



COMPETITION COMMISSION OF INDIA



PRESS RELEASE

CCI issues supplementary order u/s 27 of the Competition Act in the DLF case; modifies Apartment Buyers Agreement as directed by COMPAT

The Competition Commission of India passed a supplementary order under Section 27 of the Competition Act, 2002 today, modifying the Apartment Buyers Agreement entered into between DLF and the apartment allottees. This order relates to the order of the Hon'ble Competition Appellate Tribunal of March 29, 2012, by which the Commission was directed to pass an order under Section 27(d) of the Competition Act specifying the extent and manner in which the terms and conditions of the Apartment Buyer's Agreement need to be modified.

The Commission in its order today, after considering the modified terms of the Apartment Buyers Agreement submitted by both parties, has modified the terms of the Apartment Buyers Agreement in a manner which it considers fair and reasonable and takes into account the interest of both parties.

The Commission in its earlier order dated August 12, 2011 had held that DLF Ltd. was a dominant enterprise which had violated the provisions of Section 4 of the Competition Act 2002 by entering into an agreement with apartment allottees that was one sided, abusive and unfair to the allottees. Accordingly the Apartment Buyers Agreement has been amended such that the abusive and unfair conditions present in the original one sided agreement have been removed. The Commission in its order has also considered the relevant provisions of the laws applicable to the development of group housing projects in Haryana, particularly the mandatory requirements which must be followed by every developer/builder, but which were not followed by DLF Ltd. in this case.

The order of the Commission has been passed in Case No. 19 of 2010 and a copy of the order has been uploaded on the website of the CCI at www.cci.gov.in.