



COMPETITION COMMISSION OF INDIA

(Combination Registration No. C-2013/12/146)

20.03.2014

Rectification Order under Section 38 of the Competition Act, 2002

1. On 27th December, 2013, the Competition Commission of India (hereinafter referred to as the “**Commission**”), received a notice under sub-section (2) of Section 6 of the Competition Act, 2002 (hereinafter referred to as the “**Act**”), given by Inox Air Products Limited (hereinafter referred to as the “**Acquirer**”). The Commission issued an Order dated 30th January, 2014, under sub-section (1) of Section 31 of the Act (hereinafter referred to as the “**Order**”), approving the combination. Vide letter dated 12th February, 2014, the Acquirer made a request to the Commission to rectify paragraph 4 of the Order to a limited extent that the gas plant of three air separation units has a rated capacity of 1700 tpd each and combined capacity of 5100 tpd, under Section 38 of the Act .
2. The relevant paragraph in the Order which is requested to be rectified is reproduced as under:

“4. Essar Steel, incorporated in the year 1976, under the provisions of the Companies Act 1956, is an integrated steel producer. As part of its business activity of steel manufacturing, Essar steel has a gas plant, producing oxygen, nitrogen, and argon gases, with a combined capacity of the three air separation units being around 1700 tpd, at its Hazira steel plant. As stated, the gases produced in the units located at Hazira plant are primarily used for the purpose of captive consumption in steel manufacturing by Essar Steel.”
3. In view of the foregoing, the Commission in its meeting held on 20th March, 2014 decided to make rectification in paragraph 4 of its Order under the provisions of Section 38 of the Act, by replacing the words and figures ‘with a combined capacity of the three air separation units being around 1700 tpd’



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with the words and figures ‘with a rated capacity of the three air separation units being around 1700 tpd each’.

4. The Secretary is directed to communicate to the Acquirer accordingly.

(Ashok Chawla)

Chairperson

(Geeta Gouri)

Member

(Anurag Goel)

Member

(M.L. Tayal)

Member