

**NATIONAL LAW UNIVERSITY, JODHPUR**

End Term Examination August-December 2025

Semester UG VII<sup>th</sup>

Subject: Competition Law (Honours)

**Time: Three Hours**

**Marks: 100**

**Instructions:**

1. The question paper contains six (06) questions out of which the student must attempt any five (05).
2. Students must start each answer by clearly identifying to which question they are responding.
3. No materials, aids and instruments are permitted in this examination.
4. All questions carry equal marks.

- Q.1) The contemporary global debate in competition law on regulatory approach exposes a profound tension between *price-consumer welfare* paradigm of Chicago School and Neo-Brandeisian emphasis on *value pluralism* that advocates for infusion of democracy, diversity and inclusivity in competition regulation. Critically examine this tension and evaluate whether value-pluralistic approach risks regulatory certainty by expanding the goals of competition law beyond economic efficiency. (Marks: 20)
- Q.2) Examine, with the help of decided cases, the advent of “*Rule of Reason*” under section 1 and section 2 of Sherman Act, 1890 and analyse why the courts rejected the adoption of common law “*Doctrine of Reasonableness*” as a test of restraint of trade. (Marks: 20)
- Q.3) Assessment of market power and delineation of relevant market are critical yet controversial steps in competition and merger regulation. The last decade has witnessed tremendous developments in this area through advent of new tools which challenge and expose limitation of conventional methods like SSNIP. Highlighting the attributes of SSNIP, comment on its exposed “fallacies” and its much discussed new avatar-SSNDQ. (Marks: 20)
- Q.4) Examine the utility of Herfindahl-Hirschman Index (HHI) test in regulation of combinations by competition authorities. How has the Competition Commission of India fixed various regulatory tolerance levels under the test for its application in merger cases? (Marks: 20)
- Q.5) Critically evaluate whether the current competition law in India is able to adequately address the concerns of predatory pricing in digital and multi-sided platform markets. Whether the conventional tests of ‘*below-pricing cost*’ and ‘*recoupment of losses*’ continue to remain relevant in platform markets with zero-price models? (Marks: 20)

Q.6) Write short notes on:

- a. *Rule of Reason* under Indian Competition law
- b. Test of Control under Combinations

(Marks: 10 \* 2= 20)

