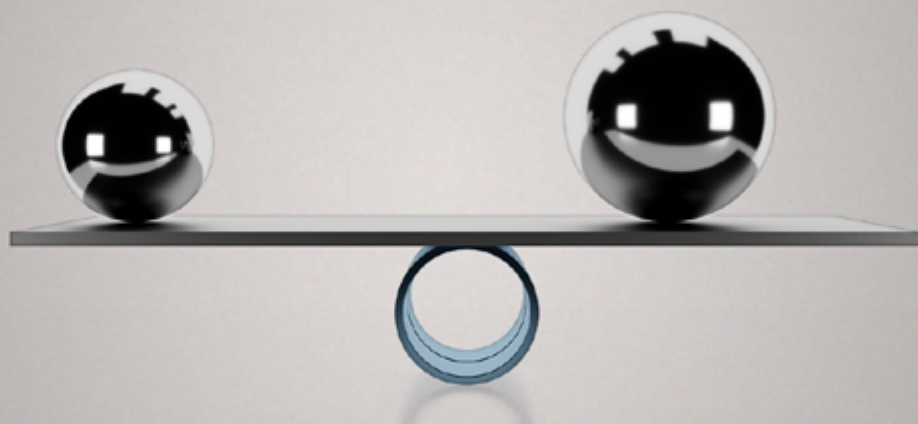


August 2025



## Indian Competition Law Roundup - July 2025

In this Roundup, we highlight some important developments in Indian competition law in July 2025.

In summary:

- The Competition Commission of India (**CCI**) has invited public comments on a set of commitments offered by Google in response to the CCI's *prima facie* finding that Google had abused its dominant position in relation to its Real Money Gaming (**RMG**) pilot program.
- The CCI ordered the Director General (**DG**) to investigate the Alliance of Digital India Foundation's (**ADIF**) allegations against Google in the online display advertising services market, alongside an ongoing DG investigation which relates to similar issues. However, the CCI declined to investigate ADIF's allegations against Google in relation to the online search advertising services market.
- The CCI ordered the DG to investigate Asian Paints Ltd. (**APL**) for its alleged abuse of dominant position, based on an information filed by Grasim Industries Ltd. (Birla Paints Division) (**Grasim**).
- The CCI issued its first conditional merger approval in Phase II since 2019, in relation to Bharat Forge's acquisition of AAM India Manufacturing.
- The CCI imposed a penalty on CA Plume Investments and Bequest Inc. for the incorrect filing of a combination notice under the Green Channel route.

### Abuse of Dominance

#### CCI invites public comments on Google's proposed commitments

In November 2024, the CCI published a *prima facie* order in which it found Google to have abused its dominant position

by being selective, ambiguous, and non-transparent about allowing some apps to be eligible for its RMG pilot program and not others.<sup>1</sup> The CCI opined that the scope and duration of a pilot plays a critical role in determining its competitive impact. Indefinitely extended pilots can exacerbate existing market distortions, continuing a competitive edge granted to selected players while creating entry barriers for others.

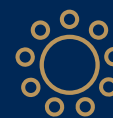
On 30 July 2025, the CCI invited public comments on Google's proposed commitments to address the CCI's concerns.<sup>2</sup> Notably, this is the first case in which commitments have been offered in India under the newly introduced commitments framework.

Google has offered the following commitments:

- **Inclusion of all RMGs on Google Play:** Google will discontinue its current pilot program (which only permitted Daily Fantasy Sports (**DFS**) and Rummy apps) and allow the distribution of all RMGs on Google Play in India, provided developers self-declare their games as permissible under applicable laws / jurisprudence.
- **Third-party Certification Requirement:** Developers must submit proof that their app is in good standing with a 'Recognised Third Party' (such as the All India Gaming Federation) and that the game has been certified by such a body as a permissible game of skill.
- **Policy Updates:** Google will update its Developer Program Policies and Developer Distribution Agreement to reflect these changes and ensure compliance with applicable laws and Google's policies.
- **Advertising Policy Changes:** Google will permit all RMGs (not limited to DFS and Rummy) that are certified as permissible games of skill by a Recognised Third Party to be advertised on Google Ads in India, subject to compliance with Google Ads Policies.

<sup>1</sup> Winzo Games Pvt. Ltd. v Google LLC and Ors., CCI, Case No. 42 of 2022 (28 November 2024).

<sup>2</sup> Google filed its commitment application under Section 48B of the Competition Act 2002, read with the Competition Commission of India (Commitment) Regulations, 2024.



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- **Standardised and Non-Discriminatory Application:** Both Play Store and advertising policies will be applied uniformly, eliminating any alleged competitive advantage previously conferred to DFS and Rummy apps.

The deadline for submitting written comments is 20 August 2025.

## Google dodges fresh probe into online search advertising but CCI scrutinizes display ads

In 2024, ADIF, an alliance of start-ups in India, filed a complaint against Google in relation to its advertising policies. The CCI was of the view that ADIF's complaint contained allegations relating to distinct markets and products, and therefore, decided to split the complaint into three separate cases.

- The first case addresses ADIF's allegations of abuse of dominance by Google in the online display advertising services market, through its 'AdTech Stack'.<sup>3</sup> The 'AdTech Stack' refers to Google's various advertising offerings / technologies in the online display advertising value chain, pursuant to which Google is effectively present at every level of the value chain and was tying various such offerings. The CCI noted that it had already found a *prima facie* violation and directed an investigation into similar issues in another case.<sup>4</sup> Although Google argued against clubbing the investigations, the CCI rejected the argument and directed the DG to investigate ADIF's allegations against Google as part of the ongoing investigation.
- The second case addresses ADIF's allegations of abuse of dominance by Google in the online search advertising services market, through Google's allegedly unfair advertisement policies that restrict advertisements by technical service providers, restrict call advertisements (i.e., advertisements with a direct link out to place a call), permit competitors to bid for trademarked keywords, and involve non-transparency in advertisement ranking and policies.<sup>5</sup> The CCI closed the case under the newly introduced Section 26(2A) of the Competition Act, as it was of the view that similar allegations against Google in relation to the online search advertising services market had already been reviewed and rejected by it previously.<sup>6</sup> This is the first Section 26(2A) order issued by the CCI and provides helpful guidance on the CCI's interpretation of this new provision.
- The third case addresses the miscellaneous allegations

that Google has abused its dominance by: (i) leveraging its dominant position in the general search market to increase profits from online search advertising market by imposing unfair conditions (including pricing conditions); (ii) engaging in non-transparent ad review and ad redressal processes; and (iii) removing third-party cookies from websites through 'Privacy Sandbox' in the Chrome browser. The 'Privacy Sandbox' is a Google initiative which facilitates online advertising by sharing a subset of user information without the use of third-party cookies.<sup>7</sup> The CCI has not yet published its decision in this case.

## CCI launches investigation into Asian Paints for abuse of dominance

On 1 July 2025, the CCI passed a *prima facie* order directing the DG to conduct an investigation into the conduct of APL in relation to allegations of abuse of dominance, in contravention of Section 4 of the Competition Act, based on an information filed by Grasim.<sup>8</sup>

The CCI determined that the relevant market is the 'market for manufacture and sale of decorative paints in the organized sector in India'. The CCI rejected Grasim's attempt to define a narrow market based on distinguishing paint dealers into four categories, on the grounds that this categorization may not be a standard practice in the market followed by various paint manufacturers and the allegations are *qua* dealers in general and not against any specific category of dealers only.

The CCI arrived at a *prima facie* view that APL was dominant in the relevant market, citing, *inter alia*, APL's consistently high market share; substantial size, resources, and dealer network; and the significant entry barriers in the market, including capital intensity, technical expertise, and the need for a large dealer network. The CCI considered Grasim's allegations against APL and found a *prima facie* case of contravention of Section 4(2)(a)(i), 4(2)(c), and 4(2)(d) of the Competition Act. The CCI directed the DG to conduct a detailed investigation into the matter and submit a report within 90 days. The CCI clarified that the order is not a final expression of opinion on the merits and that the DG should conduct the investigation independently.

## Merger Control

<sup>3</sup> Alliance of Digital India Foundation. v Google LLC & Ors., CCI, Case No. 23(1) of 2024 (1 August 2025).

<sup>4</sup> In Re: Digital News Publishers Associate v Alphabet Inc. & Ors., CCI, Case No. 41/2021, In Re: The Indian Newspaper Society v Alphabet Inc. & Ors., CCI, Case No. 10/2022 and In Re: News Broadcasters & Digital Association v Alphabet Inc. & Ors., CCI, Case No. 36/2022.

<sup>5</sup> Alliance of Digital India Foundation. v Google LLC and Ors., CCI, Case No. 23(2) of 2024 (1 August 2025).

<sup>6</sup> Matrimony.com & Anr. v. Google LLC & Ors., CCI, Case Nos. 7 & 30 of 2012 and Vishal Gupta and Anr. v. Google LLC & Ors., CCI Case Nos. 06 & 46 of 2014.

<sup>7</sup> Alliance of Digital India Foundation. v Google LLC & Ors., CCI, Case No. 23(3) of 2024.

<sup>8</sup> Grasim Industries Ltd. (Birla Paints Division) v. Asian Paints Ltd., CCI, Case No. 32 of 2024 (1 July 2025, revised order published on 2 July 2025).



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## CCI issues its first conditional merger approval in Phase II since 2019

On 22 April 2025, the CCI approved the proposed acquisition by Bharat Forge Limited of 100 percent of the shareholding and sole control over direct rival AAM India Manufacturing Corporation Private Limited, under Section 31(1) of the Competition Act.<sup>9</sup> The approval is subject to comprehensive behavioural commitments voluntarily offered by BFL to address the CCI's *prima facie* concerns about the high market share of each of the parties.

The commitments, which extend till December 2031, require the parties to maintain distinctive boards, managers, sales teams and IT systems, as well as to participate independently in future tenders. The company must also ring-fence competitively sensitive information, notify customers and partners that the businesses will continue to compete, and submit to monitoring by an independent agency appointed by the CCI.

Despite going into Phase II with a public consultation, the transaction was still cleared within six months of notification.

<sup>9</sup> *Bharat Forge Limited and Others*, CCI, Combination Registration No. C-2024/10/1197 (22 April 2025).

<sup>10</sup> The green channel route is available for those transactions where the parties (including their group entities and affiliates) do not have any horizontal overlaps, potential or actual vertical relations, or complementary relations, in India. Such transactions will be deemed to be approved upon the acknowledgment by the CCI of filing of the notification form.

<sup>11</sup> *CA Plume Investments and Others*, CCI, Combination Registration No. C-2023/10/1066 (26 June 2025).

## CCI imposes penalty for incorrect Green Channel filing

On 26 June 2025, the CCI imposed a penalty of INR 4,00,000 under Section 43A of the Competition Act on CA Plume Investments and Bequest Inc. for the incorrect filing of a combination notice under the Green Channel route<sup>10</sup> in relation to the proposed acquisition of equity stakes in Quest Global Services Pte. Ltd.<sup>11</sup> The CCI found that the notice was incorrectly filed under the Green Channel route, as there existed certain vertical and complementary overlaps between the activities of the acquirers and the target which rendered the combination ineligible for Green Channel approval.

The CCI held that the Green Channel approval was *void ab initio* and directed the acquirers to re-file the notice in the proper form within 30 days. In determining the penalty, the CCI considered the acquirers' inadvertent error, unconditional apology, proactive identification of more overlaps, extended cooperation through the course of proceedings and supply of requisite material / documents as mitigating factors.

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