

Competition (Amendment) Act 2007

Section 16 - Insertion of New Section 21a

1[After section 21 of the principal Act, the following section shall be inserted, namely:--

"21A. Reference by Commission-(1) Where in the course of a proceeding before the Commission an issue is raised by any party that any decision which, the Commission has taken during such proceeding or proposes to take, is or would be contrary to any provision of this Act whose implementation is entrusted to a statutory authority, then the Commission may make a reference in respect of such issue to the statutory authority:

Provided that the Commission, may, suo motu, make such a reference to the statutory authority.

(2) On receipt of a reference under sub-section (1), the statutory authority shall give its opinion, within sixty days of receipt of such reference, to the Commission which shall consider the opinion of the statutory authority, and thereafter give its findings recording reasons therefor on the issues referred to in the said opinion."]

1. Effective date 20th May 2009- notified vide Ministry of Corporate Affairs Notification No S.O.1242(E) dated 15.05.2009.