

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-VII

Course Code	BAL706C
Course Title	Competition Law
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	To study and critically appraise the core EU Competition law provisions, their objectives and how they are enforced. To understand how EU competition law and policy evolves and develops. To examine the law in its historical, theoretical and political context. To examine and understand the core concepts underpinning EU competition law. To examine and acquire a detailed understanding of the current state of EU competition law and policy. To apply the principles learned to complex factual scenarios and to develop student's ability to appraise the law critically

UNIT-I

History and Development of Competition Law

History and Development of Competition Law, Constitutional vision of Social Justice – Liberalization and Globalization- Raghavan Committee Report, Competition Act 2002; an Overview of Competition Law in India, Important Definitions under the Competition Act, 2002.

UNIT –II

Anti Competitive Agreements

Anti- Competitive Agreements under the Competition Act, 2002. Appreciable Adverse Effect on competition in the Market. Determination of Relevant Market – Rule of Reason and Perse. Illegal rule – Horizontal and Vertical restraints, Exemption, Penalties, Prohibition of Anti-Competitive Agreements. Cartel- Predatory Pricing, bid rigging.

UNIT –III

Regulation of Abuse of Dominant Position

Introduction – Dominance in the Market – Relevant Market- Appreciable Adverse Effect on Competition in the Market (AAEC) – Abusive Conducts under the Competition Act, 2002 – Penalties – Prevention of Abuse of Dominance.

Regulation of Combinations:

Combinations: Merger, Acquisition, Amalgamation and Takeover- Horizontal, Vertical and Conglomerate Mergers- Combinations covered under the Competition Act, 2002 – Regulations, Penalties.

UNIT –IV

Enforcement Mechanisms

Enforcement Mechanisms under the Competition Act, 2002 – Competition Commission of India – Constitution of the CCI – Powers and Functions – Jurisdiction of the CCI adjudication and appeals- Director General of Investigation (DGI) – Competition Appellate Tribunal (CAT) – Enforcement Mechanisms.

Competition Advocacy and Emerging Trends in Competition

Competition Advocacy in India and other foreign jurisdictions, Intellectual Property Rights and Competition Law, International Trade Law and Competition Law.

Suggested Readings:

Competition Act, 2002 – Principles and Practices by Dr. V.K. Agarwal

Competition Act, 2002 (Students Edition) by Dr. V.K. Agarwal

Suresh T. Vishwanathan, *Law and Practice of Competition Act*. Bharat

Richard Whish, *Competition Law*, Oxford University press, 2008

Mark Furse, *Competition Law at the EC and UK, 6th – 2008*, Oxford University Press

M. Dugar, Commentary on MRTP Law, *Competition Law & consumer Protection Law, 4th ed. – 2006*, Wadhwa Nagpur

Abir Roy & Jayant Kumar, *Competition Law in India*, Eastern Law House, New Delhi

Satyanarayana Prasad, *Competition Law and Cartels*, Amicus Books, ICAFI University Press, 2007

Kristy Middleton, Barry Rodger & Angus Mac Culloch, *Cases and Materials on UK and EC Competition Law*, Oxford University Press, 2003

1. Vinod Dhall (ed.), *Competition Law Today*, Oxford University Press, 2007
2. Philips E. Areeda & H. Hovenkoup, *Fundamentals of Anti-Trust Law*, ASPEAN Publications, 2006
3. Ramappa, *Competition Law in India: Policy, Issues and Developments*, 3rd ed.- 2013, Oxford University Press, New Delhi
4. Varun Chhachhar “Competition Law and Telecom Sector in India”, 1st– 2013, VLMS Publishers, New Delhi.