



सत्यमेव जयते



COMPETITION COMMISSION OF INDIA

Case No. 07 of 2026

In Re:

Adv. Aditya Tripathi

Chamber No. 118B, Block B,
Distt. Courts, Gurgaon, Haryana.

Informant No. 1

Adv. Arun Gaur

Chamber No. 118B, Block B,
Distt. Courts, Gurgaon, Haryana.

Informant No. 2

And

Godrej & Boyce Mfg. Co. Ltd.

Pirojshanagar, Vikhroli (W),
Mumbai – 400 079.

Opposite Party-1/OP-1

National Building Construction Corporation Limited

NBCC Bhawan, Lodhi Road,
New Delhi.

Opposite Party-2/OP-2

HII Infra Tech Services

HLL Infra Tech Services Ltd.
B – 14A, Sector – 62, Noida – 201 307.

Opposite Party-3/OP-3

RITES Limited

Scope Minar, Core – 1,
Laxmi Nagar, Delhi – 110 092.

Opposite Party-4/OP-4

Public Works Department (Delhi)

12th Floor, M.S.O. Building, I. P. State,
New Delhi – 110 002.

Opposite Party-5/OP-5

National Projects Construction Corporation Limited

Raja House, 30 – 31, Nehru Place,
New Delhi – 110 019

Opposite Party-6/OP-6



सत्यमेव जयते



Airports Authority of India

Rajiv Gandhi Bhawan, Safdarjung Airport,
New Delhi – 110 003

Opposite Party-7/OP-7

National Thermal Power Corporation

NTPC Bhawan, SCOPE Complex, 7,
Institutional Area, Lodhi Road,
New Delhi – 110 003

Opposite Party-8/OP-8

Delhi Metro Rail Corporation

Metro Bhawan, Fire Brigade Lane,
Barakhamba Road,
New Delhi – 110 001

Opposite Party-9/OP-9

Life Insurance Corporation of India

Central Office, Yogakshema,
Jeevan Bima Marg,
Nariman Point, Mumbai – 400 021

Opposite Party-10/OP-10

Indian Oil Corporation

Indian Oil Bhavan, G-9, Ali Yavar Jung Marg,
Bandra (East), Mumbai – 400 051

Opposite Party-11/OP-11

Hindustan Petroleum Corporation Ltd.

Petroleum House, 17, Jamshedji Tata Road,
Mumbai – 400 020.

Opposite Party-12/OP-12

Bharat Heavy Electrical Limited

BHEL House, Siri Fort,
New Delhi – 110 049

Opposite Party-13/OP-13

Bharat Petroleum Corporation Limited

Bharat Bhavan, 4 and 6 Currimbhoy Road,
Ballard Estate, Mumbai – 400 001

Opposite Party-14/OP-14

Water and Power Consultancy Services (WAPCOS)

5th Floor, Kailash Building, 26,
Kasturba Gandhi Marg, New Delhi – 110 001

Opposite Party-15/OP-15

Indian Institute of Technology, Delhi

Hauz Khas, New Delhi – 110 016

Opposite Party-16/OP-16



सत्यमेव जयते



CORAM:

Ms. Ravneet Kaur

Chairperson

Mr. Anil Agrawal

Member

Ms. Sweta Kakkad

Member

Mr. Deepak Anurag

Member

Order under Section 26(2) of the Competition Act, 2002

1. The present Information has been filed by Adv. Aditya Tripathi and Adv. Arun Gaur ('**Informants**') under Section 19(1)(a) of the Competition Act, 2002 ('**Act**'), against Godrej & Boyce Mfg. Co. Ltd. ('**Opposite Party-1**'/'**OP-1**'), National Buildings Construction Corporation Limited ('**Opposite Party-2**'/'**OP-2**'), HII Infra Tech Services ('**Opposite Party-3**'/'**OP-3**'), RITES Limited ('**Opposite Party-4**'/'**OP-4**'), Public Works Department (Delhi) ('**Opposite Party-5**'/'**OP-5**'), National Projects Construction Corporation Limited ('**Opposite Party-6**'/'**OP-6**'), Airports Authority of India ('**Opposite Party-7**'/'**OP-7**'), National Thermal Power Corporation ('**Opposite Party-8**'/'**OP-8**'), Delhi Metro Rail Corporation ('**Opposite Party-9**'/'**OP-9**'), Life Insurance Corporation of India ('**Opposite Party-10**'/'**OP-10**'), Indian Oil Corporation ('**Opposite Party-11**'/'**OP-11**'), Hindustan Petroleum Corporation Ltd. ('**Opposite Party-12**'/'**OP-12**'), Bharat Heavy Electrical Limited ('**Opposite Party-13**'/'**OP-13**'), Bharat Petroleum Corporation Limited ('**Opposite Party-14**'/'**OP-14**'), Water and Power Consultancy Services ('**WAPCOS**'/'**Opposite Party-15**'/'**OP-15**') and Indian Institute of Technology, Delhi ('**Opposite Party-16**'/'**OP-16**') *inter alia* alleging contravention of the provisions of Sections 3 and 4 of the Act. OP-2 to OP-16 are hereinafter collectively referred to as '**procuring entities**'.



2. The Informants have alleged systemic manipulation of the public procurement process in the institutional furniture market, leading to the foreclosure of competition and denial of market access to OP-1's rival manufacturers.
3. It is further stated that public tender documents issued by procuring entities contain technical specifications, line drawings, and photographs that are exact replications of OP-1's proprietary product catalogue. Informants have further stated that instead of drafting neutral and functional specifications as required for open competitive bidding, procuring entities have tailor-made the tenders to match OP-1's specific design parameters. It is stated that as noted by the Hon'ble Supreme Court in *Excel Corp Care Ltd. vs. CCI (2017) 8 SCC 47*, the process for bidding covers every stage from the Notice Inviting Tender ('NIT') to the award and by rigging the NIT specifications, the process is manipulated *ab initio*.
4. It is stated that the Market Intelligence ('MIS') analysis (annexed in the Information) covering the period from 01.01.2024 to 31.12.2024, confirms that this rigged process has resulted in appreciable adverse effect on competition ('AAEC'). It is further stated that econometric review of tender outcomes in the furniture sector for the calendar year 2024 shows that OP-1 maintains a high success rate and its primary competitors face systematic exclusion. OP-1 participated in 201 tenders valued at Rs. 1072.81 crores and was awarded 88 contracts (apprx. 43.7% win rate) with a total awarded value of Rs. 301.02 crores and in contrast, competitors were systematically excluded. For instance, competitors like Life Care System and Warsi Medico System participated in 17 tenders each but achieved zero (0) wins and major players like Methodex Systems won only 1 tender out of 32 participations (3.13% win ratio).
5. In another analysis for calendar year 2023, the Informants have stated that OP-1 captured 98.9 percent of the total awarded value. It is stated that the scale of OP-1's bidding footprint is revealed by its 'lost value'. Even in instances where OP-1 did not secure the award, it participated in 71 tenders valued at Rs. 139.49 crores. This bidding volume alone exceeds the total participation value of the vast majority of its rivals.
6. The Informants have stated that the statistical variance indicates a significant win-gap that cannot be explained by standard competitive efficiency. This lack of effective



सत्यमेव जयते



competition likely results in higher procurement costs paid by public funds, directly harming the consumer/taxpayer interest. The Informants have stated that intervention by the Commission is essential to investigate whether these outcomes result from ‘closed door’ agreements or institutional bias, thereby restoring competition to the furniture sector.

7. The Informants have delineated the relevant market as the “*Public Procurement of Furniture in India*”.
8. It is alleged that OP-1, by influencing tender terms, has effectively denied market access to all other furniture manufacturers who cannot legally produce goods matching OP-1’s proprietary photographs/specifications thereby contravening the provision under Section 4(2)(c) of the Act.
9. It is further alleged that the condition that goods must match specific brand imagery imposes an unfair condition on the purchase of goods in a public market thereby contravening the provision under Section 4(2)(a)(i) of the Act. As per the judgement in *Coal India Ltd. vs. CCI (2023) 8 SCC 470*, even statutory or public bodies must comply with competition norms and cannot impose unfair and one-sided conditions.
10. It is further alleged that the collusion between OP-1 and the officials of OP-2, to utilize specific brand specs constitutes an agreement to limit competition which creates an entry barrier and drives existing competitors out of the market. Further the collusion between OP-1 and OP-2 constitutes bid rigging and a refusal to deal violating Section 3(3)(d) and Section 3(4) of the Act.

Interim Relief:

11. *Vide* Interlocutory Application (“**I.A.**”) I.A. No. 90/2026, the Informants have sought the following interim reliefs under Section 33 of the Act:
 - (a) To pass an *ex-parte* interim order, directing OP-2 to immediately stay the finalization/award of all pending tenders containing OP-1’s proprietary photographs/specifications;



सत्यमेव जयते



- (b) To direct OP-2 to issue an immediate corrigendum in all live tenders, replacing the proprietary specifications/images of OP-1 with generic, functional, and neutral specifications to ensure a level playing field for all the participant bidders in future tenders; and
- (c) To pass any other order as the Commission may deem fit and proper in the facts and circumstances of the case and in the interest of justice.

Relief sought:

12. The Informants have sought the following reliefs:

- (a) To direct the Director General ('DG') to investigate the collusion between OP-1 and the procurement officials of OP-2 under Section 26(1) of the Act.
- (b) To direct the DG to seize and analyze email communications and draft tender documents exchanged between OP-1 and OP-2 prior to the release of public tenders.
- (c) To direct OP-2 to immediately stop using OP-1's proprietary specifications/photos in open tenders and adopt neutral and generic specifications.
- (d) To impose penalties on OP-1 for abusing dominance and on the relevant officials for facilitating anti-competitive practices under Section 27 of the Act.

13. The Commission considered the matter in its ordinary meeting held on 17.06.2026 and decided to pass an appropriate order in due course.

Commission's Analysis

14. The Commission has examined the Information and other material available on record. Based on the allegations levelled in the Information, it is observed that the Informants are, *inter alia*, aggrieved by the conduct of the OPs in the market for provision of institutional furniture.

15. The Commission, on the basis of the material available on record, notes that the following issues arise for consideration and determination in the present case:



सत्यमेव जयते



- (i) What is the 'relevant market' in the present case as defined in Section 2(r) of the Act?
- (ii) Does OP-1 appear dominant in the relevant market?
- (iii) If yes, whether the alleged conduct amounts to violation of Section 4 of the Act?
- (iv) Whether the alleged conduct amounts to violation of Section 3 of the Act?

Issue (i): What is the 'relevant market' in the present case as defined in Section 2 (r) of the Act?

16. To examine the matter under the provisions of Section 4 of the Act, the relevant market, consisting of the relevant product market and the relevant geographic market, in terms of section 2(r) of the Act needs to be delineated first, before determining the position of dominance of OP-1 in the relevant market and its alleged abusive conduct.
17. With regard to relevant product market, OP-1 operates in the market of institutional furniture. The Commission notes that OP-1 is part of the Godrej Enterprises Group. As per the information available in the public domain, OP-1 operates in diverse business divisions, offering consumer, office and industrial products and services. 'Godrej Interio' is the home and office furniture brand of Godrej Enterprises Group.
18. In the present case, the procuring entities procure institutional furniture, including hospital furniture, office workstations, laboratory furniture, and other specialized fixtures. From the perspective of institutional buyers, institutional furniture is not interchangeable with ordinary furniture due to differences in technical specifications, compliance standards, bulk procurement requirements, customization and installation obligations, after-sales service and maintenance commitments. These features are not substitutable with those of retail furniture products. The Commission also notes that consumer preferences in such procurement are guided by tender specifications, quality certifications, and life cycle cost considerations, rather than aesthetic or individual preferences that are typical in retail markets. Accordingly, having regard to the factors enumerated under Section 19(7) of the Act, the Commission delineates the relevant product market as "*Market for supply of Institutional Furniture*".



सत्यमेव जयते



19. As regards the geographic market, it may be noted that since conditions for competition appear to be homogenous in India, the geographic area of India may be considered as the relevant geographic market for the purpose of assessment.
20. Accordingly, “*Market for supply of Institutional Furniture in India*” is considered as the relevant market in the instant case.

Issue (ii): Does OP-1 appear dominant in the relevant market?

21. The Commission notes that as per information available in the public domain, with respect to institutional furniture, there are multiple players operating in this market such as Kernig Krafts Furniture, Durian Furniture, Nilkamal, Featherlite, Wooden Street, Urban Ladder, Evok, Pepperfry, and Suren Space. An article published on ET Brand Equity.com mentions that “*The privately-held 'Interio By Godrej', the second largest revenue contributor to the Rs 16,000-crore Godrej Enterprises Group (GEG), is also looking to up its market share in the organised furniture market to over 20 per cent from the present 15 percent.*” Another news article states that “*current market size of the institutional furniture industry in India is estimated to be ₹50,000–₹60,000 crore within the broader furniture segment. Godrej Interio in the institutional furniture segment (pan India) has a 15 per cent market share*”.
22. In view of the above, *prima facie* OP-1 does not appear to be dominant in the “*Market for supply of Institutional Furniture in India*”.

Issue (iii): If yes, whether the alleged conduct amounts to violation of Section 4 of the Act?

23. The Commission is of the view that since OP-1 does not appear to be dominant in the relevant market, the alleged abuse need not be examined.

Issue (iv): Whether the alleged conduct amounts to violation of Section 3 of the Act?

24. The Commission has examined the allegations under Section 3 of the Act. The gravamen of the Information pertains to the manner in which certain procuring entities have framed and designed tender specifications. The Informants have alleged that the technical specifications, drawings and reference images incorporated in certain tender documents



सत्यमेव जयते



- resemble the product catalogue of OP-1 and thereby favour OP-1. The allegations, therefore, primarily relate to the procurement methodology and tender conditions adopted by the procuring entities rather than to any conduct arising from the bidding process itself.
25. With regard to the allegation of bid rigging under Section 3(3)(d) of the Act, the Commission observes that bid rigging or collusive bidding contemplates an agreement or understanding amongst enterprises or persons engaged in identical or similar production or trading of goods or provision of services which has the effect of eliminating or reducing competition for bids or adversely affecting or manipulating the process for bidding. In the present case, no material has been placed on record demonstrating any agreement, arrangement or concerted practice between OP-1 and other bidders, or amongst bidders *inter se*, in relation to the impugned tenders. The allegations are founded principally on the assertion that the procuring entities framed specifications favouring OP-1. Mere participation by OP-1 in such tenders, in absence of evidence of its involvement in framing tender conditions or collusion with competing bidders, does not establish bid rigging within the meaning of Section 3(3)(d) of the Act.
26. The Commission further notes that formulation of technical specifications, eligibility conditions and procurement requirements fall primarily within the domain of the procuring entities. Even if certain specifications correspond with products manufactured by OP-1, such circumstance, by itself, cannot give rise to an inference of collusion or anti-competitive conduct attributable to OP-1.
27. It is also observed from publicly available information that several procuring entities have procured institutional furniture through the Proprietary Article Certificate ('PAC') route permitted under Rule 166 of the General Financial Rules, 2017 while following the prescribed procurement process and citing considerations such as past experience, product reliability and operational requirements. The material available on record does not indicate that such procurement decisions by the procuring entities were the result of any anti-competitive arrangement involving OP-1.
28. The Commission has also examined the tender analysis relied upon by the Informants. A high win rate by itself cannot be regarded as evidence of collusion or bid rigging. No evidence has been placed on record showing coordinated bidding, bid rotation, exchange



of commercially sensitive information or any other conduct indicative of collusion. Variations in win rates may arise from legitimate commercial factors such as product suitability, technical qualifications, pricing and prior experience. Therefore, the statistical analysis and “win-gap” assessment relied upon by the Informants, in the absence of corroborative evidence of collusion, are insufficient to establish a contravention of Section 3(3)(d) of the Act.

29. Further, the Commission observes that the data relied upon by the Informants contains computational inconsistencies and anomalies. Certain competitors with significant success rates are not mentioned, while win rates of several bidders have been incorrectly reported. Moreover, in a number of instances, the number of tenders awarded exceeds the number of tenders participated in, raising concerns regarding the reliability of the underlying dataset and the inferences sought to be drawn therefrom.
30. As regards Section 3(4) of the Act, the Information does not disclose any agreement between OP-1 and the procuring entities in the nature of an exclusive arrangement, refusal to deal or any other vertical restraint. No material has been furnished to establish the existence of any such arrangement. The Commission is of the view that the allegations essentially relate to the neutrality or fairness of the tender specifications framed by the procuring entities. In the absence of evidence of any anti-competitive agreement or concerted conduct attributable to OP-1, such issues do not, by themselves, disclose a contravention of Section 3 of the Act.
31. In the absence of material demonstrating collusion, coordination or an anti-competitive agreement involving OP-1, the allegations remain confined to the design of tender specifications by the procuring entities and do not disclose a *prima facie* contravention of Section 3 of the Act.
32. In view of the Information provided and analysis carried out in preceding paragraphs, the Commission is of the opinion that no *prima facie* case of contravention of Sections 3 and 4 of the Act is made out against the OPs. Accordingly, the Information is directed to be closed forthwith under Section 26(2) of the Act. Consequently, no case for grant of relief(s) as sought under Section 33 of the Act arises and the same is also rejected. Accordingly, I.A. No. 90/2026 also stands disposed of.



सत्यमेव जयते



33. The Secretary is directed to communicate the order to the Informants, accordingly.

**Sd/-
(Ravneet Kaur)
Chairperson**

**Sd/-
(Anil Agrawal)
Member**

**Sd/-
(Sweta Kakkad)
Member**

**Sd/-
(Deepak Anurag)
Member**

New Delhi

Date: 02 / 07 / 2026