



What is Fair Competition?

- › Fair competition is characterised by a fair playing field in which all competitors/producers have an equal opportunity to succeed.

Benefits of fair competition for consumers

- Lower prices
- Improved quality
- Greater choice
- Encourages innovation
- Protects against abuse of dominant position

Constitutional provisions for fair competition

Article 47: "Raise the level of nutrition and the standard of living of its people and improve public health." This article may be interpreted as defending consumers' interests, as it compels the government to take steps to guarantee that the public has access to high-quality products and services that meet their basic needs.

Article 14: Right to equality before the law and equal protection of the laws. This rule may be seen as encouraging fair competition because it assures that all businesses are treated fairly and have equal opportunity to compete in the market.

Article 48A: "Endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country." This section may be interpreted as defending consumers' interests, as it compels the government to take steps to ensure that products and services are produced in an environmentally sustainable manner, which will benefit customers in the long run.

Article 19(1) (g): Right to practice any profession or carry on any occupation, trade, or business. This rule may be interpreted as encouraging fair competition because it permits firms to operate freely and compete on the basis of their products and services.

What does the Indian Preamble say about Competitiveness?

- › The Preamble states that the Constitution is intended to "secure to all its citizens justice, social, economic, and political" and to "promote among them all fraternity." These regulations could be construed as encouraging fair competition, as fair competition can promote principles such as justice, social and economic fairness, and brotherhood.
- › It also states that the Constitution is intended to "secure to all its citizens liberty of thought, expression, belief, faith, and worship." This can be interpreted as protecting the interest of the customer to choose any product and service with their freedom of choice and preferences without any influence.

Competition Commission of India

- › The CCI is a statutory body of the Government of India.
- › CCI is under the Ministry of Corporate Affairs.
- › Its main function is to promote and sustain competition in the market, protect the interests of consumers, and prevent the abuse of dominant position by any enterprise.
- › The CCI consists of a Chairperson and six Members, who are appointed by Central Government.
- › It is headquartered in New Delhi.
- › It can also approve or reject mergers and acquisitions that may have an impact on competition in the market.



Other Acts to promote competitiveness

The Competition Act of 2002

The Consumer Protection Act 1986

The Corporations Act 2013

Some recent examples of CCI doing its functions effectively

- › CCI imposes Rs 1,338-crore fine on Google for 'anti-competitive practices.'
- › In 2019, the CCI imposed a fine on e-commerce giants Flipkart and Amazon for violating competition laws by entering into exclusive agreements with Smartphone manufacturers.
- › In 2018, the CCI ordered an investigation into allegations that the Indian Association of Tour Operators and its members were engaging in cartelization and imposing unfair conditions on tour operators.
- › In 2017, the CCI ordered an investigation into allegations that real estate developers in the National Capital Region were engaged in cartelization and imposing unfair conditions on buyers.



Negative Impacts of Big tech companies like Google, Apple on fair competition

› **Market dominance:** Large technology businesses such as Google and Apple may have a dominant position in their respective marketplaces, giving them an unfair edge over smaller competitors.

› **Data access:** These businesses frequently have access to vast volumes of data that they may utilise to their advantage in a variety of ways.

› **Using existing products:** Large technology businesses may also leverage their existing products and platforms to promote their own products and services over competitors. Google, for example, may prioritise its own search results over those of competitors.

› **Acquiring potential competitors:** may also purchase smaller companies that are potential competitors in order to remove competition and maintain their market dominance.

Conclusion

- › Fair competition benefits the Indian economy by promoting efficiency, innovation, and consumer welfare. When businesses compete on a level playing field, they are driven to enhance their products and services in order to attract customers and stay ahead of their competitors.

