


Name:			
Enrolment No:			
UPES End Semester Examination, May 2025			
Course: Competition Law Program: BA/BBA/BCOM LL.B. (H) Course Code: CLCP4009		Semester: VIII Time: 03 hrs. Max. Marks: 100	
Instructions: ALL QUESTIONS ARE COMPULSORY.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q1	What is the <i>object and purpose</i> of the Competition Act, 2002? Use case laws to support your answer.	2	CO1
Q2	Which section of the Competition Act, 2002 deals with the definition of "agreement"? Also elaborate the types of agreements as per Competition Act..	2	CO1
Q3	Under which section are “cartel” activities addressed in the Indian Competition Law? State the understanding in light of the provisions.	2	CO1
Q4	What is the penalty for anti-competitive agreements under the Competition Act, 2002?	2	CO1
Q5	What is the statutory definition of a “dominant position” under the Competition Act, 2002?	2	CO1
SECTION B (4Qx5M= 20 Marks)			

Q6	Elaborate on the impact of the <i>Competition (Amendment) Act, 2023</i> , in strengthening CCI's oversight of digital markets, citing one key provision.	5	CO2
Q7	<i>Digital platforms must be regulated not because they are big, but because their practices can foreclose competition.</i> – Ravneet Kaur, CCI Chairperson (2023). Explain how anti-competitive practices by digital platforms can harm competition, with reference to Section 4 and the <i>Amazon-Appario</i> case (C-2022/03/913).	5	CO2
Q8	What is predatory pricing? Explain in light of regulations and case.	5	CO2
Q9	Explain the CCI's objective in regulating combinations under Sections 5 and 6 of the <i>Competition Act, 2002</i> , with reference to the concept of AAEC.	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q10	AgroChem Ltd., a dominant firm with a 65% share in India's pesticide market, has been offering loyalty rebates to distributors who purchase 90% of their stock exclusively from AgroChem, effectively limiting competitors' access to key distribution channels. The CCI receives a complaint alleging abuse of dominance. Apply Section 4 of the <i>Competition Act, 2002</i> , to assess whether AgroChem's conduct constitutes an abuse of dominant position. Support	10	CO3

	your analysis with relevant case law (e.g., <i>MCX Stock Exchange v. NSE</i> or <i>Google v. CCI</i>) and discuss the CCI's potential remedies under Section 27.		
Q11	MediaStream Ltd. and VideoHub Ltd., two leading OTT platforms in India, propose a merger that would create a combined entity with a 55% share in the online video streaming market. The CCI identifies potential appreciable adverse effects on competition (AAEC) due to reduced consumer choice and increased subscription prices. Apply Sections 5, 6, and 31 of the <i>Competition Act, 2002</i> , to evaluate the CCI's assessment process for this combination and recommend two specific remedies to address the competition concerns, drawing on precedents like <i>Zee-Sony</i> or <i>Sun Pharma-Ranbaxy</i> .	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q12	TechNova Ltd., a leading Indian fintech company, proposes to acquire 75% of PaySwift Ltd., a digital payments platform, for INR 15,000 crore, creating a combined entity with a 60% share in India's online payment processing market. The transaction exceeds the asset and turnover thresholds under Section 5 of the <i>Competition Act, 2002</i> , requiring CCI approval. Concerns arise about potential appreciable adverse effects on competition (AAEC) due to market concentration	25	CO4

	<p>and reduced consumer choice. Apply the provisions of the <i>Competition Act, 2002</i>, and the <i>Competition Commission of India (Procedure in Regard to the Transaction of Business Relating to Combinations) Regulations, 2011</i>, as amended by the <i>Competition (Amendment) Act, 2023</i>, to construct a detailed timeline of the CCI’s review process for this combination, from notification to final decision. Include each procedural step, relevant time limits, key considerations (e.g., market definition, AAEC assessment), and potential outcomes (e.g., approval, modification, or prohibition), referencing cases like <i>Reliance-Future Group (C-2020/08/762)</i> or <i>Zee-Sony (C-2022/08/867)</i>. Discuss how the CCI might address AAEC concerns and propose one remedy to mitigate them.</p>		
Q13	<p>Elite Club is a club of eight Indian banks. The club covers entire Indian territory for its operations and dealings. The club covered entire India with a view of fixing rates of deposits, lending and other rates on banking facilities. The club covered all banking products and services and members of the club fixed interest rates for loans and savings for private/household including commercial customers; as well as the fees consumers had to pay for certain services. The club also provides services for money transfers and export financing. One of the customers of a ‘Bank’, which is a member of the club, made a complaint against the club acting</p>	25 (10 +10+ 5)	CO4

	<p>as a 'cartel' to the Competition Commission of India.</p> <ol style="list-style-type: none"><li data-bbox="342 260 1177 491">i. Identify and explain whether the conduct of the 'Elite Club' of banks falls under the definition of a 'cartel' as per Section 2(c) read with Section 3 of the Competition Act, 2002.<li data-bbox="342 516 1177 684">ii. Discuss the powers and procedure available to the Competition Commission of India (CCI) upon receipt of the complaint from the customer.<li data-bbox="342 709 1177 810">iii. What remedies or penalties can the CCI impose if the Elite Club is found guilty of cartelization?		
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