



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY, SHIMLA

SEMESTER- X

B.A./B.B.A. LL.B. (Hons.)

Paper Code: SPB5-1003

Course Title: Competition Law

Credits-04

Module: 1

Competition Law: An Introduction

- 1.1. Concept & Function of market and Role of Competition Law
- 1.2. Evolution & Growth of competition law
- 1.3. Nature & Scope of competition law and policy
- 1.4. Theoretical foundations of competition law
- 1.5. Competition Act, 2002- overview, definitions and ideas of agreement, dominant position, combination and effects of anti- competitive activities

Module:2

Anti-Competitive Agreement

- 2.1. Anti-competitive agreements: Concept, forms and treatment in India
- 2.2. Rule of Perse and Reason,
- 2.3. Appreciable Adverse Effect on Competition (AAEC) in India,
- 2.4. Exemptions from application of anti trust laws.
- 2.5. Prohibition of Anti-competitive agreement/ Cartel/bid rigging.

Module: 3

Abuse of Dominant Position

- 3.1 Abuse of dominant position: Concept, forms and treatment in India
- 3.2. Essential facilities doctrine
- 3.3. Refusal and abuse of dominant position.
- 3.4. Pricing strategies and abuse of dominant position
- 3.5 Treatment of abuse of dominant position

Module: 4

Regulation of Combinations & Enforcement Mechanisms

- 4.1. Combinations: Concept, forms, reasons and regulatory framework in India
- 4.2. Establishment and Constitution of Competition Commission of India,
- 4.3. Powers and Functions- Jurisdiction of the CCI – adjudication and appeals, -Competition Appellate Tribunal (CompAT),
- 4.4 Director General of Investigation (DGI)- Penalties and Enforcement.
- 4.5. Modern Dimensions of Competition law

Prescribed Legislations:

The Sherman Anti-Trust Act, 1890
The Clayton Act, 1914
Federal Trade Commission Act, 1914
Competition Act, 1998 (UK)
Enterprise Act, 2002 (UK)
MRTP Act, 1969 (India)
The Competition Act, 2002 (India)
The Competition Amendment Bill, 2012(India)
Notifications issued by Competition Commission of India

Prescribed Journals:

Indian Competition Law Review (ICLR)
The Competition Law Review (CompLRev)
Competition Law Insight
Competition Law International
OECD Journal of Competition Law and Policy
European Competition Journal (ECJ)
Antitrust Law Journal (ALJ)

Prescribed Books:

Richard Whish and David Bailey, Competition Law, 8th ed.- Oxford University Press, 2015.
Mark Furse, Competition Law of the EC and UK, 6th ed., Oxford University Press, 2008.
S.M. Dugar, Commentary on MRTP Law, Competition Law & Consumer Protection Law, 4th ed., Wadhwa Nagpur, 2006.
Abir Roy & Jayant Kumar, Competition Law in India, Kluwer Law International B. V., 2016.

Philips E. Areeda & H. Hovenkoup, Fundamentals of Anti-Trust Law, ASPEAN Publications, 2006.
Srinivasan Parthasara, Competition Law in India, 4th ed., Kluwer Law International B.V., 2017.

Text Books:

1. Dhall .Vinod, Competition Law Today: Concept Issues and Law in Practice, Oxford University Press, 2007
2. Ramappa. T., Competition Law in India- Policy, Issues and Development Oxford University Press, 3rd Edition, 2014
3. Aditi P Talati, Nahar. S. Mahala, Competition Act, 2002: Law, Practice and Procedure, Commercial Law Publishers, 2006
4. Avtar Singh; Competition Law; Eastern Book Company, 2012
5. P. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICFAI University Press, 2007.

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