement sector, it has inquired into cases of cartelisation, imposed penalties, and issued cease-and-desist directions wherever contraventions were established.⁶⁸
- Similarly, in the aviation sector, the CCI has examined cases of price cartelisation and collusion in fixing fuel surcharge rates for cargo, finding airlines like Jet Airways, IndiGo, and SpiceJet guilty and penalising them. At the same time, it has also closed cases where it found no evidence of cartelisation.⁶⁹
- AI and digital markets raise cross-border competition concerns, as ACPs often originate outside India. To address these issues, the CCI emphasises the need for international collaboration with other competition authorities.⁷⁰

- **MCA:**

- The CCI's 2019–20 market study on e-commerce recommended that platforms adopt self-regulatory transparency measures in key areas such as search rankings, data use and sharing, user reviews and ratings, contract revisions, and discount policies.⁷¹ Greater transparency can reduce information asymmetries and promote healthier competition based on merit.⁷²

⁶⁵ Ibid, page 57, para 1.75

⁶⁶ Ibid, page 58, para 1.77

⁶⁷ Ibid, page 61, para 1.80

⁶⁸ Ibid, pages 59 and 60, para 1.78

⁶⁹ Ibid, page 60, para 1.78

⁷⁰ Ibid, page 62, para 1.82

⁷¹ Market Study on E-Commerce in India: Key Findings and Observations, <https://www.cci.gov.in/images/marketstudie/en/market-study-on-e-commerce-in-india-key-findings-and-observations1653547672.pdf>

⁷² Twenty Fifth Report of the Lok Sabha's Standing Committee on Finance, Evolving Role of Competition Commission of India in the Economy, particularly the Digital Landscape, released on August 11, 2025, Lok Sabha Secretariat, page 58, para 1.76

- The Ministry has also clarified that any alleged anti-competitive conduct by e-commerce entities will be examined strictly under Sections 3 and 4 of the Competition Act, with remedies and penalties imposed wherever violations are found.⁷³
- The MCA recognises the rapidly evolving nature of AI and supports the CCI's decision to commission a study on the subject. The Ministry considers the study an important step, as its findings will guide future policy interventions, whether through new regulations or amendments to the Competition Act, to address potential monopolisation risks and ensure fair competition in the AI space.⁷⁴

Committee's Key Recommendation

- The Committee recommends that the CCI expand its sector-specific market studies into emerging areas where disruptive business models are reshaping competition dynamics, and ensure that findings from such studies directly inform policy interventions.⁷⁵

The Dialogue's Comments:

The Dialogue agrees that the CCI should focus on conducting comprehensive, evidence-based, sector-specific market studies and regulate only those practices clearly identified as harming competition, ensuring interventions are grounded in robust data tailored to India's digital economy. Additionally, we also highlight the importance of stakeholder consultations during the regulatory process, particularly in market studies, with inputs from both business and end users to ensure transparency, fairness, and alignment of regulatory decisions with real market dynamics.

⁷³ Ibid, page 58, para 1.76

⁷⁴ Ibid, pages 61 and 62, para 1.81

⁷⁵ Ibid, page 93.

10. Disposal of cases

Since its inception until 10 January 2025,⁷⁶ the CCI has received 1,303 anti-trust cases, disposing of 1,168 while 130 remain pending at different stages. Out of 516 cases referred for investigation, it has received reports in 484 cases, leaving only 44 pending. On the combinations side, the CCI has handled 1,229 notices, clearing 1,109 without modification, 31 with modification, while 75 were withdrawn or deemed invalid, and 14 remain pending.⁷⁷ Over the last three years, the Commission has received roughly 40–60 antitrust cases annually, with penalties varying significantly, peaking at over ₹2,672 crore in 2022–23 but dipping to just ₹2.55 crore in 2023–24.⁷⁸ Despite resource constraints, the CCI has cleared more than 90 proposed combinations each year, with an average disposal time of about 16–21 days, and has conducted hundreds of advocacy programs annually.⁷⁹

Stakeholder Stances

- **MCA:** The Ministry acknowledged the shortfall between sanctioned and actual staff strength at the CCI but highlighted ongoing recruitment drives, cadre restructuring, and short-term hiring of professionals and domain experts to bridge the gaps. They emphasised that the CCI needs an optimal balance between a permanent cadre and external expertise, especially given government pay scales are lower than those in the private sector.⁸⁰
- **CCI:**
 - The CCI has highlighted its multi-pronged approach to strengthening professional expertise across law, economics, financial analysis, and data science to address the complexities of both traditional and digital markets.⁸¹ While only 113 of the 195 sanctioned posts are currently filled, the CCI has conducted seven recruitment drives in the past four years, six of which aimed to strengthen its investigative arm. Recent amendments to the Competition Act, 2002, introducing commitment and settlement frameworks and a leniency-plus regime, have further expanded its regulatory toolkit. Accordingly, the CCI has submitted a cadre restructuring proposal to the MCA and continues to seek institutional support to strengthen its human and financial resources for effective enforcement in increasingly complex markets.
 - Over the last five years, the sanctioned strength at senior levels in the CCI has remained constant at 41 posts, but actual strength has consistently fallen short, with vacancies ranging from 18 to 28 posts, reflecting a persistent staffing gap.⁸²

⁷⁶ Ibid, page 63, para 1.84

⁷⁷ Ibid, page 63, para 1.85

⁷⁸ Ibid, page 64, para 1.86

⁷⁹ Ibid, page 64, para 1.86

⁸⁰ Ibid, page 65, para 1.87

⁸¹ Ibid, page 67, para 1.90

⁸² Ibid, page 96, Annexure-I

Committee's Key Recommendations

- The Committee recommended that the MCA, in collaboration with the CCI, expedite the cadre restructuring proposal, increase the sanctioned strength of the CCI, particularly for specialised roles in the DMD, and attract top talent such as data scientists, technologists, and market analysts through flexible engagement models.
- It further suggested that the MCA ensure adequate budgetary allocations so the CCI can meet its financial requirements, effectively regulate the digital economy, invest in advanced analytical tools, and undertake comprehensive market studies.

The Dialogue's Comments:

Our research has highlighted that the CCI's budgetary growth has been insufficient, rising only marginally from ₹46–49 crore between FY 2020–21 and 2023–24 to ₹51 crore in FY 2024–25, which limits its capacity to regulate its expanding mandate effectively. Combined with a significant human resource gap and declining staff strength, this constrains timely enforcement, oversight, and market analysis, particularly in the digital sector.

We believe a pragmatic approach that prioritises strengthening the CCI's capacity to regulate areas with identified competition concerns is essential. The government should substantially increase the CCI's budget and personnel, while also prioritising the recovery of penalties to generate additional resources for effective digital market oversight.

11. Budget

Between 2021–22 and 2023–24, the Grants-in-Aid (GIA) allocated by the MCA to the CCI ranged between ₹46–50 crore annually,⁸³ while actual expenditures were substantially higher (₹55.24 crore in 2021–22, ₹71.29 crore in 2022–23, and ₹69.62 crore in 2023–24) with the shortfall being met through the CCI's internal resources such as fees and interest income.⁸⁴ Over the last five years, fee and interest income steadily rose from ₹27.05 crore in 2020–21 to ₹34.54 crore in 2023–24, playing a critical role in supplementing MCA's grants and meeting the growing expenditure requirements of the Commission.⁸⁵

Stakeholder Stance

- **MCA:** The Ministry clarified that for 2024–25, the CCI earned ₹35.11 crore internally and received the full ₹51 crore it requested. The Ministry further assured that if additional resources are required for major restructuring or strengthening of the DMD, the Government will provide them.⁸⁶

Committee's Key Recommendation

- The MCA should ensure that the GIA allocated to the CCI adequately meets its actual budgetary requirements, rather than forcing the Commission to rely disproportionately on internal resources to cover funding gaps. Enhanced financial support is essential for enabling the CCI to regulate the increasingly complex and fast-evolving digital economy effectively, while also allowing it to invest in advanced analytical tools and undertake comprehensive market studies.

The Dialogue Comments:

While regulators in other jurisdictions have steadily expanded their investments in competition enforcement, the CCI's resources have remained largely stagnant. For example, the Australian Competition and Consumer Commission (ACCC), together with the Australian Energy Regulator (AER), manages a combined budget of roughly 352.8 million Australian Dollar and a workforce of approximately 1,790.⁸⁷

We believe that to oversee digital services effectively, the central government must significantly increase the Commission's budget and staffing levels, and prioritising the recovery of penalties can help generate additional resources to support this expansion.

⁸³ Ibid, page 97, Annexure-II

⁸⁴ Ibid, page 68, para 1.92

⁸⁵ Ibid, page 69, para 1.93

⁸⁶ Ibid, page 70, para 1.94

⁸⁷ ACCC and AER, 'Annual Report 2023-24' <https://www.accc.gov.au/system/files/annual-report-2023-24.pdf>

12. Penalties Imposed by the CCI

Between 2021–22 and 2023–24, the CCI imposed penalties exceeding ₹4,000 crore,⁸⁸ though actual realisations have varied due to litigation. Overall, the Commission imposed ₹20,350.46 crore in penalties and successfully recovered ₹1,823.57 crore, representing 99.2% of the realisable amount.⁸⁹

Stakeholder Stances

- **MCA:** The CCI noted that the *Competition Amendment Act, 2023* has strengthened its penalty framework by permitting fines of up to 10% of global turnover and introducing detailed guidelines to ensure fairness and proportionality. Although a large share of penalties (₹18,512.28 crore) remain stayed or dismissed in appellate courts, the Commission has recovered 99.2% of the realisable amount, totalling Rs. 1,823.57 crore. With the new requirement of a 25% mandatory pre-deposit for appeals, the CCI expects stronger enforcement and greater deterrence against ACPs.⁹⁰

Key Committee Recommendations

- The Committee urged the CCI, in coordination with the MCA, to adopt measures that reduce litigation delays and ensure timely enforcement of orders.
- It recommended that the CCI strengthen its legal defense strategies to improve its position in appellate forums.
- The Committee also called for continuous evaluation of new provisions, including the 25% pre-deposit for appeals, to assess their effectiveness.

The Dialogue Comments:

The CCI should actively pursue measures to expedite legal proceedings and ensure the timely implementation of its decisions. It also holds strong potential to enhance enforcement by integrating advanced technologies such as AI, digital forensics, and automated cartel detection systems. These tools can significantly strengthen the CCI's ability to detect collusion, monitor compliance, and analyse complex market behavior with greater efficiency. With several international regulators already adopting such innovations, the CCI is well-positioned to build on this momentum and expand its digital enforcement capacity.

Finally, the CCI should prioritise the use of the 2023 Act's commitment mechanism, which enables early case closure through behavioural remedies, offering a more efficient alternative to prolonged litigation.

⁸⁸ Ibid, page 71, para 1.95

⁸⁹ Ibid, pages 71 & 72, para 1.96

⁹⁰ Ibid, pages 71 & 72, para 1.96

13. Cross-Jurisdictional Collaboration and Global Coordination with Other Regulators

This chapter explores how the CCI and the Ministry navigate jurisdictional and collaborative challenges in regulating digital platforms, whose operations inherently extend beyond national borders. It further underscores the CCI's engagement with domestic sectoral regulators and its partnerships with international competition authorities, aimed at ensuring coherent and effective oversight of digital markets.

Stakeholder Stances

- **CCI:**

- **Inter-Regulatory Coordination:** The CCI noted that while its mandate is squarely focused on competition matters, Section 21 of the Competition Act provides a well-defined mechanism for inter-regulatory coordination. This enables both the CCI and other regulators to make references to one another in cases of overlapping jurisdiction, thereby fostering regulatory harmony and minimising the risk of overreach.⁹¹
- **Coordination with global regulators:** Empowered by the Competition Act, the CCI has cultivated strong international partnerships through bilateral and multilateral MoUs with leading global competition authorities, alongside its active participation in platforms such as the International Competition Network (ICN), United Nations Conference on Trade and Development (UNCTAD), and Organisation for Economic Co-operation and Development (OECD). These engagements promote knowledge-sharing, capacity-building, and the exchange of best practices, thereby enhancing the CCI's institutional capabilities and aligning its approach with global standards in addressing cross-border competition challenges.

- **MCA:**

Jurisdictional Overlap: The Ministry explained that mechanisms for coordination among regulatory agencies already exist, with regular data-sharing between the MCA and bodies such as the Income Tax Department, Serious Fraud Investigation Office (SFIO), and Securities and Exchange Board of India (SEBI) under formal MoUs. It further assured the Committee that additional steps could be explored to streamline inter-agency collaboration and reduce jurisdictional overlaps.⁹²

⁹¹ Ibid, page 76, para 1.103

⁹² Ibid, page 76, para 1.102

The Dialogue's Comments

The Dialogue welcomes the Committee's emphasis on strengthening inter-regulatory and international coordination, which is indispensable for addressing competition issues in digital markets that frequently straddle multiple jurisdictions and regulatory domains.

On inter-regulatory coordination, while Section 21 of the Competition Act provides a statutory mechanism for referrals, its limited use underscores the need for a more systematic approach, as highlighted in our report.⁹³ Such an approach would involve establishing guiding principles across regulators, such as clarity of jurisdiction, transparency in processes, and primacy of consumer and MSME welfare, to minimise overlaps and foster consistency in decision-making.

Further, establishing formal coordination committees comprising the CCI and key sectoral regulators such as MeitY, Telecom Regulatory Authority of India (TRAI), Reserve Bank of India (RBI), and the Data Protection Board would institutionalise collaboration. These committees could function as standing forums for consultation, joint assessments, and data-sharing, enabling regulators to anticipate conflicts rather than respond reactively.

In addition, we strongly support the creation of a calibrated grievance redressal mechanism to resolve inter-agency disputes and stakeholder concerns in a time-bound manner. Such a mechanism would be particularly valuable for MSMEs and start-ups, which often lack the resources to navigate overlapping regulatory mandates and depend on predictable, timely resolution of compliance-related uncertainties.

Finally, we recommend that forthcoming legislation explicitly embed structured harmonisation, formal coordination committees, and calibrated grievance redressal within its institutional design. Anchoring these mechanisms in law would provide regulatory certainty, strengthen accountability, and ensure that inter-agency coordination becomes a permanent feature of India's digital competition governance framework rather than an ad-hoc arrangement.

⁹³ Malik, S., Shekar, K., Agarwal, B., Mishra, A. & Sharma, V. (2024, February). Indian policy instruments and objectives of the proposed Digital Competition Act: Implications, Challenges and Way Forward. The Dialogue.

14. Evolution of Committee Recommendations: 2022 vs 2025

The following table provides a comparative overview of the recommendations made by the Parliamentary Standing Committee on Finance in its 2022 report and its subsequent 2025 report. It shows how the Committee's approach has evolved over time, offering insights into shifting regulatory priorities and perspectives on key issues.

	2022 Report	2025 Report
Ex-Ante	The Committee recommended that competitive behaviour be assessed <i>ex ante</i>, before markets become monopolised, instead of relying solely on <i>ex post</i> evaluation.⁹⁴	- The Committee advised the DCB to adopt a nuanced, context-specific approach rather than imposing blanket prohibitions, grounding its work in ongoing market studies on AI and other emerging sectors serving as foundational evidence.⁹⁵ - It emphasised the urgency for the CCI to remain agile and continuously refine its tools and strategies to keep pace with rapid technological change and ensure effective enforcement in digital markets.⁹⁶ - It further highlighted the potential of the NCP to serve as a cross-sectoral framework, fostering a unified competition culture and harmonising laws and policies across both Central and State governments.⁹⁷

⁹⁴ Sixtieth Report of the Lok Sabha's Standing Committee on Finance, Action taken by the Government on the Observations/Recommendations contained in Fifty-Third Report (17th Lok Sabha) on the subject 'Anti-Competitive Practices by Big Tech Companies', released on July 27, 2023, Lok Sabha Secretariat, page 11, para (i)

⁹⁵ 2025 Report, page 81

⁹⁶ 2025 Report, page 81

⁹⁷ 2025 Report, page 81

SSDE Designation	• The Committee recommended that stakeholders, in collaboration with the CCI and the Central Government, develop a reasonable definition of Systemically Important Digital Intermediaries (SIDIs).⁹⁸ • Once designated as a SIDI, the platform must submit a detailed annual compliance report to the CCI, outlining the measures it has undertaken to meet its obligations. Additionally, the SIDI operator should publish a non-confidential summary of this report on its website to ensure transparency.⁹⁹	• The Committee also recommended refining the DCB's thresholds and designation mechanisms to avoid inadvertently capturing fast-growing domestic firms and introducing a rebuttal mechanism for SSDE designation, similar to the EU's DMA, to ensure fairness and regulatory certainty.¹⁰⁰
Revamping CCI	• The Committee recommends strengthening India's competition law framework and the institutional capacity of the CCI by creating a specialised Digital Markets Unit staffed with experts, academics, and attorneys. This unit would monitor SIDIs, advise on designations, review compliance,	The Committee recommends: • The MCA, in coordination with the CCI, should fast-track cadre restructuring and expand the sanctioned strength of the CCI, especially for specialised roles in the DMD. Flexible hiring models (e.g., short-term contracts) should be explored to attract and retain top talent, including data scientists,

⁹⁸ 2022 Report, page 11 para (ii)

⁹⁹ 2022 Report, page 11 para (ii)

¹⁰⁰ 2025 Report page 83

	and adjudicate digital market cases.¹⁰¹ • The Committee further recommends that the CCI track and act against unfair practices by other digital players beyond designated SIDs, ensuring broader consumer protection and effective market oversight.¹⁰²	technologists, and market analysts.¹⁰³ • The MCA must allocate sufficient GIA to meet the CCI's actual budgetary needs, reducing reliance on internal resources. Enhanced funding will enable effective regulation of the digital economy, investment in advanced analytical tools, and undertaking in-depth market studies.¹⁰⁴ • The CCI should continuously invest in training staff on emerging technologies like AI, machine learning, and algorithmic modeling, while expanding collaborations with academic institutions and international counterparts for knowledge sharing and capacity building.¹⁰⁵
Protection of MSMEs and Small Businesses	• The 2022 Report does not make any recommendation in this regard.	• The Committee recommends that the MCA and CCI review the ₹2000 crore DVT to prevent unchecked acquisitions of MSMEs. • Further, the Committee recommends establishing mechanisms that guarantee smaller businesses fair access to data, enabling them to

¹⁰¹ 2022 Report, page 16, para (xiv)

¹⁰² 2022 Report, pages 17, para (xiv)

¹⁰³ 2025 Report, page 86

¹⁰⁴ 2025 Report, page 86

¹⁰⁵ 2025 Report, page 86

		compete effectively with large digital enterprises. ¹⁰⁶
Cross-jurisdictional and Inter-Regulatory Coordination	The 2022 Report does not make any recommendations in this respect.	- The Committee recommends that the CCI and MCA enhance inter-regulatory coordination by collaborating with sectoral regulators such as the Data Protection Authority and MeitY, formalising MoUs, and establishing clear protocols for information sharing and joint action. - The CCI should strengthen international cooperation by engaging with global competition authorities through bilateral MoUs and multilateral forums to share enforcement experiences, align strategies, and address global ACPs of digital platforms worldwide. - The CCI must remain vigilant against attempts by foreign jurisdictions to undermine India's regulatory oversight and continue to discharge its statutory responsibilities effectively.
Proactive Market Monitoring and Consumer Welfare	The 2022 Report does not make any recommendations in this respect.	- The CCI should expand sector-specific market studies into emerging areas with disruptive business models and use the findings to guide policy interventions.¹⁰⁷ - The CCI should integrate consumer welfare into enforcement by

¹⁰⁶ 2025 Report, page 90¹⁰⁷ 2025 Report, page 93

		addressing non-price factors such as data privacy and service quality, and collaborate with the Data Protection Authority on data-related issues. ¹⁰⁸
Enforcement Effectiveness and Litigation Challenges	The 2022 Report does not make any recommendations in this respect.	- The Committee recommends that the CCI, in coordination with the MCA, adopt measures to reduce litigation delays and strengthen enforcement in complex digital market cases.¹⁰⁹ - The CCI should implement robust legal defense strategies and periodically review provisions such as the 25% pre-deposit for appeals to ensure deterrence and accountability.¹¹⁰

¹⁰⁸ 2025 Report, page 94

¹⁰⁹ 2025 Report, page 88

¹¹⁰ 2025 Report, page 88

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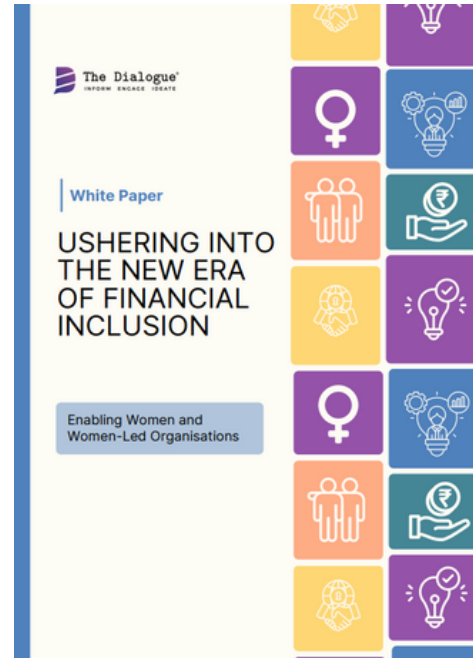
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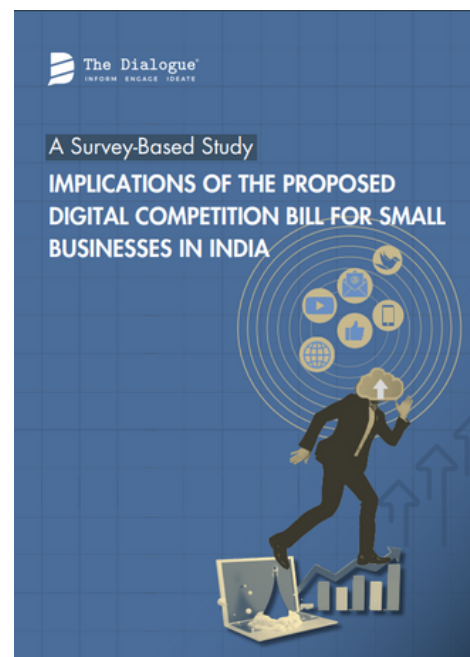
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