

# COMPETITION COMMISSION OF INDIA

17<sup>th</sup> May, 2012

## Combination Registration No. C-2012/04/52

1. The Competition Commission of India (hereinafter referred to as “**Commission**”) received a notice on 26<sup>th</sup> April, 2012 of the proposed combination under sub-section (2) of Section 6 of the Competition Act, 2002 (hereinafter referred to as “**the Act**”) from Nirma Limited (hereinafter referred to as “**NL**”) and Nirma Industries Private Limited (hereinafter referred to as “**NIPL**”) relating to the proposed amalgamation of NIPL into NL in terms of the provisions of 371-374 of the Companies Act, 1956.
2. In respect of the proposed combination, the Commission on 14<sup>th</sup> May, 2012 received a letter jointly signed by NL and NIPL, communicating that the scheme for the proposed amalgamation of NIPL into NL on the basis of which the said notice was filed could not since be finalized as the company was advised that it was not beneficial and feasible to proceed with the present structure of the scheme of arrangement in the nature of amalgamation. Accordingly, NL and NIPL have requested the Commission to take it on record and consider the notice under sub-section (2) of Section 6 of the Act as withdrawn. The parties have also annexed along with the said letter the certified true copies of the separate resolution(s) both dated 11<sup>th</sup> May, 2012 passed by the Board of Directors of NL and NIPL to this effect.
3. The Commission noted the aforementioned development regarding the notice and the termination of the proceedings relating to the proposed combination in terms of Regulation 17 of the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Regulations, 2011 with effect from 14<sup>th</sup> May, 2012 i.e. the date of receipt by the Commission of the intimation from the parties to the effect that the said notice is withdrawn by them. In this regard, the Commission also observes that if at a subsequent date, the parties propose to enter into a combination between them, then the provisions of the Act relating to combinations <sup>with</sup> as applicable at that time, would have to be complied/ by the parties.



4. The Secretary is directed to communicate the decision of the Commission to NL and NIPL accordingly.



Certified True Copy

*[Handwritten Signature]*  
23/5/12

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Office Manager  
Competition Commission of India  
New Delhi