

SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)
JAMIA HAMDARD, NEW DELHI
End Semester Theory Examination, May/June 2024
B.A.LL.B. IV Semester
Consumer and Competition laws (B.A.LL.B –403)

Time : 3 Hours

Maximum Marks-60

Instructions

- I. Write your Roll Number on the top immediately on receipt of this question paper.
- II. Attempt five questions selecting one from each Unit. All questions carry equal marks.

Unit -I (12 marks)

1. Examine the role and powers of the Central Consumer Protection Authority (CCPA) as established by the Consumer Protection Act, 2019. Discuss how the CCPA addresses issues related to unfair trade practices, false or misleading advertisements, and the overall enforcement of consumer rights.

OR

2. Who is a consumer? Explain the rights and responsibilities of a consumer.

Unit-II (12 marks)

3. Compare and contrast the roles, functions, and powers of the Consumer Dispute Redressal Commissions (CDRC) and the Consumer Protection Councils (CPC) as established by the Consumer Protection Act, 2019. Discuss how each entity contributes to the protection of consumer rights and the mechanisms they employ to address consumer grievances.

OR

4. What are the measures taken in the Consumer Protection Act, 2019 to prevent unfair trade practices? Discuss in detail.

Unit- III (12 marks)

5. Discuss the essential challenge raised in the Brahm Dutt case regarding the appointment of members to the Competition Commission of India (CCI). Why did the petitioner argue that the Chairman of the Commission should necessarily be a retired Chief Justice or Judge of the Supreme Court or High

Court? How did the Court address this issue in the context of the doctrine of separation of powers?

OR

6. Describe the evolution of competition law in India, highlighting the key legislative milestones from the Monopolies and Restrictive Trade Practices Act (MRTP) of 1969 to the enactment of the Competition Act, 2002. Discuss the historical context and the role these acts played in shaping India's economic liberalization and controlling unfair trade practices

Unit -IV (12 marks)

7. What are anti- competitive agreements? Discuss the various types of anti-competitive agreements prohibited under Competition Act, 2002.

OR

8. Discuss the key findings and implications of the *Belaire Owner's Association v DLF Limited Haryana Urban Development Authority Department of Town and Country Planning, State of Haryana, 104 CLA 398(CCI 2011)* in relation to abuse of dominant position by DLF Ltd. What were the unfair conditions imposed by DLF in their apartment buyers' agreement, and how did the Competition Commission of India (CCI) address this issue?

Unit-V (12 marks)

9. Discuss the powers and functions of Competition Commission of India. What penalties can the Commission impose on failure to comply with its order in cases of anti- competitive agreements, abuse of dominance and combination.

OR

10. Define competition advocacy and its significance in contemporary competition law. How does Section 49 of the Competition Act, 2002, mandate the CCI to promote a competitive environment for economic activities?
