

To

The Secretary
Competition Commission of India
9th Floor, Office Block - 1
Kidwai Nagar (East)
New Delhi, 110023, India

18th June, 2026

Comments on Draft Amendments to Competition Commission of India (Commitment) Regulations, 2024

Dear Sir,

We write in reference to the public consultation held by the CCI on the **Draft Amendments to Competition Commission of India (Commitment) Regulations, 2024**.

Please find attached our representation on the matter.

About the Centre

The Centre for Competition Law and Economics (CCLE) is a research organization working in the field of competition law and economics. The Centre publishes research reports, conducts training activities and assists litigating parties at competition fora across the country to advocate consistent interpretation of the Indian competition law. The Centre regularly collaborates with national law universities and other non-profit organizations to organize seminars, conferences and workshops for the relevant stakeholders to generate capacity in the said field based on mutual interest.

We would be happy to discuss more on the topic and will be looking forward to meeting you in person.

Best Regards,

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Founding Director

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Representation to the Competition Commission of India on the proposed amendments to Commitment Regulations

Introduction

- 1) The Indian Competition Act was enacted in 2002 as a corollary to the country’s **economic liberalisation** reform programme of 1991. The aim of the legislation was to fine-tune the legal regime as per the economic requirements of the country and ensure that the policy framework is favourable to global investment.

- 2) The commitment and settlement scheme was introduced to strengthen the enforcement procedure of the Act. The essence of these tools is also in the **economically efficient allocation of resources** within the economy so that behavioural remedies can be undertaken.

- 3) At the threshold level, commitment is available to a party when the CCI orders an investigation into the matter but the DG report is yet to be submitted.

Comments on the proposal

Some of the key comments include:

S. No.	Issue	Comment
1	Purpose	<ul style="list-style-type: none"> - The objective of the scheme is to arrive at a resolution in a time effective manner. As such, it involves an inherent trade off between freeing scarce resources and a soft law approach. - The said objective has been maintained.

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2	Applicable timeline	<ul style="list-style-type: none"> - The proposed amendment has altered the timeline for submission of commitment applications (from 45 days to 60 days), time taken by the CCI to place the matter (from 7 days to 15 days) and resolution of the application (from 130 days to 180 days). - All such changes are welcome to an extent that the commitment (and settlement) scheme is a facilitating mechanism which allows the Commission to negotiate the matter on a case-to-case basis. Such elongated timelines strengthen the objective of such a scheme which is to resolve cases in a timely and sustainable manner.
3	Applicable fees	<ul style="list-style-type: none"> - The minimum fee payable for filing of a commitment application stands at INR 2,50,000/-. It is suggested that the said fee be further reduced, specifically

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		<p>for MSMEs, to give effect to the objective of the scheme. The Commission, time and again, have taken a soft-law approach (zero-penalty order) for MSMEs thereby making it economically inefficient for filing such an application.</p>
4	Miscellaneous	<ul style="list-style-type: none"> - The Commission should further consider flexible timelines for the submission of commitment applications. This would be in line with the global jurisprudence on the matter. - There are instances where the investigated parties simply file a letter petition stating that they will cease-and-desist engaging in the impugned anti-competitive conduct and course correct the market. This solves the purpose of the scheme and the underlying statutory framework without any levy of prescribed fee.

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		<ul style="list-style-type: none"> - The Commission should further clarify the objective of such a scheme. Global experience suggests that commitment applications are accepted when the infringement is minor/ misunderstanding, allowing severe cases to be proceeded against. The Commission may consider issuing cautionary letters identifying preliminary concerns accepted by the company while issuing a commitment. - The Regulations should clarify on the status of the injured parties should a commitment proposal be accepted. Given that the commitment applicant doesn't have to admit contravention, the Commission should consider this aspect given that the locus to file compensation isn't reached. - The Commission should further clarify whether such
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		<p>amendments are applicable retrospectively.</p> <ul style="list-style-type: none"> - The Commission should further ensure that all the confidential measures applicable under the statute are duly maintained under the commitment scheme.
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Conclusion

- 4) The changes in the commitment regulations are welcome to an extent it allows the CCI to negotiate the matter on a case-to-case basis. Such elongated timelines strengthen the objective of such a scheme which is to resolve cases in a timely manner.
- 5) The Commission should further consider providing flexibility to implement the commitment framework and reduce the application fee.