Copy-paste allegations erode Competition Commission of India's credibility

Apple's allegations about CCI's investigative wing reproducing portions of complaints filed by rivals in its report underline institutional weaknesses

Updated on: Jul 4, 2026

By Avirup Bose

CCI's recurring controversies stem from two deeper institutional weaknesses. (Photo for representation) (REUTERS)

For the second time in a row, a technology giant has accused the Competition Commission of India (CCI) of producing a "copy-paste" antitrust investigation. In 2023, Google alleged that CCI's Android decision was plagiarised from a EU ruling. Now, Apple has alleged that the director general (DG), CCI's investigative arm, spent nearly three years reproducing complaints filed by Apple's rivals such as Match, PhonePe, and Paytm without conducting an independent probe. Apple claims it was denied any opportunity to make interim submissions, raising concerns about procedural fairness and is seeking to have the investigation scrapped.

The investigation stems from 2021 complaints alleging that Apple's App Store policies compel developers to use its proprietary in-app payment system, restricting competition within its iOS ecosystem. Apple disputes these claims, arguing that its 6% share of India's smartphone market is insufficient to establish market dominance under Indian competition law. It has also now submitted side-by-side comparisons before CCI, alleging plagiarism in the DG's final report — including allegations of reproducing a graphic verbatim from a 2024 EU ruling against Apple.

Google, some years ago, had claimed that parts of CCI's 2022 Android decision were "copy-pasted" from the EU's 2018 Android ruling without adequately accounting for India's distinct market realities. In its appeal before the National Company Law Appellant Tribunal (NCLAT), Google pointed to around 50 such instances. The NCLAT did not order a fresh probe but struck down several behavioural remedies imposed by CCI.

CCI's recurring controversies stem from two deeper institutional weaknesses.

First, CCI has failed to invest in its own institutional capacity. As one of the world's youngest antitrust regulators enforcing a highly technical area of economic law, it has often been led by retired bureaucrats with limited experience in competition enforcement or regulatory governance. In 2023, while deciding landmark cases against Google and Amazon, CCI reportedly functioned without a chairperson and with only two members — half its sanctioned strength and short of the statutory quorum to decide cases. Chronic staff shortages have compounded the problem. For much of the past decade, nearly 30% of sanctioned posts remained vacant, while key investigative positions in the DG's office were increasingly filled by officers on short-term deputation from other government departments. The result is a lack of continuity, expertise, and institutional memory in investigations spanning several years.

Second, India's competition law appellate system has lost its specialist character. Since 2017, appeals from CCI have been heard by NCLAT, the tribunal focused on company law and insolvency. Replacing the specialist Competition Appellate Tribunal with a generalist forum has reduced capacity for robust scrutiny of complex antitrust decisions, leaving intricate cases to a tribunal with limited competition law expertise. CCI's repeated regulatory conflicts with global technology companies, whether substantiated or not, raise questions about the regulator's institutional credibility. They weaken confidence in CCI's investigative capacity, particularly when India is courting technology and AI investment. India must address these institutional and procedural gaps urgently, before such concerns harden into a lasting credibility deficit.

Avirup Bose is professor, Jindal Global Law School. The views expressed are personal