



Anand Law College
(An Autonomous Institute, Under UGC Regulation 2023)
Managed by Shri Ramkrishna Seva Mandal
SRKSM Campus, Near Electric Grid, Anand, Gujarat
(Affiliated to S. P. University & Approved by BCI, New Delhi)
NAAC Accredited, 'B++' Grade, CGPA 2.97 - 1st Cycle



Year: 1 year course

Course Code: ALCPG1ECCL2

Course Name: Corporate and Commercial Law

Course Type: Choice Based Credit System (CBCS)

Year of Implementation: 2025-26

FIRST SEMESTER (w.e.f. 2025-26)

GROUP: CORPORATE AND COMMERCIAL LAW

SEMESTER:	FIRST
PAPER: 5	INVESTMENT AND COMPETITION LAW

Course Objectives:	The process of globalization and liberalization have brought a considerable awareness towards improving the competitive process in developing economies such as India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002. The course seeks provide fundamentals of market economy and extensive knowledge of application of competition policy in India. The course will also examine and compare the application of competition law to business agreements, the exercise of dominant position, the combinations between the firms and sellers and the enforcement mechanisms. This course also aims to create awareness among the students and develop their abilities to deal with the issues on the expanding horizons of corporate law.
---------------------------	---

Course Outcome (CO):

Upon completion of the course, student shall be able to

Investment Law:	<ul style="list-style-type: none">• Understanding core principles: Students will be able to articulate the fundamental principles of investment law, including those related to foreign investment, protection of investors, and the role of international treaties.• Identifying key regulations: Students will be able to identify and explain the key legal
------------------------	---



Anand Law College
 (An Autonomous Institute, Under UGC Regulation 2023)
 Managed by Shri Ramkrishna Seva Mandal
 SRKSM Campus, Near Electric Grid, Anand, Gujarat
 (Affiliated to S. P. University & Approved by BCI, New Delhi)
 NAAC Accredited, 'B++' Grade, CGPA 2.97 - 1st Cycle



	<p>instruments and institutional frameworks that govern investment at both national and international levels.</p> <ul style="list-style-type: none"> • Analyzing Investment Disputes: Students will be able to analyze investment disputes, including the role of international arbitration and relevant case law. • Understanding Investment Policy: Students will gain a critical understanding of the rationale and policy arguments behind investment regulations, including the role of Bilateral Investment Treaties (BITs). <p>Competition Law:</p> <ul style="list-style-type: none"> • Understanding core concepts: Students will be able to articulate the core concepts of competition law, such as antitrust principles, market dominance, and unfair trade practices. • Analyzing Regulatory Compliance: Students will be able to explain the importance of regulatory compliance and how competition law ensures fair and equitable market practices. • Application and interpretation: Students will develop the ability to interpret and apply competition laws in various contexts, including mergers and acquisitions, and market practices.
--	---

Teaching & Examination Scheme:

Credit	Lec	Lab	Tut	Internal Marks			External Marks		Passing Marks	Passing Marks	Total Marks
				T	P	CE	T	P	Internal	External	
4	4	-	-	30	-	10	60	-	16/40	24/60	40/100

MODULE	4. ALCPG1ECCL2 :INVESTMENT AND COMPETITION LAW	Weightage
MODULE 1	<p><u>Introduction:</u></p> <ul style="list-style-type: none"> • Meaning of Investment and Market; Nature and risk associated with investment; • Evolution of Investment and Bargaining Norms; <p><u>Securities and Exchange Board of India (SEBI):</u></p> <ul style="list-style-type: none"> • Securities and Exchange Board of India Act, 1992 (As amended by the International Financial Services Centers Authority Act, 2019 w.e.f. October 01, 2020) including The Securities and Exchange Board of India (Amendment) Act, 2013 & The Securities Laws (Amendment) Act, 2014: Need, Importance, Objectives; • Definition, Concept, Key features of the Act and Amendments; Organizational Structure of SEBI, Powers and Functions of SEBI; • Securities Appellate Tribunal (SAT); • Judicial Responses 	25%



Anand Law College
(An Autonomous Institute, Under UGC Regulation 2023)
Managed by Shri Ramkrishna Seva Mandal
SRKSM Campus, Near Electric Grid, Anand, Gujarat
(Affiliated to S. P. University & Approved by BCI, New Delhi)
NAAC Accredited, 'B++' Grade, CGPA 2.97 - 1st Cycle



MODULE 2	Depositories Act, 1996 (as amended by the International Financial Services Centers Authority Act, 2019 w.e.f. October 01, 2020): <ul style="list-style-type: none">• Need, Importance, Objectives;• Definition, Concept, Key features of the Act;• Judicial Responses;	25%
MODULE 3	Fundamentals of Competition Law: <ul style="list-style-type: none">• Need, Importance, Objectives;• Definition, Concept, Key features for Enactment of the Act;• Rationale behind Competition Law;• Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of the Constitution of India);• Relation between Competition Policy and Competition Law;• Economic analysis of Competition Law Historical Development of Competition Law: <ul style="list-style-type: none">• History and Development of Competition Law / Antitrust Law;• Development of Competition Laws in U.S.A., U.K. and E.U.;• Sachar Committee Report, Raghavan Committee Report;• Salient Features of the Monopolies And Restrictive Trade Practices Act, (MRTP) 1969;• The Competition Act, 2002 differentiated with the MRTP Act, 1969;• Judicial Responses;	25%
MODULE 4	<u>Competition Commission of India:</u> <ul style="list-style-type: none">• Abuse of Dominant Position and Regulation of Combinations;• Duties, Powers and Functions of Commission; Duties of Director General;• Penalties; Appellate Tribunal; Miscellaneous;• Judicial Responses; <u>The Competition (Amendment) Act, 2023;</u> <u>Interface of Competition Law with other Laws:(Basic Concepts and Emerging Issues)</u> <ul style="list-style-type: none">• Intellectual Property Rights and Competition Law;	25%



Anand Law College
(An Autonomous Institute, Under UGC Regulation 2023)
Managed by Shri Ramkrishna Seva Mandal
SRKSM Campus, Near Electric Grid, Anand, Gujarat
(Affiliated to S. P. University & Approved by BCI, New Delhi)
NAAC Accredited, 'B++' Grade, CGPA 2.97 - 1st Cycle



	<ul style="list-style-type: none">• International Trade and Competition Law;• Consumer Law and Competition Law;• Judicial Responses;	
--	--	--

LEADING CASES:

- 1) Bharti Airtel Ltd. v. Reliance Industries Ltd. 2017 SCC OnLine CCI 25.
- 2) Competition Commission of India v. Bharti Airtel Limited And Others, Civil Appellate Jurisdiction, Civil Appeal No(s). 11843 of 2018, 2019 SC
- 3) C.C.I. v. Steel Authority of India Ltd. (2010) 10 SCC 744
- 4) Excel Crop Care Limited v. Competition Commission of India and Another AIR 2017 SC 2734.
- 5) Fast Track Call Cab (P) Ltd. v. ANI Technologies (P) Ltd. 2017 SCC OnLine CCI 36.
- 6) Fix Enterprise Solutions India Pvt. Ltd. v. Hyundai Motor India Ltd., 2017 SCC Online CCI 26
- 7) Harshita Chawla v. WhatsApp, 2020 SCC Online CCI 32, decided on 18-08-2020
- 8) MCX Stock Exchange Ltd. v. National Stock Exchange of India Ltd. 2011 SCC Online CCI 52.
- 9) Rajasthan Cylinders and Containers Ltd v Union of India & Anr., SC, Civil Appellate Jurisdiction, Civil Appeal No. 3546 of 2014, Decided on 01 Oct., 2018
- 10) Ramakant Kini v. Dr. L.H. Hiranandani Hospital, 2014 SCC OnLine CCI 17
- 11) Samir Agrawal v. ANI Technologies Pvt. Ltd., 2018 SCC OnLine CCI 86
- 12) Transparent Energy Systems (P) Ltd. v. TECPRO Systems Ltd. 2013 SCC OnLine CCI 42.
- 13) Uber (India) Systems (P) Ltd. v. CCI, (2019) 8 SCC 697.

SUGGESTED READINGS*:

- Abir Roy, Competition Law in India: A Practical Guide, Kluwer Law International B. V., 2016.
- Alison Jones, Brenda Sufrin, EU Competition Law: Text, Cases, and Materials, Oxford University Press, 6th ed, 2016.
- Avtar Singh, Competition Law, Eastern Book Company, 1st ed, 2012.
- Barry Rodger, Angus MacCulloch, Competition Law and Policy in the EU and U.K., Routledge, 5th ed, 2104.
- Competition Act, 2002 (Principles And Practices) by Professor (Dr.) V. K. Agarwal, 2nd Edition 2019, Bharat Law House Pvt. Ltd.
- Kirsty Middleton, Barry Rodger, Angus MacCulloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2nd ed, 2009.
- Maher M. Dabbah, International and Comparative Competition Law, Cambridge University Press, 2010.



Anand Law College
(An Autonomous Institute, Under UGC Regulation 2023)
Managed by Shri Ramkrishna Seva Mandal
SRKSM Campus, Near Electric Grid, Anand, Gujarat
(Affiliated to S. P. University & Approved by BCI, New Delhi)
NAAC Accredited, 'B++' Grade, CGPA 2.97 - 1st Cycle



- Monopolies And Restrictive Trade Practices Act, 1969
- Richard Whish and David Bailey, Competition Law, Oxford University Press, 9th ed, 2018.
- Srinivasan Parthasarathy, Competition Law in India, Kluwer Law International B.V., 2017.
- Suzanne Rab, Indian Competition Law: An International Perspective;; CCH - A Wolters
 - Kluwer Business, 2012
- T. Ramappa, Competition Law in India: Policy, Issues, and Developments, Oxford University Press, 2014.
- Textbook on Indian Competition Law by VershaVahini, 1st edition August 2020, LexisNexis
- The Competition Act, 2002
- Vinod Dhall, Competition Law Today, Oxford University Press. 2nd ed, 2019.
- Securities and Exchange Board of India Act, 1992 (As amended by the International Financial Services Centers Authority Act, 2019 w.e.f. October 01, 2020) including The Securities and Exchange Board of India (Amendment) Act, 2013 & The Securities Laws (Amendment) Act, 2014; Depositories Act, 1996 (as amended by the International Financial Services Centers Authority Act, 2019 w.e.f. October 01, 2020) available at: