

REVISED THRESHOLDS

On March 4, 2016, the Central Government issued notifications pertaining to the statutory thresholds for the purposes of “combinations” under Section 5 of the Competition Act, 2002 (“Act”).

1. **Increase in thresholds:** Pursuant to Notification No. [S.O. 675\(E\) dated March 4, 2016](#), the value of assets and the value of turnover has been enhanced by 100% for the purposes of Section 5 of the Act. Accordingly, the revised thresholds for notification to the Competition Commission of India (“Commission”) are:

THRESHOLDS FOR FILING NOTICE				
		Assets		Turnover
Enterprise Level	India	> 2000 INR crore	OR	>6000 INR crore
	Worldwide with India leg	>USD 1 bn with at least >1000 INR crore in India		>USD 3 bn with at least >3000 INR crore in India
OR				
Group Level	India	>8000 INR crore	OR	>24000 INR crore
	Worldwide with India leg	> USD 4 bn with at least >1000 INR crore in India		> USD 12 bn with at least >3000 INR crore in India

2. **Increase in thresholds of De Minimis Exemption:** Pursuant to Notification No. [S.O. 674\(E\) dated March 4, 2016](#), acquisitions where enterprises whose control, shares, voting rights or assets are being acquired have assets of not more than Rs. 350 crore in India or turnover of not more than Rs. 1000 crore in India, are exempt from Section 5 of the Act for a period of 5 years. Accordingly, the revised thresholds for availing of the *De Minimis* exemption for acquisitions are:

THRESHOLDS FOR AVAILING OF DE MINIMIS EXEMPTION FOR ACQUISITIONS				
		Assets		Turnover
Target Enterprise	In India	≤350 INR crore	OR	≤1000 INR crore

3. **Definition of Group:** As per Notification No. [S.O. 673\(E\) dated March 4, 2016](#), the exemption to the “group” exercising less than fifty per cent. of voting rights in other enterprise from the provisions of Section 5 of the Act under Notification No. S.O. 481(E) dated March 4, 2011, has been continued for a further period of 5 years.