



COMPETITION COMMISSION OF INDIA

(Combination Registration No. C-2015/08/302)



*Fair Competition
For Greater Good*

03.12.2015

Notice under Section 6 (2) of the Competition Act, 2002 ('Act') filed by Brassco Engineering Limited.

CORAM:

Mr. Ashok Chawla

Chairperson

Mr. S. L. Bunker

Member

Mr. Sudhir Mital

Member

Mr. Augustine Peter

Member

Mr. U. C. Nahta

Member

Mr. M.S. Sahoo

Member

Mr. G. P. Mittal

Member

Legal representative: M/s Desai & Dewanji

1. On 26th August 2015, Competition Commission of India ("**Commission**") received a notice under sub-section (2) of Section 6 of the Competition Act, 2002 ("**Act**") filed by



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Brassco Engineering Limited (“**Brassco**”) relating to the proposed acquisition of the Sunbeam Auto Private Limited (“**Sunbeam Auto**”) and Munjal Castings by Brassco. The notice was filed pursuant to a share purchase agreement dated 5th August 2015 executed between the Brassco, Sunbeam Auto and its existing shareholders.

2. The Commission considered the notice filed by Brassco under sub-section (2) of Section 6 of the Act and other documents on record and observed that in terms of the provisions of the Section 5 of the Act read with the Government of India notification S.O. 481 (E) dated 4th March, 2011, the proposed acquisition does not meet the threshold values of assets and turnover and therefore, is not a combination under Section 5 of the Act. The notice filed by Brassco is, therefore, not a valid notice in terms of the provisions of sub-section (2) of Section 6 of the Act.
3. The Secretary is directed to communicate to the Acquirer accordingly.