



COMPETITION COMMISSION OF INDIA

Case No. 40 of 2023

In Re:

Kannada Film Chamber of Commerce
through, Mr. Krishnegowda S/o Mayannagowda (President)
G-10 Krishna Tower,
3rd Main Road, Gandhi Nagar,
Bengaluru 560009

Informant

And

Karnataka Film Chamber of Commerce
through its President/Secretary
No. 28, 1st Main Road, Crescent Road,
Bengaluru 560001

Opposite Party No. 1

Karnataka Film Producers Association
through its President/Secretary
1025/138, S.V. Towers, 2nd Main Road 5th Block,
WOC Road,
Bengaluru 560010

Opposite Party No. 2

D.K. Ramakrishna @ Praveen Kumar
House No. 16, Belsy, STS Cross, R.M.V.,
2nd Stage, 3rd Block,
Bengaluru 560094

Opposite Party No. 3

Madhavananda Yogappa Shegunashi
No. 1061, Near Khadi Gramodyoga Main road,
At post Terdal, Rabakavi Banahatti, Taluk,
Bagalakot Distt. 587315

Opposite Party No. 4

S Kumar Srinivasa Murthy
No. 09, 1st A Main Road, Gavipura, H.B.C.S. Layout,
Nirman School Near Ullala Road,
Bengaluru 560056

Opposite Party No. 5



CORAM

Ms. Ravneet Kaur
Chairperson

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 Kannada Film Chamber of Commerce through its President Mr. Krishnegowda (**'Informant'**) under Section 19(1)(a) of the Competition Act, 2002 (**'Act'**).
2. It is alleged that in complete disregard of the order dated 27.07.2015 in Case No. 58 of 2012, passed under Section 27 of the Act by the Commission, D.K. Ramakrishna @ Praveen Kumar (**'OP-3'**), Mr. Madhavananda Yogappa Shegunashi (**'OP-4'**) and Mr. S. Kumar Shreenivasamurthy (**'OP-5'**) have started instigating the members of Karnataka Film Chamber of Commerce (**'OP-1'**), Karnataka Television Association and Karnataka Film Producers Association (**OP-2**) as well as other bodies/organisation associated with regional films to boycott Kannada Film Chamber of Commerce (**'Informant'**) and ban the release and broadcast of any dubbed content. (hereinafter, OP-1 to OP-5 are collectively referred to as OPs). It is alleged that the OPs are in violation of Section 3(1), 3(3), 4(1) and 4(2) of the Act.
3. It is averred that in the order dated 27.07.2015, organisations including OP-1 and OP-2 were, *inter alia*, directed by the Commission to cease and desist from certain anti-competitive practices and the same were found to be in violation of the Act.
4. It is alleged that the OPs have again started disobeying the order of the Commission and also instigating others to defy the order/direction passed by the Commission.
5. It is further alleged that OPs are trying to boycott the Informant through series of communications (including posts on social media platforms) urging ban on release and



broadcast of any dubbed content in contempt of the Commission's order dated 27.07.2015. The Informant has alleged that audio clips are being widely circulated in multiple WhatsApp groups and social media hurling abuses at President of Kannada Film Chamber of Commerce (earlier known as Dubbing Film Chamber of Commerce) and is further instigating thousands of citizens to disobey the order passed by the Commission. The Informant stated that it even sent a legal notice.

6. The Informant has averred that due to non-compliance of the order dated 27.07.2015, a complaint was filed under section 42(3) of the Act before the Learned Chief Metropolitan Magistrate, Patiala House District Court, New Delhi and that KFCC, KFPA and other organisations paid the fine to comply with the order dated 27.07.2015 passed by the Commission. On the basis of the same, the Informant also submitted that the Commission had decided not to proceed further and that the compliance was not limited to payment of fine but also to "cease and desist" from indulging in anti-competitive practices.
7. The Informant has prayed for an interim relief under Section 33 of the Act to pass an order restraining the OPs from circulating messages and/or audio clips and/or by any other mean from instigating the members of the Karnataka Film Chamber of Commerce, Karnataka Television Association and Karnataka Film Producers Association as well as the other bodies/organization associated with regional films, to boycott Kannada Film Chamber of Commerce and also, from banning the release and broadcast of any dubbed content.
8. The Informant has prayed to the Commission to take cognisance of the present Information and punish the OPs as per the provisions of the Act.
9. *Vide* order dated 07.02.2024, the Commission sought certain additional information/comments/clarification from the Informant. In its meeting held on 01.05.2024, the Commission noted that the order dated 07.02.2024 was received by the Informant on 22.02.2024. The Commission further noted that neither the Informant has filed any reply nor sought any extension of time for filing the same. Consequently, the Commission decided to pass an appropriate order in due course on the basis of facts available in the Information filed by the Informant.



10. After perusal of the material available on record, the Commission notes that the Informant failed to provide clarification/comments as sought. As a result, the present matter is found to lack sufficient and credible information about the conduct of the OPs, alleged to be violative of Section 3 and 4 of the Act. Therefore, the Commission directs that the matter be closed forthwith under Section 26(2) of the Act.
11. The Secretary is directed to communicate the decision of the Commission to the Informant, accordingly.

Sd/-
(Ravneet Kaur)
Chairperson

Sd/-
(Sweta Kakkad)
Member

Sd/-
(Deepak Anurag)
Member

New Delhi
Date: 11/06/2024