

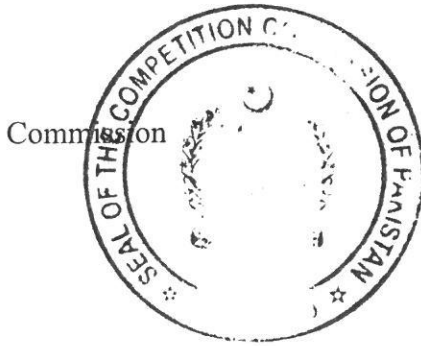


BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

IN THE MATTER OF ACQUISITION OF % SHAREHOLDING OF M/S. MMM
HOLDING (PRIVATE) LIMITED BY M/S. TARIQ GLASS INDUSTRIES LIMITED
FROM MR. MUHAMMAD TOUSIF PERACHA.

CASE: 1380/Merger-CCP/23



Commission

Ms. Rahat Kaunain Hassan
Chairperson

ORDER

1. On 12th June 2023, the Competition Commission of Pakistan ("**Commission**") received a pre-merger application ("**Application**") submitted by M/s. Tariq Glass Industries Limited ("**TGIL**" or "**Acquirer**") of the proposed acquisition of % shareholding in M/s. MMM Holding (Private) Limited ("**MMM**" or "**Target**") from Mr. Muhammad Tousif Peracha ("**Mr. Tousif**" or "**Seller**") pursuant to Section 11 of the Competition Act, 2010 ("**Act**") read with Regulation 6 of the Competition (**Merger Control**) Regulations, 2016 ("**Merger Regulations**") in accordance with the Extract of Resolution ("**Agreement**"). All requisite information/documentation pertaining to the application was completed on 07th July, 2023.
2. The Commission has examined the Application as well as all the documents attached therewith and the information provided by the concerned undertaking(s). The Phase I competition assessment of the intended transaction has revealed the following facts:
 - i. The business activities of the undertakings concerned are:
 - a. For Acquirer: public limited company incorporated in Pakistan and is involved in the manufacturing, distribution and exports of float glass, tableware, container ware and opal glass.
 - b. For Target: company incorporated in Pakistan and acts as a holding company of its subsidiaries and associated companies. It owns % shareholding of M/s. Baluchistan Glass Limited ("**BGL**"), a manufacturer of Pharmaceutical Glass Packaging in Pakistan that ceased its production in 2019.
 - c. For Seller: natural persons holding % shareholding in the Target.
 - ii. Pursuant to the Agreement, the transaction under consideration is acquisition of shares comprising ordinary shares % shareholding) of the Target by the Acquirer from the Seller. The amount to be paid for % shareholding is estimated to be PKR /-
 - iii. The relevant market in this case has been identified as "**Manufacturing of Pharma Glass Packaging**" and the relevant geographic market is "**Pakistan**". As per the submissions by the Applicant, Target's subsidiary BGL has ceased its operations since 2019, due to outdated and inefficient plant & machinery, high energy costs and is in continuous losses.
 - iv. The aim of TGIL is to rebuilt or refurbish the obsolete plant of BGL for the production of Pharma Glass Packaging only. However once operational, its market share can be estimated to be % in the relevant market.
 - v. As per the Applicant, there are no overlaps in the activities of the merger parties in the relevant market, therefore, post-transaction, market conditions will remain unchanged.



3. The proposed transaction does not meet the presumption of dominance as determined under Section 2(1)(e) read with Section 3 of the Act. Hence, it is hereby authorized under Section 31(1)(d)(i) of the Act.
4. In the subject transaction, matters which may fall outside the scope of the Commission's purview shall be handled in accordance with the applicable laws.
5. It is so ordered.



(Ms. Rahat Kaunain Hassan)

Chairperson

Islamabad the July 12th, 2023

