

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)

LL.B. Sem - IV : WINTER : 2024

SUBJECT: BUSINESS LAW : COMPETITION LAW & PRACTICE

Day : Saturday
Date : 26/10/2024

W-25017-2024

Time : 10:00 AM-12:30 PM
Max. Marks : 60

N. B. :

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q. 1 A) Elaborate the advantages and disadvantages of a Competition policy in India.

OR

B) Critically examine the relationship between Competition Law and Intellectual property rights where one gives the exclusive right to fair competition whereas the other tends to protect the rights of intellectual property rights holder.

Q. 2 A) Explain in detail the Raghavan Committee Report along with its recommendations in drafting and enacting of the Competition Act, 2002.

OR

B) "If a person or an enterprise ends up abusing its dominant position in the market, the Competition Commission of India (CCI) has strict surveillance and penalties over them". In addition to explaining the above fact also elaborate the penalties stated under the Competition Act, 2002 for abuse of dominant position.

Q. 3 A) 'Companies either merging or acquiring each other have to keep themselves within the threshold limits of asset holding and turnover'. Explain the threshold limits specified under the Competition Act, 2002 at the enterprise and group level.

OR

B) Elaborate the power of CCI to require into any alleged contravention of section 3 and 4 of the Competition Act, 2002, either on its own or on a receipt of any information from a third party.

Q. 4 A) Write short notes on the following:
i) Concept of Cartel and its effects in the market
ii) Competition Advocacy by Competition Commission of India

OR

B) Write short notes on the following:
i) Effect of Liberalization and Globalization on the competitive markets
ii) Resale price maintenance and predatory pricing

Q. 5 A) Solve the following:
i) A merge entity namely 'Regal Limited' is an investment company which is having an asset holding of Rs. 200 Cr. in India. Is it mandatory for Regal Limited to send a notice u/s 6 of the Competition Act, 2002? If yes, why and if no, why?
ii) Elaborate the case of Google Inc. and Ors. v. Competition Commission of India.

OR

B) Solve the following:
i) Mr. X is a manufacturer and Mr. D is his distributor. They have agreed to an arrangement that Mr. D will sell Mr. X's products at a certain price dictated by the manufacturer or else the manufacturer may stop doing business with him. Explain whether this is an anti-competitive act and if yes, what is it called?
ii) Truck cartelisation case in India.