



COMPETITION COMMISSION OF INDIA

31.07.2018

Case No. 30 of 2017

In Re:

Noida Software Technology Park Ltd.

Informant

And

Star India Pvt. Ltd.

Opposite Party No. 1

Sony Pictures Network India Pvt. Ltd.

Opposite Party No. 2

Indian Broadcasting Foundation (IBF)

Opposite Party No. 3

Order under Section 38 of the Competition Act, 2002

1. With the permission of the Chairperson, the matter was placed in the ordinary meeting of the Commission held today.
2. In the present matter, the Commission had passed an order under Section 26(1) of the Competition Act, 2002 ('Act') on 27.07.2018.
3. It is noted that in the second line of Para 67 of the said order, the phrase "...whether the OP has indulged..." has been used instead of "...whether OP-1 and OP-2 have indulged...". Further, in the second line of Para 69 of the said order, the phrase "...conduct of the businesses of the OP at the time..." has been used instead of "...conduct of the businesses of OP-1 and OP-2 at the time...".
4. The Commission in its ordinary meeting today noted the aforesaid apparent mistakes in the said order and decided to amend the order in terms of Section 38 of the Act on its own



motion. It is directed that the phrase "...whether the OP has indulged..." in the second line of Para 67 of the said order shall be replaced with the phrase "...whether OP-1 and OP-2 have indulged...". Further, the phrase "...conduct of the businesses of the OP at the time..." in the second line of Para 69 of the said order shall be replaced with the phrase "...conduct of the businesses of OP-1 and OP-2 at the time...".

5. After the amendment, Paras 67 and 69 of the said order shall read as under:

"67. In view of the foregoing, the Director General (hereinafter, the 'DG') is directed to cause an investigation into the matter to ascertain whether OP-1 and OP-2 have indulged in refusal to deal by way of price discrimination with the Informant in contravention of the provisions of the Section 3(4) of the Act. Further, the DG is directed to complete the investigation within a period of 60 days from the receipt of this order and submit its report.

.....

69. The DG is further directed to look into the role of the persons/ officers who were in-charge of and responsible for the conduct of the businesses of OP-1 and OP-2 at the time of the alleged contravention."

6. It is directed that this order be uploaded on the website of the Commission together with the original order of the Commission passed under Section 26(1) of the Act and be forwarded to the DG.

Sd/-
(Augustine Peter)
Member

Sd/-
(U.C. Nahta)
Member

Sd/-
(Justice G. P. Mittal)
Member

Sd/-
(Sudhir Mital)
Chairperson