(2026) 01 CCI CK 1350

In the Competition Commission Of India

Case No : Case No. 28 Of 2025

Adv Utkarsh Tiwari and another APPELLANT

Vs

Eros International Media Ltd. RESPONDENT

Date of Decision : 05-01-2026

Acts Referred:
Competition Act, 2002 — Section 3, 3(3), 4, 19(1)(a), 26(2), 33

Citation : (2026) 01 CCI CK 1350

Hon'ble Judges : Ravneet Kaur, Chairperson;Sweta Kakkad, Member;Deepak Anurag, Member

Bench : Full Bench

Final Decision : Disposed Of

Judgement

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

1. The present Information has been filed by Adv Utkarsh Tiwari and Adv Kunwar Arpit Paliwal (‘Informants’) under Section 19(1)(a) of the Competition Act, 2002 (‘Act’), against Eros International Media Ltd. (‘OP’) inter alia alleging contravention of the provisions of Sections 3 and 4 of the Act.

2. As per the Information, the Informants have submitted the following:

(a) The feature film Raanjhanaa, directed by Anand L. Rai and written by Himanshu Sharma, was released in theatres in India on 21.06.2013 and same was protected under the Copyright Act, 1957.

(b) The production house i.e., OP had the rights for theatrical and television distribution of the film in India and globally. However, OP didn’t have any rights for the alteration of the content of the film, which solely belongs to the director or artists involved in writing, making and directing of feature film, for which they earn royalty from media houses like in the present case.

(c) After almost 8 years, the OP re-released the feature film Raanjhanaa in the State of Tamil Nadu in August, 2025, wherein it changed the ending part of the film as per its own wishes with the help of Artificial Intelligence ('AI'), thereby contravened the provisions of Section 3 of the Act.

(d) The exclusive agreements and rights conferred in lieu of original content of the feature film have been used with the intent to cause appreciable adverse effect on competition in India.

(e) Misuse of dominant position by OP in the relevant market of motion picture industry has been done to earn profit in absence of any regulations in Indian jurisprudence regarding such usage of technology to alter the original works. Moreover, OP has taken a step forward by executing the same and broadcasting the altered film in theatres in Tamil Nadu and is planning to release it on OTT platforms in order to adversely affect competition in India, which makes any understanding/agreement anti-competitive as per Section 3 of the Act.

(f) Anti-competitive agreements in the present case may relate to price fixing, resale price maintenance, allocation among the suppliers of the areas in which each will operate (in this case State of Tamil Nadu), reducing supply or output enabling the imposition of high prices, exclusive dealing agreements and tie in arrangements all of which will have the intended effect of shutting out other sources of supply to the consumers.

(g) Thus, such agreements by OP with distributors and with OTT platforms (if any) will surely affect other competitors in the market since OP has tried to abuse its dominant position by trying to enter into another relevant market of AI. The consumers will be affected in their choice and may fall prey to unreasonable pricing.

(h) The OP has manipulated the law where the fair sale price of IPR goods (feature film) can not be determined in absence of regulations under Indian jurisprudence with respect to AI and alteration of the film is done solely with an intent to reduce competition or eliminate the competitors in the relevant market of motion picture industry, therefore the collusion with the distributors including OTT platforms may lead to a situation of anomaly in pricing.

(i) End user / consumer will remain in the dark with respect to the usage of such new versions of original films created by media houses and will succumb to the unwanted control of pricing whose base is anti-competitive in nature. Such a collusion between the OTT platforms or other distribution networks involved, is performed in the absence of regulations governing the same. Hence, OP has violated Section 4 of Act i.e. abuse of dominant position.

3. The Informants, vide Interlocutory Application (IA No. 363 of 2025) dated 25.08.2025, have sought interim relief under Section 33 of the Act from the Commission to restrain the screening and distribution along with other anti-competitive practices in relation to feature film Raanjhanaa.

4. The Informants have sought the following relief from the Commission:

(a) To investigate and prepare inquiry report as per jurisdiction of the Commission.

(b) To permanently bar the OP from reproducing the original content and later editing the same by AI.

(c) To offer suggestions to the Government to make rules and regulations for such anti-competitive practices and make amendments, if any in competition law and policy in wake of technological development, especially AI.

(d) Any other relief deemed fit and proper as per the Commission in favour of Indian consumers.

5. Further, Informants have filed another IA No.416 of 2025 dated 26.09.2025 and submitted that the tampered version of feature film Raanjhanaa is still running and if allowed and goes unchecked, will adversely affect competition in the entire feature film industry. Hence, the Informants have requested that the Commission needs to act promptly against above mentioned acts and the said screening of tampered version of feature film Raanjhanaa has to be stopped immediately and needs to be investigated in a fast-track manner.

6. The Commission perused the Information along with the attached documents in detail and noted that the primary grievance of the Informants is that OP changed the ending part of the film Raanjhanaa and re-released it in August, 2025 in the State of Tamil Nadu, as per its own wishes with the help of AI, thereby abusing its dominant position as per Section 4 of the Act and indulged in the anti-competitive agreements as per Section 3 of the Act.

7. Considering the facts and circumstances of the present case and allegations levelled therein, the Commission observes that such issues appear to be in the nature of dispute, if any, between concerned/relevant parties which ipso facto does not require intervention of the Commission. It is further observed that although the Informant has made multiple allegations alleging contravention of Sections 3 and 4 of the Act, he has failed to furnish any evidence to substantiate such allegations or establish a nexus between the impugned conduct and the alleged contraventions of the Act.

8. Hence, the Commission is of the view that the issues raised in the instant matter do not fall under the ambit of the Act and remedy(ies), if any, may lie before an appropriate forum/elsewhere. Accordingly, the Commission finds that no prima facie case of contravention of the provisions of Sections 3 and 4 of the Act can be made out against the OP in the instant matter.

9. The information is ordered to be closed forthwith in terms of the provisions contained in Section 26(2) of the Act.

10. Consequently, no case for grant for relief(s) as sought under Section 33 of the Act arises and the said request is rejected. Accordingly, I.A. No. 363 of 2025 dated 25.08.2025 and I.A. No.416 of 2025 dated 26.09.2025 stand disposed of.

11. The Secretary is directed to communicate to the Informants, accordingly.