

BEFORE THE COMPETITION COMMISSION OF PAKISTAN

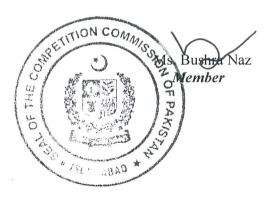
FIRST PHASE REVIEW

IN THE MATTER OF ACQUISITION OF % SHAREHOLDING IN M/S. AGROW LIMITED BY MR. NAEEM AKHTAR AND MR. QAISAR ABBAS FROM M/S. AGRICULTURE RETAIL LIMITED

CASE: 1132/Merger-CCP/20

Commission

Mr. Mujtaba Ahmad Lodhi *Member*



- 1. On December 10, 2020 the Competition Commission of Pakistan ("Commission") received a pre-merger application ("Application") of a proposed acquisition pursuant to Section 11 of the Competition Act, 2010 ("Act") read with Regulation 6 of the Competition (Merger Control) Regulations, 2016 ("Merger Regulations") whereby Mr. Naeem Akhtar ("Acquirer 1") and Mr. Qaisar Abbas ("Acquirer 2"), collectively as the ("Acquirers") intend to acquire % shareholding in M/s. Agrow Limited ("Target") from M/s. Agriculture Retails Limited ("Seller"), pursuant to the Share Purchase Agreement ("SPA"). All requisite information/documentation pertaining to the application was completed on January 07, 2021.
- 2. The Commission has examined the Application as well as all the documents attached therewith, the market scenario, and its observations on the basis of independent research/investigation in the relevant market. The Phase I competition assessment of the intended transaction has resulted in the following findings:
 - i. The business activities of the undertakings concerned are:
 - a. For Acquirer 1: Individual.
 - b. For Acquirer 2: Individual.
 - c. For the Target: Selling agricultural products principally pesticides and allied chemicals.
 - d. For the Seller: Investment holding company.
 - The proposed transaction involves the Acquirers proposing to buy shareholding in the Target from the Seller for a consideration of /-. The Acquirers shall transfer equivalent amount in US\$ to the PKR Seller as per the terms of the SPA. Acquirer 1 will be acquiring while Acquirer 2 will purchase \% ownership.
 - The Target belongs to the relevant product market of "Pesticide and Allied iii. Chemicals" having a geographic market identified as of "Pakistan. Currently, the Target has a market share approximately ! % based on sales. Post-transaction, market share of the Target will remain unchanged.
- 3. In conclusion, the intended transaction, does not meet the presumption of dominance as determined under Section (2) (1) (e) read with Section 3 of the Act. The proposed transaction is hereby authorized under Section 31 (1) (d) (i) of the Act.
- 4. It is so ordered.

* ISLAMADAD

(Mr. Mujtaba Ahmad Lodhi) Member

Islamated the 13th

JANUARY, 2021.

(Ms. Bushra Naz) Member

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