

**17<sup>th</sup> December, 2009**

**To : All Members  
Members of the Economic & Corporate Affairs Expert Committee**

**Dear Sir/Madam,**

**Parliament Passes the Competition (Amendment) Bill, 2009**

The Parliament has passed the the Competition (Amendment) Bill, 2009 which is to replace the Competition (Amendment) Ordinance, 2009 and to further amend section 66 of the Competition Act, 2002. Rajya Sabha passed it today (December 16, 2009), while the Lok Sabha had already considered and passed it on 14th December, 2009.

The impact of the Bill would be that all the pending cases on which the Monopolies and Restrictive Trade Practices (MRTP) Commission was to continue to exercise jurisdiction for two years after repeal of the MRTP Act will be adjudicated by Competition Appellate Tribunal (CAT) in accordance with the provisions of the repealed MRTP Act as if the Act had not been repealed. The CAT has already started consideration of the pending cases from the date of ordinance i.e. 14.10.2009 and till 11.12.2009 had disposed of 54 cases. The investigations relating to unfair trade practices which stand transferred to the National Commission would be dealt with by the Competition Appellate Tribunal in the manner it may deem fit.

With the implementation of the provisions of the Bill, it would be ensured that cases pending with the MRTP Commission at the time of the repeal of MRTP Act are processed expeditiously in a cost effective manner. It would be for the benefit of complainants whose complaints were pending before the MRTP Commission on 1st September, 2009, the date on which the MRTP Act was repealed.

With regards,

**T.S. Sampath Kumar**  
Secretary General

**Bangalore Chamber of Industry and Commerce**