

B.B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.B.A. LL. B. Sem - VIII : SUMMER : 2024

SUBJECT: COMPETITION LAW & PRACTICE

Day : Tuesday
Date : 30/04/2024

S-12565-2024

Time : 02:00 PM-04:30 PM
Max. Marks : 60

N.B.

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

Q.1 a) Comment on the historical development of Competition law in India based on the recommendations of various committees pre and post the New Economic Policy, 1991 which has helped to frame the Competition law which subsists today.

OR

b) 'Cartel agreements under the Competition law are considered void by the Competition Commission of India to stop the anti-competitive practices.' Explain with the help of relevant anti-competitive agreements.

Q.2 a) 'Competition Act, 2002 as amended in the year 2023 does not consider dominance to be illegal per se but considers its abuse to be illegal.' Comment.

OR

b) Elaborate the 'De-minimis exemption' under combinations along with the procedure for sending notice to the Competition Commission of India for registering the combinations which do not come under the above exception.

Q.3 a) Elaborate the composition of the Competition Commission of India under the Competition Act, 2002.

OR

b) 'Competition Advocacy proves that the modern competition law not only seeks to stop the practices having Appreciable Adverse Effect on the competition but also tries to promote competition.' Discuss the above with the help of various initiatives taken by the Competition Commission of India in this regard.

Q.4 a) Discuss the powers of the Appellate Authority with regards to the Competition Law provisions.

OR

b) Explain the advantages and the disadvantages of competition in relevant product market and relevant geographical market in India.

Q.5 a) i) Write short note on: Exclusive Supply Agreement.

ii) ONJC Ltd. is a company which is a monopoly in the gas industry. It carries a greater customer base. ONJC Ltd. has decided to acquire TP Gas Ltd. which is also a renowned company in gas sector. Guide the companies as to the provisions they will have to follow under Section 5 of the Competition Act, 2002.

OR

b) i) Write short note on: Collusive Bidding.

ii) A pharmaceutical company XYZ Ltd. has patented its medicine as well as the process by which that medicine was invented. ABC Ltd. is which is also a pharmaceutical company, is restricted by this patent registration to reproduce the medicine for the same cause for which XYZ has invented it. Discuss as to how can we protect competition in this case as due to patent registration other companies including ABC Ltd. is barred from producing that medicine. Explain with the relevant provisions of Competition Act, 2002.
