



## COMPETITION COMMISSION OF INDIA

Case No. 09 of 2014

In Re:

R & R Tech Mach Limited  
Address: A-16, Sector - 62,  
Institutional Area, Noida - 201309,  
Uttar Pradesh.

Informant

And

- 1) Chief Executive Officer,  
New Okhla Industrial Development Authority  
Main Administrative Building,  
Sector - 6, Noida, Uttar Pradesh. Opposite Party No.1
- 2) The Chairman,  
National Association of Software and Services Companies,  
International Youth Centre,  
Teen Murti Marg,  
Chanakyapuri, New Delhi - 110021 Opposite Party No.2
- 3) The Managing Director,  
Bharat Heavy Electricals Limited,  
BHEL House, Sirifort,  
New Delhi - 110049. Opposite Party No.3

**CORAM:**

Mr. Ashok Chawla  
Chairperson

Mr. M. L. Tayal  
Member

Mr. S. L. Bunker  
Member

**Rectification Order under Section 38 of the Competition Act, 2002**



1. The Commission passed an order in the present case on 29.04.2014 under section 26(2) of the Competition Act, 2002, (hereinafter referred to as the “Act”) whereby the Commission did not find a *prima facie* case for causing an investigation to be made by the Director General under and accordingly the case was ordered to be closed.

2. In the said order, para 14 read as follows:

*“14.The Commission considered all the material on record and the arguments addressed by the Advocates for both the Parties.”*

3. It may be noted that while closing the matter and passing the aforesaid order, no notice was issued to the opposite parties and accordingly none appeared on behalf of the opposite parties or addressed any arguments before the Commission.

4. As such, it is apparent that the aforesaid order of the Commission contains a mistake which is apparent from the record in as much as no arguments were addressed by the counsel for the opposite parties.

5. Accordingly, the Commission in exercise of its powers conferred under section 38(2)(a) decides to amend the said order with a view to rectify the mistake which is apparent from the record as noted above. It may also be observed that such rectification does not involve any amendment to the substantive part of the said order.

6. In view of the above, the above paragraph in the order dated 29.04.2014 is ordered to be rectified in the following terms:



*“14. The Commission considered all the material on record and the arguments addressed by the Advocate for the Informant.”*

7. In the result, the order dated 29.04.2014 shall stand rectified in the aforesaid terms. Let a copy of this order be placed on the file and the Secretary is directed to inform the parties accordingly.

Sd/-  
(Ashok Chawla)  
Chairperson

Sd/-  
(M. L. Tayal)  
Member

Sd/-  
(S. L. Bunker)  
Member

New Delhi  
Date: 26/06/2014