COMPETITION COMMISSION OF INDIA

Case No. 13 of 2026

In re:

Mr. Goutam Mohanta **Informant**
Asian Highway-2, Opp. Aastha Hospital
P.O. Sushruta Nagar
District: Darjeeling – 734 012
West Bengal.

And

Reliance Jio Infocom Limited & Others **Opposite Parties**
9th Floor, Maker Chambers IV,
222 Nariman Point,
Mumbai – 400 021
Maharashtra.

CORAM

Ravneet Kaur
Chairperson

Sweta Kakkad
Member

Deepak Anurag
Member

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

1. The present Information has been filed by Mr. Goutam Mohanta ('**Informant**') under Section 19(1)(a) of the Competition Act, 2002 ('**Act**'), against Reliance Jio Infocom Limited and others ('**Opposite Parties**'/'**OPs**'), *inter alia* alleging contravention of the provisions of Sections 3 and 4 of the Act.

2. The Informant has filed the present Information under Section 19(1)(a) of the Act, against multiple OPs (a list of more than 4,500 OPs has been appended with the Information), operating across various sectors of the economy, including logistics,

telecommunications, Government-e-Marketplace (‘**GeM**’) procurement, energy and infrastructure, batteries and energy storage, plywood and engineered wood products, cement, steel and electrical products, information technology hardware, Fast Moving Consumer Goods (‘**FMCG**’) and consumer goods, education, fertilisers, healthcare, pharmaceuticals, laminates, plastic and pipes, mattresses, staple foods and real estate in eastern and north eastern region of India.

3. With regards to the logistics sector, the Informant has *inter alia* alleged the existence of anti-competitive practices in the logistics and freight ecosystem, particularly in relation to port-linked transportation, bulk cargo movement, container-support services and rail-road interface operations across various states in India. It was alleged that enterprises operating in these segments have engaged in coordinated conduct, including price alignment, route allocation and exclusionary arrangements which have the effect of restricting free and fair competition in the areas of freight movement, port evacuation, industrial distribution corridors and supply-chain logistics.

4. The Informant has alleged contravention of Section 3(3)(a) of the Act, stating that comparative data indicates that multiple independent logistics operators, operating within the same corridor, quoted substantially identical freight rates during overlapping periods without any apparent variation in underlying cost structures. Such alignment is stated to be particularly evident in relation to the transportation of commodities such as cement, clinker, fertilisers and coal, where freight charges constitute a significant component of the delivered cost.

5. The Informant has further alleged route allocation arrangements or tacit market-sharing practices attracting the provisions of Section 3(3)(b) of the Act. It is submitted that certain logistics corridors appear to be operationally segmented amongst identifiable groups of enterprises and smaller operators attempting to enter such routes encounter structural barriers, including denial of loading facilities, terminal coordination constraints and exclusion from bulk allocation mechanisms.

6. With reference to telecom sector, the Informant has *inter alia* alleged that the retail telecom market in the eastern and north-eastern regions of India is characterised by a high degree of concentration among a limited number of service providers. It is submitted that the operators exhibit similar tariff structures, including commonly

adopted 28 day and 84 day recharge periods, comparable pricing structures across major operators, uniform data policy features, including the absence of data rollover mechanisms and closely aligned fair usage parameters. The Informant has stated that sustained similarity in tariff architecture, validity structuring, data segmentation, and recharge denomination clustering within a concentrated market may warrant examination under Section 3(1) and Section 3(4) of the Act to the extent of structural alignment concerns. It is stated by the Informant that these market characteristics coexist with recurring consumer complaints relating to call drops, instability of data services, fluctuations in internet speed and service outages. The Informant has stated that the cumulative effect of such parallel commercial arrangements may warrant examination under Sections 3(1), 3(4) and such other provisions of the Act as may be found applicable during investigation.

7. Regarding GeM procurement, the Informant has alleged contravention of Section 3(3)(d) read with Section 3(1) of the Act, stating that certain procurement categories on the GeM platform exhibit concentration of procurement awards among a limited cluster of vendors across comparable tenders, limited price variation, recurring participation by the same set of enterprises, and potential structural barriers impacting participation of Medium and Small Enterprises (‘**MSMEs**’).

8. With respect to various other sectors mentioned in the Information, the Informant has raised concerns regarding the existence of similar competition-related issues across these sectors, including energy, electricity, steel, FMCG, and real estate sectors. As per the Informant, these sectors exhibit features such as structural market concentration, parallel commercial behaviour, vertical integration, coordinated supply allocation mechanisms, barriers to entry for MSMEs and other market practices that may warrant examination under the Act.

9. The Informant has sought the following common reliefs across the sectors:

    i. To pass an order under Section 26(1) of the Act directing the Director General (‘**DG**’) to cause an investigation into the conduct described in the Information and the annexed material;

ii. To direct the production of relevant agreements, pricing records, supply arrangements, corridor allocations, certification records and related materials necessary for a comprehensive inquiry;

iii. To examine whether the acts and practices detailed in the Information amount to contravention of Section 3 of the Act;

iv. To pass appropriate interim or final orders, including cease-and-desist directions or corrective measures, as may be deemed fit in the interest of competition, consumer welfare and protection of MSMEs;

v. To pass such further or other order(s) as the Commission may deem just and proper in the facts and circumstances of the case.

10. The Commission considered the Information in its ordinary meeting held on 24.06.2026 and decided to pass an appropriate order in due course.

11. The Commission observes that the Information refers to the existence of standardised pricing behaviour, route allocation arrangements, exclusionary practices and barriers to entry prevailing within the logistics sector; however, it fails to identify the precise role played by each of the OPs in the alleged contravention. There is no substantiation as to which OP was involved in the purported price coordination, the corridors in respect of which such conduct occurred, the period during which the alleged practices were undertaken, or the manner in which the alleged agreement or understanding was implemented.

12. The Informant has further alleged that independent logistics operators quoted substantially identical freight rates in certain corridors. However, the Commission noted that no supporting material has been placed on record to even demonstrate the existence of parallel pricing attributable to the OPs. The Information does not enclose freight quotations, invoices, bid documents, rate charts, correspondence or any other contemporaneous evidence indicating that the OPs adopted identical pricing practices during the relevant period. In the absence of underlying data and particulars regarding the methodology adopted for the comparative analysis, the allegation of similar pricing remains unsubstantiated. Moreover, mere existence of similar pricing among market

participants cannot, in itself, lead to an inference of collusion under Section 3(3)(a) of the Act as previously held by the Commission in *In Re: Alleged cartelization by broadcasters in fixation of advertising rates, Ref. Case Nos. 03 & 04 of 2013*. The material placed on record does not disclose sufficient facts from which a *prima facie* inference of an agreement or coordinated conduct prohibited under Section 3 of the Act can be drawn.

13. With respect to the telecom sector, the Commission observes that the Informant has primarily raised concerns about similar tariff structure, validity periods and recharge denomination of prepaid telecom plans. The Commission has further noted that allegations made in the Information are solely based upon comparative assessment of publicly available recharge plans and do not disclose any evidence regarding coordinated action and meeting of minds amongst the OPs. The Commission is of the view that mere existence of parallel or similar pricing in an oligopolistic market cannot by itself be *prima facie* indicative of prohibited conduct under Section 3 of the Act.

14. With regards to allegations pertaining to the GeM procurement, the Commission observes that Informant has neither identified the enterprises involved in the alleged bid-rigging arrangement nor furnished any material indicating coordination, exchange of information, bid rotation, or other conduct falling within the ambit of Section 3(3)(d) of the Act. Mere assertions regarding award concentration, pricing similarity, or recurring participation of certain vendors, without supporting evidence and in the absence of specific instances of anti-competitive conduct, are insufficient to warrant an investigation under Section 26(1) of the Act.

15. The Commission further observes that, across all the sectors mentioned in the Information, the Informant has largely raised broad and similar allegations concerning market concentration, parallel pricing trends, restrictive distribution arrangements, supply allocation practices, vertical integration, and possible foreclosure effects. However, the Information has not disclosed any specific allegation against any identified OP with respect to a particular instance of anti-competitive conduct. Neither any precise role has been attributed to any individual OP, nor has the Informant specified the nature, manner, period, or circumstances in which the alleged conduct was carried out. In the absence of sector-specific particulars or identifiable acts constituting

a contravention of the provisions of the Act, the assertions made by the Informant remain generic and speculative in nature.

16. The Commission is of view that in the absence of any cogent material, documentary evidence, empirical data or other contemporaneous material that could *prima facie* substantiate the allegations raised, the jurisdiction of the Commission cannot be invoked as it would effectively require the Commission to embark upon a roving and fishing inquiry in the absence of foundational facts indicating a *prima facie* contravention of the Act.

17. 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.

18. The Secretary is directed to communicate the order to the Informant, accordingly.

Sd/-
(Ravneet Kaur)
Chairperson

Sd/-
(Sweta Kakkad)
Member

Sd/-
(Deepak Anurag)
Member

New Delhi

Date: 16/07/2026