

**Virtual Signing Ceremony**  
**Memorandum of Understanding**  
**Competition Commission of India and Competition Commission of Mauritius**  
**23 February 2022**  
**Speech of Hon'ble Chairman, CCI**

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**His Excellency Mr. Mahmad Aleem Bocus, Chairperson of the Competition Commission of Mauritius and Hon'ble Members of the Competition Commission of Mauritius,**

**Her Excellency Mrs. S. B. Hanoomanjee, Mauritius High Commissioner to India**

**Her Excellency Mrs. K. Nandini Singla, High Commissioner of India to Mauritius**

**And my dear colleagues at CCM and CCI!**

Namaskar!

1. I am glad to be in the midst of you for the beginning of a new era between the competition agencies of India and Mauritius.

2. Excellencies and friends, we are all aware that competition is the life force of markets and creates the best incentives for businesses to increase efficiency, drive their productivity, and fuel innovation. Despite its all-encompassing benefits, healthy competition may not emerge on its own; even the most ardent votaries of a market economy recognise that liberalised markets cannot be presumed to be competitive and efficient. Without oversight and necessary intervention, we may

witness a chaotic environment, where cartels drive up prices, dominant firms misuse their market power to fence out competition, and anti-competitive mergers weaken the competitive structure of markets, resulting in economies being affected and consumers being deprived of value for money.

3. Against this background, the Competition Act was enacted as a modern legislation to provide a regulatory framework to deal with competition issues. The Act aims at preventing practices having adverse effect on competition, promoting and sustaining competition in markets, protecting consumer interests, and ensuring freedom of trade carried on by other participants in markets in India. Provisions dealing with anti-competitive agreements and abuse of dominant position became operational in 2009, and the provisions related to mergers and acquisitions were notified in June 2011.

4. To briefly apprise on the progress made by CCI during its decade-long journey, till date, the Commission has examined more than 1100 cases of anti-competitive agreements and abuse of dominant position and more than 800 mergers and acquisitions notices in diverse sectors of the economy, such as airlines, banking, capital markets, e-commerce and digital markets, infrastructure, travel, automobile, real estate, pharmaceuticals, financial sector, publishing, manufacturing, mining, power, and entertainment. The instrument of enforcement has been applied judiciously keeping in mind the specificities of the sector involved, the entailing market structure, and the nature of contraventions.

5. In correcting market-distorting practices, the Commission has used an effective mix of the twin instruments of enforcement and advocacy. The instrument of enforcement has been applied in a calibrated manner, with interventions made only in such cases where business conduct was found to seriously undermine market processes and mute competition. While dealing with cartels firmly, CCI has been cognizant of business practices involved in the sector

and moulded its remedies appropriately. The Commission has incentivised self-reporting and offered businesses the opportunity to approach the Commission for lesser penalty by making vital disclosures on cartels in which they are involved. The idea has been to engage the industry not only for prompt detection and rectification of competition distortion but also make them realise that everyone stands to gain from fair and competitive markets.

6. In recent times, there has been a steady rise in cases reviewed by CCI emanating from new-age markets, which range from across the verticals, such as search engines, online marketplace platforms, app stores, payment gateways, online travel, food aggregators, cab aggregators, and social networking. Such cases, involving allegations of search bias, predatory pricing, deep discounting, self-preferencing, and leveraging, have a direct interface with competition law regime. The Commission's role in such cases is to ensure that platforms which act as a central point of interaction between different sides in digital markets remain neutral, offer a level playing field and allow enterprises, big or small, to compete on merits.

7. While competition law in every jurisdiction is drafted keeping in view the domestic state of the economy as well as other priorities and specificities of the respective countries, in interconnected economies and the globalised world, the law has to constantly evolve keeping in view global developments and approaches so as to continuously assimilate best global practices. At the Competition Commission of India, we value the benefits of inter-agency cooperation and communication to effectively pursue our shared goal of promoting competitive markets.

8. The Commission's endeavours have been complemented by its participation in international competition forums that have aided in capacity building and

networking. The Commission has also formalised international cooperation by entering Memorandums of Understanding (MoUs) with relevant competition jurisdictions. Our MoUs have been with:

- (1) Federal Trade Commission and Department of Justice, USA;
- (2) Director General Competition, European Union;
- (3) Federal Antimonopoly Service, Russia;
- (4) Australian Competition and Consumer Commission;
- (5) Competition Bureau, Canada;
- (6) BRICS Competition Authorities;
- (7) CADE Brazil; and
- (8) JFTC Japan.

9. India and Mauritius enjoy deep bilateral relations, sustained by historic cultural affinities, frequent high-level political interactions, development cooperation, defence and maritime partnership, and people-to-people linkages. The cultural affinities and long historical ties between the two nations have helped achieve a strong bond and cordial relations between the two nations.

10. Recently, at the inauguration of a social housing project in Mauritius, Hon'ble Prime Minister of India, Shri Narendra Modi shared the views on the relations between India and Mauritius.

**quote**

*“India and Mauritius are united by history, ancestry, culture, language and the shared waters of the Indian Ocean. Today, our robust development partnership has emerged as a key pillar of our close ties. Mauritius is a prime example of India's approach to development partnership which is based on the needs and priorities of our partners and respects their sovereignty.”*

**Unquote**

11. The India-Mauritius Comprehensive Economic Cooperation and Partnership Agreement (CECPA) was signed on 17 February 2021, which intends to provide for an institutional mechanism to encourage and improve trade between the two countries.

12. The culmination of this MoU today between CCI and CCM is another important step in this direction, as it enables the antitrust authorities of both India and Mauritius to strengthen the existing relations between our nations.

13. This MoU envisions the promotion and strengthening of cooperation in competition law and policy through the exchange of information and best practices, capacity-building initiatives, mutual technical cooperation, and experience-sharing between the two agencies. The MoU between CCI and CCM will strive to address such anti-competitive restraints that may affect international trade and curb international cartels affecting our countries.

14. On this special occasion, I would like to express my sincere gratitude to everyone whose dedication and efforts have contributed to the finalisation of this MoU. I would like to specifically thank His Excellency Mr. Mahmad Aleem Bocus, Chairperson, CCM, for his personal initiative along with the officers of CCM to ensure that this MoU fructifies in a time-bound manner.

15. I would also like to thank Her Excellency Mrs. S. B. Hanoomanjee (G.C.S.K.), Mauritius High Commissioner to India, and Her Excellency Mrs. K. Nandini Singla, High Commissioner of India to Mauritius, for their initiatives and efforts in the execution of this landmark document.

16. I would also like to place on record my appreciation and gratitude for the officials from the Ministry of External Affairs and Ministry of Corporate Affairs, Government of India, and the Embassy of India in Mauritius for their unstinting efforts and help in achieving this feat.

17. Finally, I hope that this MoU is a harbinger of cooperation in the competition arena with the support of both the authorities and lives up to the solemn object, that it embodies.

Thank you!

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