

Reg. No. :

Name :

**Seventh Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B
(Five Year Integrated) Degree Examination, May 2024**

Option – II

COMPETITION LAW

(2020 Admission)

Time : 3 Hours

Max. Marks : 80

PART – A

- I. Explain any **Six** of the following. Each question carries **2** marks. Answer should not exceed **50** words.
1. Sherman Act
 2. Competition Commission of India.
 3. Patent Pool
 4. Competition Advocacy
 5. Predatory Pricing
 6. Relevant Market.
 7. Conglomerate merger
 8. Price Fixing

(6 × 2 = 12 Marks)

P.T.O.

PART – B

- II. Explain any four of the following. Each question carries 5 marks. Answer should not exceed 150 words each.
1. Discuss the recommendations of Raghavan Committee Report.
 2. Explain Vertical and Horizontal Agreements.
 3. Short note on National Company Law Appellate Tribunal.
 4. Analyse the role played by MRTP Act in influencing Competition Law.
 5. Discuss the Fair Trading in UK.
 6. Discuss the relevance of anti- competition agreements in Competition Law.

(4 × 5 = 20 Marks)

PART – C

- III. Answer any four of the following. Each question carries 6 marks.
1. 'X' a manufacturer of MMF (Man Made Fibres) Viscose and Nylon had imposed several restrictions in Indian Textile Industry, which are their customers for purchase of MMF. Among other allegations constituting anti-competitive actions. The Director General appointed by CCI after prima facie opinion submitted his recommendations and findings, reporting that there is no contravention. Is the CCI bound by the decision or can they further enquire on the matter? Can the Director General give a report contrary to prima facie opinion recorded by the Commission?
 2. The informant in a case filed a complaint before the CCI that the guidelines by legislation that food product samples should be certified by NABL or NABL accredited laboratories is violation of or has Contravened Sections 3 and 4 of the Competition Act. NABL entered into service agreement with various bidders/suppliers and the same is violation of the Act as it excludes other accredited agencies. Discuss the legality of the complaint.

3. A Resident's Association filed a complaint before the DG and CCI against a Public Limited Company which was engaged in Construction of Flats .The company had incorporated arbitrary, unfair and unreasonable conditions on the apartment-allottees of Housing complex. All terms of agreement were one sided and many provisions shifted financial loss to the flat allottees. Whether this agreement executed by the Company constitute abusive practices as per the provisions Act or is it legally enforceable Contract?
4. X who was 55 years of age, desired to take a voluntary retirement from his engineering career to pursue law degree. He was not able to apply due to age restrictions imposed by BCI. X took the contention that BCI violated Section 4 of the Competition Act of 2002 by "misusing its dominant position" when it inserted and contested clause 28 (age restrictions). Additionally, it was contented that the BCI had engaged in dubious authority abuse. Throw light on the legal issues.
5. Z a new entrant to market as paint manufacturer filed a complaint that X prevented dealers from dealing in paint products produced by Z. X had entered into sole supply agreements with enterprises and it was contented that these agreements are violative Sec.3 and 4 of the Competition Act; exclusive supply agreement and preventing paint dealers from selling Z's paint. Decide with case laws regarding the nature of evidence required to establish such a claim.

(4 × 6 = 24 Marks)

PART – D

- IV. Answer any two of the following. Each question carries 12 marks.
1. Analyse the concept of Abuse of Dominant Position in Competition Law.
 2. What do you mean by Combinations? Explain the type of combinations which fall under Competition Act, 2002?
 3. Discuss the relevance of Trips agreement in Competition Law.

(2 × 12 = 24 Marks)