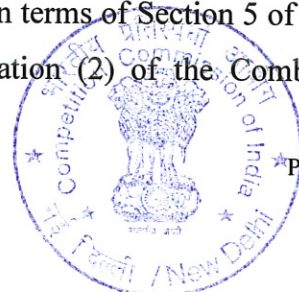


## COMPETITION COMMISSION OF INDIA

22<sup>nd</sup> November, 2011

Combination Registration No. C-2011/10/08

1. On 25<sup>th</sup> October, 2011, the Competition Commission of India (hereinafter referred to as the "Commission") received a notice filed by Fomento (Karnataka) Mining Company Private Limited (hereinafter referred to as "FKPL") under sub-section (2) of Section 6 of the Competition Act, 2002 (hereinafter referred to as "Act") relating to the proposed acquisition by FKPL of the Redi Business of Tata Metaliks Limited (hereinafter referred to as "TML"), as a going concern, on a slump sale basis, pursuant to a Business Transfer Agreement entered into between FKPL and TML on 28<sup>th</sup> September, 2011.
2. In terms of Regulation 14 of The Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011 (hereinafter referred to as "Combination Regulations"), on 3<sup>rd</sup> November, 2011 and 12<sup>th</sup> November, 2011, FKPL was required to provide certain information and document(s), which was furnished by FKPL on 11<sup>th</sup> November, 2011 and 17<sup>th</sup> November, 2011 respectively.
3. The Commission considered the notice filed by FKPL under sub-section (2) of Section 6 of the Act and other document(s) on record in its Ordinary Meeting held on 22<sup>nd</sup> November, 2011. It was observed from the information provided in the notice and other document(s) on record that the proposed acquisition of the Redi Business of TML by FKPL does not meet the value of the assets and the value of the turnover for the purposes of Section 5 of the Act.
4. Considering the facts on record and the information provided in the notice filed by FKPL under sub-section (2) of Section 6 of the Act, the proposed acquisition of the Redi business of TML by FKPL is not a combination in terms of Section 5 of the Act read with clause (b) of sub-regulation (1) of Regulation (2) of the Combination



Regulations. Therefore, in terms of sub-regulation (1) of Regulation 14 of the Combination Regulations, the notice filed by FKPL under sub-section (2) of Section 6 of the Act on 25<sup>th</sup> October, 2011 is not a valid notice.

5. The Secretary is directed to communicate the decision of the Commission to FKPL accordingly.



Certified True Copy

  
ANIL K. VASHISHT 29/11/11  
Office Manager  
Competition Commission of India  
New Delhi