

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

(ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ ದಿನಾಂಕ: ಫೆಬ್ರವರಿ 11, 2010 ಭಾಗ-4 ಪುಟಸಂಖ್ಯೆ:15-16)

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಖ್ಯೆ 4 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23ನೇ ಜನವರಿ, 2010

2009ನೇ ಸಾಲಿನ ಡಿಸೆಂಬರ್ 23ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟಿನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Competition (Amendment) Act, 2009 (Act No. 39 of 2009) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

**MINISTRY OF LAW AND JUSTICE**

**(Legislative Department )**

**New Delhi, the 23<sup>rd</sup> December, 2009/Pausa 2, 1931 (Saka)**

The following Act of Parliament received the assent of the President on the 22<sup>nd</sup> December, 2009, and is hereby published for general information:-

**THE COMPETITION (AMENDMENT) ACT, 2009,**

**No. 39 OF 2009**

**[22<sup>nd</sup> December, 2009]**

An Act further to amend the Competition Act, 2002

BE it enacted by parliament in the Sixtieth Year of the Republic of India as follows:

**1. Short title and commencement :** (1) This Act may be called the Competition (Amendment )Act, 2009.

(2) It shall be deemed to have come into force on the 14<sup>th</sup> day of October, 2009.

**2. Amendment of section 66 of Act 12 of 2003:** In section 66 of the Competition Act, 2002

(a) in sub-section (1), the proviso and the Explanation thereto shall be omitted;

(b) in sub-section (3),

(i) for the words, brackets and figure"after the expiry of two years referred to in the proviso to sub-section (1)" the words, brackets and figures "on the commencement of the Competition (Amendment) Act, 2009" shall be substituted;

(ii) the following Explanation shall be inserted, namely:

**"Explanation:** For the removal of doubts, it is hereby declared that all cases referred to in this sub-section, sub-section (4) and sub-section (5) shall be deemed to include all applications made for the losses or damages under section 12B of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) as it stood before its repeal;

(c) in sub-section (4)-

(i) for the words, brackets and figure “on or before the expiry of two years referred to in the proviso to sub-section (1)” the words brackets and figures “immediately before the commencement of the Competition (Amendment) Act, 2009 shall on such commencement” shall be substituted;

(ii) after the proviso, the following proviso shall be inserted, namely:-

“Provided further that all the cases relating to the unfair trade practices pending, before the National Commission under this sub-section, on or before the date on which the Competition (Amendment ) Bill, 2009 receives, the assent of the President shall, on and from that date, stand transferred to the Appellate Tribunal and be adjudicated by the Appellate Tribunal in accordance with the provisions of the repealed Act as if that Act had not been repealed”.

(d) in sub-section (5), for the words, brackets and figure “after the expiry of two years referred to in the proviso to sub-section (1)” the words, brackets and figures “on the commencement of the Competition (Amendment ) Act, 2009” shall be substituted;

(e) in sub-section (7), the following proviso shall be inserted, namely:

“Provided that all investigations or proceedings relating to unfair trade practices pending before the National Commission, on or before the date on which the Competition (Amendment) Bill 2009 receives the assent of the President shall, on and from that date stand transferred to the Appellate Tribunal and the Appellate Tribunal may conduct or order for conduct of such investigation or proceeding in the manner as it deems fit”,

**3. Repeal and savings:** (1) The competition (Amendment) Ordinance 2009 (Ord 6 of 2009) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Competition Act, 2002 (12 of 2003), as amended by the said Ordinance, shall be deemed to have been done or taken under the said Act as amended by this Act.

**V.K. BHASIN,**

Secy to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ  
ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಅಂಜನಿ

ಪಿ.ಆರ್. 6

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.