

COMPETITION COMMISSION OF INDIA

15th February, 2012

Combination Registration No.: C-2012/02/29

Order under Section 31(1) of the Competition Act, 2002

1. On 1st February, 2012, 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**”) of the proposed combination between Sasan Power Infrastructure Limited (hereinafter referred to as the “**SPIL**”) and Reliance Power Limited (hereinafter referred to as the “**RPL**”).
2. The proposed combination is a merger between SPIL and RPL pursuant to the scheme of amalgamation under the provisions of Sections 391 to 394 of the Companies Act, 1956.
3. The proposed amalgamation is a combination under Section 5(c) of the Act.
4. RPL is a company incorporated under the provisions of the Companies Act, 1956. RPL is engaged in development, construction and operation of power generation projects, and development of coal mines associated with such projects. SPIL is a wholly owned subsidiary of RPL incorporated under the provisions of the Companies Act, 1956. It has been stated in the notice that SPIL is currently not carrying on any business activities and is holding investments in the group companies. The proposed combination would merge SPIL into RPL.
5. It is observed that SPIL and RPL are not engaged in production, supply, distribution, storage, sale or trade of identical or similar goods or provision of services. The activities of SPIL and RPL are also not related at different stages or levels of production chain in different markets. Further, the control over the activities carried on by SPIL and RPL before and after the proposed combination remains with the management of RPL. Based on the facts on record and the details provided in the notice filed under sub-section (2) of Section 6, the proposed combination is not likely to give rise to any adverse competition concern.
6. Considering the facts on record and the details provided in the notice given under sub-section (2) of Section 6 of the Act and the assessment of the proposed combination, the Commission is of the opinion that the proposed combination is not likely to have an appreciable adverse effect on competition in India and



therefore, the Commission hereby approves the proposed combination under sub-section (1) of Section 31 of the Act.

7. This approval is without prejudice to any other legal/statutory obligations as applicable.
8. This order shall stand revoked if, at any time, the information provided by the parties to the combination is found to be incorrect.
9. The Secretary is directed to communicate to RPL and SPIL accordingly.



Certified True Copy

ANIL K. VASHISHT 23/2/12
Office Manager
Competition Commission of India
New Delhi