Course title: Competition Law and Policy			
Course code	**No. of credits:** 2	**L-T-P distribution: 22** – 0 - 12	**Learning hours:** 28
Pre-requisite course code and title (if any): Infrastructure Law and Policy (MPL 157)			
Faculty	**Department of Policy Studies (Centre for Postgraduate Legal Studies)**		
Course coordinator (s) Dr Manini Syali	**Course instructor (s)** Dr Manini Syali		
Contact details- manini.syali@terisas.ac.in			
Course type	Elective		
Course offered in	Semester 2		

Course Description

Competition law is aimed at protecting the process of competition within the market. Since the nineties, almost all developing countries have enacted competition laws in the lines of the laws of developed countries. This course is an attempt to address some of the issues in competition law that is of interest to countries like India. This course builds on the basic course on *Competition law* at the undergraduate level and the *Infrastructure Law and Policy* course offered in the I Semester.

Course objectives

1. To understand the need and rationale for competition law from a developmental perspective.
2. To critically examine some of the crucial issues like the interface with IPR laws, regulatory laws, environmental laws, and public procurement laws.
3. To critically analyse the emerging international competition law and its impact on developing countries.

Course content	**L**	**T**	**P**
Module 1: Introduction	**10**		**0**
Objectives of competition law and policy – Basic concepts: relevant market, anti-competitive agreements, abuse of dominant position and anti-competitive combinations – Evolution of Indian competition law Emerging International Competition Law – Extraterritorial application – WTO agreements - FTAs			
Module 2: Competition Law and Regulation	**4**		**4**
Role of sectoral regulators in competition issues – case studies of infrastructure sector			
Module 3: Competition Law and IPRs	**4**		**4**
Objectives: complimentary or contradictory? – Competition law remedies for IPR abuses: compulsory licensing – TRIPS provisions			
Module 4: Competition Law and other Government Policies	**4**		**4**
Competition law and public procurement – methods of public procurement – bid rigging, collusive bidding and cartelization Competition law and environmental policy – impact of environmental			

policy on competition: barriers to entry, collusion – Types of governmental interventions and its impact on competition Competition law and labour law – freedom of association and collective bargaining			
Total	**22**	**0**	**12**

Evaluation criteria

- Class participation : 10
- Term Paper : 25
- Presentations : 25
- Major Test : 40

Learning outcomes

By the end of the course, it is expected that the students would have:

1. Acquired a critical understanding of competition law and its impact on developing countries like India
2. Acquired the skills to contribute to the academic literature on competition law in the form of position papers, review articles etc.

Pedagogical approach

Predominantly based on classroom teaching. In addition, role play and moot courts will be used. A lot of emphasis will be given on self-study. For this, study materials for each module will be circulated in advance.

Materials

Suggested Readings

1. Kumar, A. (2007), *The Evolution of Competition Law in India*, in Vinod Dhall (ed.), Dhall, Vinod (ed.), *Competition Law Today: Concepts, Issues, and the Law in Practice*, New Delhi: Oxford University Press.
2. Government of India (2000), *Report of the High-Level Committee on Competition Policy and Law*
3. Singh, A. (1999*), Competition Policy, Development and Developing Countries*, South Centre
4. Sands, Philippe *et.al.* (2012), *Principles of International Environmental Law*, Third Edition, Cambridge: Cambridge University Press. Ch. 19.
5. Gallego, Beatriz C. (2010), ―Intellectual Property Rights and Competition Policy, in Correa, Carlos M. (Ed.) *Research Handbook on the Protection of Intellectual Property under WTO Rules: Intellectual Property in the WTO*, Volume I, Cheltenham: Edward Elgar.
6. Korah, Valentine (2007), ―Competition Law and Intellectual Property Rights, in Dhall, Vinod (ed.), *Competition Law Today: Concepts, Issues, and the Law in Practice*, New Delhi: Oxford University Press.
7. Mazhuvanchery, Shiju (2010), "Indian Competition Act: A Historical and Developmental Perspective", *The Law and Development Review*, Vol. 3, No. 2, Article 8.
8. OECD (2006), *Environmental Regulation and Competition*, OECD Policy

Roundtables, available at https://www.oecd.org/daf/competition/1920007.pdf
9. Nordic Competition Authorities (2010), *Competition Policy and Green Growth: Interactions and Challenges*, available at http://en.samkeppni.is/media/skyrslur-2010/competition_policy_and_green_growth_final_version.pdf
10. Rubiano, Camilo (2013), *Collective Bargaining and Competition Law: A Comparative Study on the Media, Arts and the Entertainment Sectors*, available at https://www.fim-musicians.org/wp-content/uploads/fim_study_competition.pdf
11. Vagstad, S. (1995), *Promoting fair competition in public procurement*, Journal of Public Economics, 58 (2), 283-307
12. Noonan, Chris (2008), The Emerging Principles of International Competition Law, Oxford: Oxford University Press.
13. Taylor, Martyn D. (2006), International Competition Law, Cambridge: Cambridge University Press.

Additional information (if any)

Student responsibilities

Course Reviewers:

1. Dr. Nitya Nanda, Fellow, TERI, New Delhi.
2. Prof. Bindu Ronald, Professor, Symbiosis Law School, Pune.