

COURSE-IV: OPTIONAL-IV:
COMPETITION LAW

Objectives :

The competition plays a key role in ensuring productive, efficient, innovative, and responsive markets. The consumers are ensured availability of 'goods' and 'services' in abundance of acceptable quality at affordable price. But if the anti-competitive practices take precedence in the market, the consumers and the economy of the nation both will be adversely affected. Hence, to prevent such situation and to ensure fair competition in the market the Competition Act, 2002 was enacted. This Course is designed to give the students an insight into the Competition Act, 2002. It enables the students to understand the role of competitive market in the economic development of the country, anti-competitive practices and its impact on socio-legal scenario of the country.

Course contents:

UNIT-I

Competition policy and economics, the function of Competition Law, Overview of the Practices Controlled by Competition Law, Constitutional provision regulating trade.

UNIT-II

Sherman Antitrust Act, 1890; Relevant provisions of Clayton Act, 1914; Relevant provisions of the Federal Trade Commission Act, 1914; Salient features of U. K. Competition Act, 1998; (U. K.) Enterprise Act, 2002.

UNIT-III

Overview of the Monopolies and Restrictive Trade Practices Act, 1969; the relevant provisions of Consumer Protection Act, 1986; the Competition Act, 2002; definitions; prohibition of anti-competitive agreements, abuse of dominant position and regulation of combinations.

UNIT-IV

Competition Commission of India; composition of Commission; Duties, powers and functions of commission.

UNIT-V

Duties of Director general; Penalties; Competition advocacy; Case Law.

Prescribed books:

1. Richard Whish & David Bailey, Competition Law, 7th ed., (New York: Oxford University Press, 2012)
2. Mittal D. P., Competition Law and Practice, 3rd ed., (New Delhi: Taxman Publications (p.) Ltd, 2010).
3. Roy Abir & Jayant Kumar, Competition Law in India, (Kolkata: Eastern Book House, 2008).

Reference Books:

1. Dugar S. M., Commentary on the MRTP Law, Competition Law & Consumer Protection Law, Vol. I & II, 4th ed., (Nagpur: Lexis Nexis Butterworths Wadhwa, 2006).
2. Dhall Vinod (ed.), Competition Law today -0 Concepts, Issues & the law in Practices, (New Delhi: Oxford University Press, 2007)