



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, December 2021**

**Course:**  
**COMPETITIVE  
LAW**  
**Program: B  
TECH CS LLB**  
**Course Code:**  
**LLB L 502**

**Semester : 11**  
**Duration : 03 hrs.**  
**Max. Marks: 100**

**Instructions: ATTEMPT ALL QUESTIONS**

**SECTION A**  
*(Type the answers in test box)*

*Objective Type Questions/Definitions/fill in the blanks*

5Q x2M=10 Marks

Q. No.		Marks	CO
1	Name the committee which played a vital role in creation of new Competition Act, 2002.	2	CO 1
2	In Very brief define the term “appreciable adverse effect”.	2	CO 1
3	Name the 3 Core Facets of New Economic Policy.	2	CO 1
4	When did the Competition Act, 2002, come into force?	2	CO 1
5	In very brief describe section 36 of the Competition Act, 2002.	2	CO 1

**SECTION B**  
*(Scan and upload)*

(Conceptual based question)

4Q x5M=20 Marks

Q. No.		Marks	
1	In brief explain the term Algorithmic Pricing?	5	CO 2
2	In brief explain the term Abuse of Dominant position?	5	CO 2
3	Discuss the composition of Competition commission of India? Also discuss the functions, duties and role of Competition Commission of India?	5	CO 2
4	Discuss the term Horizontal Agreements? Also explain the relevant examples.	5	CO 2

**SECTION-C**  
*(Scan and upload)*

(Descriptive/Analytical Questions)

2Qx10M=20 Mark

Q.No.		Marks	CO
1	“The competition Act, 2002 was enacted in view of the market development and thereby resulting in opening up of the Indian Economy, removal of controls and consequent	10	CO 3

	economic liberalization which required the Indian economy be enabled to allow competition in the market from within the country and outside.” Critically Comment.		
2	Explain the concept Bid Rigging & Collusive rigging? Also elucidate the various manner in which Bid-rigging takes place	10	CO 3
<b>SECTION-D</b>			
<i>(Scan and upload)</i>			
(Case Studies/ Application Based Questions)		2Qx25M =50 Marks	
Q.No.		Marks	CO
1	<p>Baskin Robbins ltd. is a body corporate incorporated in United States and therefore all the laws of United states will be applicable on them. They entered into an agreement with Rainbow ltd a company incorporated in accordance with Indian Laws. The agreement entered between them was of such nature which clearly impacted and hindered the Indian market in a negative manner.</p> <p>A. With the help of relevant case laws and provisions analyse whether the commission will be having extra-territorial applicability on the foreign corporation or not. (12.5 Marks)</p> <p>B. Can extra-territorial jurisdiction of commission be applied in every case? Also, contrast only on the relevant way which need to be adopted by the enforcement mechanism to adjudge whether situation will fall under extra-territorial application? (12.5 Marks)</p>	25	CO 4
2	<p>The Competition Commission of India (CCI) approved the acquisition of Monsanto by Bayer AG under the Competition Act, 2002, subject to modifications/remedies to address the anti-competitive effects resulting from the said acquisition.</p> <p>a. What is your opinion on the Bayer Monsanto merger? What were the parameters for examining the AAEC by this merger by CCI? Discuss in detail. (12.5 Marks)</p> <p>b. Enlist the relevant market(s) identified by the CCI in this merger. Discuss relevant factors which were taken into account in identifying such relevant markets. (12.5 Marks)</p>	25	CO 4