



ABUSE OF DOMINANT POSITION IN THE CONTEXT OF COMPETITION LAW: AN INDIAN EXPERIENCE

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ABSTRACT: Market competition refers to rivals competing with one another for clients, which improves consumer welfare by offering more options, newer products, and lower pricing. Without competition in the market, one or more businesses will attempt to establish a monopoly allowing them to ignore the pressure from rival businesses and reducing the level of customer welfare that would otherwise be accessible. Therefore, under the competition laws, the unfair behavior of a dominating enterprise or the behavior of an enterprise seeking dominance unfairly (monopolization) is scrutinized. These ideas are also known as "abuse of dominant position" or "monopolization," There are several practices that may constitute an abuse of dominant position (predatory pricing, offering rebates, Refusal to supply, limiting supply, price squeezing, etc.), and there is a very thin line between the legitimate practice of an enterprise to become dominant in the market, which is completely justified from a business perspective, and using the dreaded "abuse of dominance," which is a challenging and complex task for competition agencies around the world. This paper looks at dominance, and how it may be abused and discusses the different forms of abuse of dominant position. The case regarding misuse of the dominant position and the punishment levied by the Indian Competition Commission is also discussed in the paper. The current study discusses situations in which the CCI applied sanctions for the abuse of a dominating position.

KEYWORDS: Abuse of dominant position, Competition Commission of India, Monopoly, relevant market, healthy market competition.

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I. INTRODUCTION

When one or more businesses in a market operate independently of their competitors and consumers, they may establish a dominant position by using their market position to decide economic criteria such as price, supply, output, and distribution. If a company acts independently of its rivals, consumers, suppliers, and, eventually, the final buyer, it is in a dominant position. The opposition laws of the nations are centered around all practices, regardless of whether multilateral or one-sided, for example, market control of the prevailing position. The level of predominance can be portrayed as an endeavor's situation of solidarity that permits it to work autonomously on a serious pressing factor in the important market while additionally affecting the applicable market, contenders, and purchasers. The market's impact, including snags to new contestants, should be thought of.

II. OBJECTIVES OF STUDY

- i. To comprehend the significance of the Dominant position on the lookout.
- ii. To investigate the legitimate arrangements set up for the disallowance of Abuse of prevailing position.
- iii. To outline the cases documented before the Competition Commission of India concerning the Abuse of Dominant situation in India.

III- HYPOTHESIS

It is possible to speculate that the Indian framework for competition law forbids the misuse of a dominating position to maintain market competition for all types of market competitors.

IV- METHODOLOGY

In this paper, the researcher will utilize the Doctrinal form of research. The researcher's approach to the current study will be based on secondary sources of literature; books, periodic journals, references, online sources, articles, published research work, etc. Likewise, the paper makes standard reference to enactment and cases from different purviews with the end goal of the conversation. Under a doctrinal examination, the fundamental highlights of the enactment and case law will be inspected.

V- LITERATURE REVIEW

Dugar, S. M., Guide to Competition Law, Vol. 1, LexisNexis, 2016

The provisions about the abuse of a dominant position are first defined in this book. He also discusses how the dominant position is supported by legislation. It also illustrates the extent to which a dominant position is abused. Using this theme, define the pertinent market theme in India. Additionally, it establishes the relevant case law. He then discusses the idea of domain abuse. It also clarifies the different forms of abuse. By the unique circumstances of the United States and the European Union, there is a specific difficulty.

Power Sector: In In Re, Maharashtra State Power Generation Company Ltd., Several complaints were filed against Coal India Ltd.(CIL) for abuse of its dominant position. CIL along with its subsidiaries is clearly in a monopolistic position due to its statutory monopoly created under law.

T. Ramappa, Competition Law in India Policy, Issues, and Developments, Edition 3, Oxford University Press, 2014

This book contains a unique chapter on the misuse of power in society. This book analyzes Indian and UK competition laws in addition to defining domain abuse and outlining its definition. Additionally, he discusses terms like "relevant market," "collective dominance," "abusive behavior outside the dominated market," "unfair trading conditions," "predatory pricing," and "lower-priced sales." We are discussing particular instances when dominance can be misused, to put it briefly.

VI- DOMINANT POSITION

When a company tries to surpass another company and engages in behavior that is done with the intent to eliminate, punish, or impede future development by new competing companies, uses tactics not appropriate for use in a fair market environment, and as a result of such behavior, the competition is fairly reduced or lowered or is eliminated, it is said to have "abused" its respective dominant position.

A dominant position is defined by Section 4 of the Competition Act of 2002 as "a position of strength, enjoyed by a business on the relevant market in India that enables it to:

- (i) Operates freely of rivalry power winning in the applicable market; or
- (ii) affects its rivals or shoppers or the significant market in its support" ¹

The Act deals with the abuse of the dominant position which is disallowed². The term strength in the market is clarified differently. In United Brands Company and the assembled brand mainland BV v. Commission of the European communities the European court characterizes strength as:

"A position of financial strength enjoyed by an endeavor that enables it to avoid fierce competition being maintained on a significant market by controlling the expense of its ability to operate to an obvious degree freely of its competitors, customers, and, finally, purchasers". Dominance is described by the "High-Level Committee on Competition Policy and Law" in paragraph 4.4.5 as a "place of solidarity, enjoyed by an undertaking, in a significant market in India, which empowers it to³:

Operate independently of major forces in the relevant sector; or

- (ii) Influence competitors, customers, or the critical market in its favor."

A predominant position comprises the accompanying components:

- (i) a place of force;
- (ii) the position is held in a connected Indian area (both item and geological business sectors)

¹ The Competition Act, 2002 (12 of 2003)

² The Competition Act, 2002 (12 of 2003)

³ S M Dugar's "Guide to Competition Act, 2002", Lexi Nexis, 9 October 2017

(iii) and in a place that permits it to 'work freely of serious powers in the important area, which implies it can disregard market influences and conditions voluntarily and implement its exchange conditions, which will incorporate the costs at which it is getting ready to supply goods and services.

Despite not being explicitly stated, Section 4 addresses both exploitative and exclusionary practices. If a company takes these actions, it could be categorized as "Abuse".

Exploitative Practice- If a customer is being taken advantage of by the company by paying greater prices, this constitutes an exploitative practice.

Exclusionary practice is when the dominant firm uses a specific value strategy to seize control of or foreclose on a firm. Predatory pricing is a perfect illustration of the exclusionary strategy.

A Dominant position can be determined based on several factors. One of the reasons is that there isn't much competition in the industry. Rival firms' competitive pressure typically 'keeps firms honest,' keeping them from charging rates that are disproportionately over costs. Without competition, a dominant firm has market control and can increase prices and limit output profitably.

Relevant market

There are mainly two kinds of relevant market

Relevant Product market and

Relevant Geographic market

Section 2(r) of the Competition Act delivers a restrictive definition for the term 'relevant market'. It expresses that it implies "the market which might be controlled by the Commission concerning the significant item market or the relevant geographic market or regarding the two business sectors".

Relevant product market

A relevant product market is characterized as a market including all those items or administrations which are viewed as compatible or substitutable by the buyer, because of attributes of the items or administrations, their costs, and proposed use.

Relevant geographic market

Relevant geographic market alludes to a market containing the territory where the condition of rivalry for the stockpile of products or arrangement of administrations or interest of merchandise or administrations are particularly homogenous and can be recognized from the conditions prevailing in the adjoining territories.⁴

Whether an enterprise is dominant

“Section 19(4) of the Competition Act sets out different variables that the Competition Commission of India (the CCI) should consider in surveying whether an undertaking appreciates a prevailing position, for example, piece

⁴ Robertson, Viktoria H.S.E., “The Relevant Market in Competition Law: A Legal Concept (January 30, 2019). Journal of Antitrust Enforcement”, Vol. 7, 2019

of the overall industry, size of the venture, assets accessible to it, the significance of contenders, financial force, business benefits, vertical combination, shopper reliance, section hindrances, market construction, and size”.

Section 4 of the Competition Act 2002 “restricts endeavors standing firm on a predominant footing in a significant market from manhandling such a position. It keeps any undertaking or gathering from manhandling its predominant position. The Act likewise gives conditions under which there is maltreatment of the predominant position”. Section 4(2) of the Act forestalls the accompanying demonstrations bringing about maltreatment of the predominant position:

- i) Force unreasonable or prejudicial condition or cost in the deal and acquisition of merchandise or administrations;
- ii) Restrict or confine;
- iii) Creation of products or service
- iv) Specialized or logical development relating to products or services to consumers' biases;

Whether Dominant Position was abused

There are certain situations when an enterprise is considered to be abusing its dominant position

1. Enforcing unjust or unequal terms or prices in the purchasing or selling of goods and services;
2. Enforcing unjust or unequal terms or prices in the purchasing or marketing of products and services;
3. Engaging in activities that result in market access being denied;
4. Conclusions of contracts subject to acceptance of another obligation;
5. Taking advantage of a dominant role in one industry to reach another.

ABUSE OF DOMINANT POSITION

Abuse is described as when a company or a group of companies takes advantage of their current position in a significant market in an exclusionary or exploitative manner. The Act lays out a detailed list of behaviors that constitute abuse of a dominant position or monopolization and the situations under which they are prohibited. Such activities can only be considered misuse if they are obtained by a business that is taking advantage of the current situation in the relevant market in India. The predefined types of actions committed by a predominant undertaking determine whether or not a dominant position has been abused. Such behavior is prohibited by statute. A prevailing firm's violation of dominant position as established by the Act would be refused.

Nowadays, it's essential to understand the concept of dominance abuse. It is believed to happen when a group of businesses or a lone business takes advantage of its dominant position in the concerned market. The 2002 Competition Act included the idea of abuse of power in an attempt to equalize competition. Abuse of a dominant position is particularly addressed in Section 4 of the act. It is also acknowledged as an international problem that affects nearly every industrialized and developing nation. Each state has its own set of laws and guidelines to prevent and enforce the abuse of dominating positions. Therefore, in the highly competitive market, these unfair practices must be stopped.

According to the definition attached to Section 4 of the Competition Act, 2002, “dominant position refers to the ability of an enterprise in a significant market in India to work independently of serious powers winning in the market and to influence customers, competitors, or the market in its favor”.

The philosophy behind the Competition Act is that a monopoly situation is not in and of itself bad for public policy; rather, it is the infringement of the monopoly status to the detriment of potential and actual competitors. It is essential to note that the Competition Act does not forbid or limit companies from gaining market supremacy.

According to section 33 of the Competition Act of 2002, where it deems necessary, the Commission may temporarily prohibit any party from continuing with the suspected offending act until the end of the inquiry or until further orders, without notifying that party.

The Competition Appellate Tribunal (COMPAT) was created under section 53A of the Act to hear and decide appeals against any directives, judgments, or orders made by the Commission by the Act's prescribed sections. The Commission's order, instruction, or decision must be appealed within 60 days of receiving it.

As per section 53N of the Competition Act, a person may submit an application to the Competition Appellate Tribunal (COMPAT) for review of a potential compensation claim resulting from the Commission's findings.⁵

TYPES OF ABUSE OF DOMINANT POSITION

- (i) **Predatory Pricing-** “The selling of products or provision of services at a price below the cost, as determined by legislation, of producing the goods or provision of services, with the intent to minimize competition or exclude competitors,” according to Section 4(b) of the Act.”⁶
- (ii) **Refusal to supply-** This has a major impact on the independence of small and medium-sized businesses as well as their commercial relationships. This has a significant negative effect on the competitive environment in the relevant sector.
- (iii) **Limiting supply -** The diamond industry is a great example of this. Even though there are vast amounts in storage, only a limited amount is polished and made available to consumers, resulting in its high price.
- (iv) **Price squeezing** refers to when a dominating corporation imposes excessive or overpriced purchasing rates on vendors with whom the manufacturer may compete with an affiliate organization. The retail or market for derived products will see less competition as a result of such price pressure. When a supplier raises the price of the raw materials it sells to a manufacturer, the manufacturer is forced to retail the derived product at prices that are above the level of competition. This is possible because the provider of the raw materials is also a rival retailer of the generated product.
- (v) **Entry barriers or market assessment rejection-** Barriers to entry include patents and competitive first-mover advantages.
- (vi) A category of colluding vendors has a significant impact on the relevant sector.

The “European Union Microsoft Competition case” could be used to “demonstrate the consequence of misuse of dominant position on market competition. Microsoft abused its dominant position in the computer operating system industry in 2004⁷. By refusing to allow rival companies' applications to run on Microsoft operating systems, the company effectively froze them out. Microsoft had almost full control of the desktop operating system at the time. People using Microsoft OS would have been left with restricted options and non-dynamic items if other applications had been blocked. Users would be forced to use only Microsoft apps because there would be no alternative. Microsoft cannot control the market by forcing these goods and services on citizens,

⁵ The Competition Act, 2002 (12 of 2003)

⁶ D. P. Mittal “Taxmann, Competition Law and practice”, 3rd Edition, New Delhi Taxmann Publications Ltd. 2011.

⁷ Microsoft Corp. v Commission of the European Communities, 17 September 2007.

according to the European Commission's ruling, which restores merit-based competition in the software market. As a result, consumers have access to more innovative and complex applications at more affordable prices".⁸

Though "perfect competition" is a theoretical model rather than a completely practical one, it depicts the ideal condition for all related markets. There are many advantages of allowing a large number of customers and sellers to openly join and leave the market without having a significant effect on the relevant market as independent bargainers.

When a company abuses its competitive position, the relevant industry will eventually suffer long-term consequences. Customers aren't the only ones that suffer losses, as rivals are still discouraged from investing in the industry.

FACTORS TO DETERMINE THE DOMINANT POSITION

When determining whether or not an enterprise has a dominant position under section 4, the Indian Competition Commission must take into account one or more of the following factors⁹:

1. Market share of the enterprise- Following the determination of the applicable sector, the next step in assessing "dominance" is to determine the enterprise or group's market share. Depending on the size of the industry and the problem under review, different criteria are used to calculate market share.
2. Enterprise size and resources- A dominant market position can be aided by a large size and superior financial position or resources.
3. Size and importance of competitors - When calculating market share, it's also important to consider the largest firm's market share about its competitors; the smaller the competitors' shares, the more dominant the largest firm should be. The competitive restriction on another player is often determined by the market share of one competitor.
4. The economic strength of the company, including commercial advantages over rivals - A dominant market position can be aided by a superior market position or capital.
5. Vertical integration of businesses or their sales and service networks - Vertical integration and the importance of a well-established distribution system may act as a barrier to entry, deterring or obstructing potential competitors.
6. Consumer reliance on the company - Consumer reliance on public utilities is invariably high.
7. Monopoly or dominant position, whether acquired by law or by being a government agency or a public-sector undertaking, or in either case, a previous state enforcing business model that later faced competition from new participants might have accrued benefits such as a strong financial position, Control of some company offices, alliances, and political assistance, or the establishment of relationships with providers and customers, and such a dominant firm could make the existence of new competitors difficult and possibly expel them from the market. The inconsistency between a former state monopolist and the current competitors has been widely noticed.¹⁰
8. Regulatory barriers, economic risk, an excessive capital fee of access, advertising barriers, technical barriers, economies of scale, and the excessive fee for substitutable items or offerings for clients are all examples of access barriers.

⁸ D. P. Mittal "Taxmann, Competition Law and practice", 3rd Edition, New Delhi Taxmann Publications Ltd. 2011.

⁹ Section 19(4) of competition Act, 2020

¹⁰ Mark-Oliver Mackenrodt, Beatriz Conde Gallego, Stefan Enchelmaier, *Abuse of Dominant Position: New Interpretation, New Enforcement Mechanisms*, Springer, 2008th edition, 2008.

9. Countervailing buying power - Genuine and potential rivals, as well as consumers, will constrain an endeavor. "A customer who benefits from monopsony may use an aggregate supplier to practice market control. If there are competitors with sufficient capacity to meet a need, a buyer's risk of switching to another supplier can discipline a supplier who provides a critical component of its creation to a lone buyer. A strong buyer may prepare for another segment of the market or lead existing suppliers to esteem their respect to beat the movement of market power, not only for its welfare but also for the benefit of other buyers and purchasers".
10. Market construction and market size - A market structure characterized by a solitary supplier of products/administrations, either on an independent premise or by basic proprietorship, makes conditions helpful for market power being worked out, affecting rivalry, clients, or the market.
11. Social duties and social expenses - This angle permits the Commission to consider a substance's social commitments. Like never before previously, individuals understand that an organization is a trustee of society. Benefit for benefit is turning into a messy word, and the focal point of future business will be on morals, administration, and the quest for maintainability and preservation of energy and so forth.
12. Relative advantage, as measured by the contribution to economic growth made by an organization with a dominant role that has or is likely to have a significant negative impact on competition;
13. Any other factor which the Commission may consider getting paperwork done for the solicitation - This residuary stipulation gives a bountiful degree to the Commission to consider whatever other factor which it should seriously mull over fit for the solicitation. Cost and advantage levels are similarly used in specific districts as a significant factor while assessing transcendence yet a couple of domains alert about a normal screw-up in using them as choosing genuine expense or advantage is incredibly irksome and further limiting cost or advantage is viewed as an invitation to others to go into the market. Induction to principal commitments on a drawn-out reason may be steady in assessing the strength.¹¹

JUDICIAL DECISIONS ON ABUSE OF DOMINANT POSITION

In the case of **Mr. Umar Javeed and Ors v. Google LLC and Anr Case No. 39 of 2018**, the consumers of Android smartphones filed a complaint against Google LLC under section 19 (1)(a) of the Competition Act 2002 alleging abuse of dominant position by Google in the mobile operating system market. The Competition Commission of India (CCI) bench examined Google's Android mobile application. Google contended that it is facing competitive constraints from Apple. While Apple's business is in the sale of high-end smart devices with state-of-the-art software, Google on the other hand focuses on multiplying its users on its platform. The Bench thought that there can be no exchange between Google and Apple App Store.

It was observed that the original equipment manufacturers use this Google OS and Google app in their smart mobile devices. With this google ensures multiple agreements to govern rights and obligations. Google pre-installed the app on Android devices its search app, widget, and chore browser, which provides it a significant edge over its competitors. Also, Google earns a significant edge through YouTube. The competitors of this service could never avail of the same level of market access.

The Bench held that mandatory pre-installed Google applications in Android mobile suits with no option to uninstall the same amounts to impose unfair conditions on device manufacturers. Thus, Google violates section 4 (2)(a)(i) of the Competition Act, 2002.

¹¹ Bibhu Manik, Definition, Abuse of Dominant Position, Dominant Factors in Relevant Market and its analysis with Recent Cases regarding Competition Act, 2002, scribd, Mar. 27, 2017

The CCI held that Google perpetuated its dominant position in the online search market. Further Google abused its dominant position in the Android OS App Store market. Under section 27 of the Competition Act, 2002 the CCI Bench imposed a monetary penalty of Rs. 1337.76 Crore on Google and directed Google to modify its conduct within the stipulated framework of 3 months.

On 18 January 2023 on appeal to the Nation Company Law Appellate Tribunal (NCLAT), the tribunal upheld the fine of Rs. 1337.76 Crore imposed by the Competition Commission of India for abuse of the dominant position in the Android Market.

In the case of **Jupiter Gaming Solutions Pvt. Ltd. v. Legislature of Goa and Ors**, "the Competition Commission of India (CCI) while deciding claimed abuse of dominance by the Government of Goa communicated that strength as such isn't terrible, yet its abuse is horrible in Competition Law in India. CCI further accepted that abuse is said to happen when an undertaking uses its prevalent circumstance in the significant market in an exclusionary or/and manipulative way. For the present circumstance, the Government's sensitive bid of lottery contained certain conditions which unmistakably restricted the size of bidders, for instance, the base gross turnover of the participating component; sharing component should know of at any rate three years. The CCI held that the Government of Goa by compelling such conditions misused its overall position by renouncing/limiting market induction to various social affairs in the appropriate market".¹²

In "**Lifestyle Equities Vs Amazon Seller Services Pvt Ltd**" (September 2020) the "Competition Commission of India" held that Amazon didn't hold a 'common position'. As there was no such uncertainty of 'abuse of dominant position'.¹³

Coming to the 'important market', it is dependent upon the CCI to decide the significant market as a 'geographic market' or an 'item market', or both. Section 19(7) drills down factors figuring out what an 'important item market is' (like actual qualities, end-use, value, customer inclination); Section 19(6) talks about 'applicable geographic market' (factors like administrative exchange hindrances, nearby particular necessities, conveyance offices).

For instance, books might be ordered based on the idea of offer (shopper or institutional) or class (grown-up fiction, youngsters' books, cookery, travel, and so forth) On account of internet business, there are two particular business sectors—on the web and disconnected. A shopper searches for choices in each and takes a choice.

In **Ashish Ahuja Vs Snapdeal.com**, "the CCI held that on the web and disconnected were only two distinct channels, not two diverse 'applicable business sectors'. So what is the maltreatment of strength? Misuse happens when an endeavor (or a gathering of ventures in the show) utilizes its predominant situation in the pertinent market in an exclusionary or shifty way for its potential benefit. To build up a customer base and to secure the market, the web-based business areas resort to different creative strategies like a selective understanding, profound limiting, special treatment to specific vendors, savage estimating which raise serious concerns".¹⁴

"The Act u/area 4(2)(a) to (e) gives a comprehensive rundown of practices that comprise Abuse of dominant position and are in this way precluded. It is hostile to serious just if an undertaking stands firm on a predominant foothold in the pertinent market and is blameworthy of one of these practices."

Instances of harmful practices are "straightforwardly or by implication, forcing unmerited or prejudicial condition in buy or offer of merchandise or administration; or straightforwardly or in a roundabout way, forcing uncalled

¹² Jupiter Gaming Solutions Pvt. Ltd. v. Legislature of Goa and Ors, 12 May, 2011

¹³ Lifestyle Equities Vs Amazon Seller Services Pvt Ltd (9, 2020)

¹⁴ Mr. Ashish Ahuja vs Snapdeal.Com Through Mr. Kunal (19 May, 2014)

for or biased cost in buy or deal (counting ruthless cost) of merchandise or administration, restricting or confining the creation of products or arrangement of administrations or market, in this manner; or restricting or limiting specialized or logical improvement identifying with products or administrations to the bias of customers”.¹⁵

In **Dhanraj Pillay and Ors v Hockey India**, “the CCI held that the Act was not disregarded where purportedly harmful authoritative limitations were not lopsided to a donning association's authentic administrative objectives”.¹⁶

“**Faridabad Industries Association (FIA) v M/s Adani Gas Limited (AGL) (2014) (Adani Gas case)**, the CCI held by the court that a limitation was forced by a dominant enterprise which may not be harmful on the off chance that it is dependent upon a similar limitation by an outsider”.¹⁷

In summary, the later CCI and COMPAT statute mirrors a move away from unbending structure-based examination. All things considered, the CCI is progressively requiring confirmation of anticompetitive impacts in its requirement activity.

Following would be a list of potential remedies in abuse cases:

1. A directive to stop abusive conduct.
2. Imposition of fines on the company; this is typically done in conjunction with a fine if the violation persists. The severity of the violation, the duration of the violation, the impact of the violation, nonenforcement of the violation, challenging market conditions, the size and profitability of the enterprise, cooperation of the enterprise, the state of the law, repeated violations, the continuation of violations after the law was clarified, governmental pressure, and the amount of illegal profit from the violation are factors that are taken into consideration when determining fines.
3. Individual fines and imprisonment are unsuitable punishments in both cases. However, these penalties are unsuitable in abuse of power situations, which normally do not include criminal intent, unless extremely unusual circumstances arise.
4. An order to take a specific action, such as making sure competitors or other market participants are treated fairly, may be given in addition to an award of damages.

¹⁵ Editorial, “The law on dominant position and the grey area of its abuse”, December 13,2020

¹⁶ Dhanraj Pillay & Ors V. M/S Hockey India (Case No. 73/2011)

¹⁷ Faridabad Industries Association (FIA) v M/s Adani Gas Limited (AGL) (2014)

CONCLUSION

Securing customers and ensuring the opportunity of organizations, as well as participating in financial lead liberated from maltreatment by dominant firms, would undoubtedly contribute to monetary events, but determining the intensity of a company or gathering is deeply emotional and complex. It is more difficult for a news agency to operate in India's burgeoning economy. There are no hard and fast rules to follow. Firms would be discouraged from seeking out help for severe directness if their strength assurance is incorrect. They would be able to perpetuate misleading and exclusionary behavior due to incorrect non-assurance of predominance. Along these lines, the Competition Commission of India needs to find some kind of harmony to stay away from the two sorts of mistakes. Even though many cases are managed by the Competition Commission of India to forestall a predominant position yet numerous cases are forthcoming. The mindfulness in the market regarding the prevailing position isn't completely evolved. The opposition act accomplished its target somewhat but not completely. In any case, Small Market players are getting misled by Dominant market players. Even though the Competition Commission of India sets models in the serious market by settling certain issues, the technique is tedious. The quicker goal of issues will be more compelling.