



FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B. IX th Semester

SUBJECT: COMPETITION LAW

SUBJECT CODE: BAL 901

Name of Faculty: Dr. Aijaj Ahmed Raj

LECTURE 33

TOPIC: DISTRIBUTION OF BUSINESS AMONGST COMMISSION AND BENCHES

By Dr. Aijaj Ahmed Raj

Distribution of business amongst commission and benches is provided under Section 23 of the Competition Act, 2002. The Section provides as under:

23. Distribution of business of Commission amongst Benches. -

1. Where any Benches are constituted, the Chairperson may, from time to time, by order, make provisions as to the distribution of the business of the Commission amongst the Benches and specify the matters, which may be dealt with by each Bench.
2. If any question arises as to whether any matter falls within the purview of the business allocated to a Bench, the decision of the Chairperson thereon shall be final.
3. The Chairperson may-
 - a. transfer a Member from one Bench to another Bench; or
 - b. authorise the Members of one Bench to discharge also the functions of the Members of other Bench: Provided that the Chairperson shall transfer, with the prior approval of the Central Government, a Member from one Bench situated in one city to another Bench situated in another city.
4. The Chairperson may, for the purpose of securing that any case or matter which, having regard to the nature of the questions involved, requires or is required in his opinion or under the rules made by the Central Government in this behalf, to

be decided by a Bench composed of more than two Members, issue such general or special orders as he may deem fit.

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Exercise:

1. Which section of the Competition Act, 2002 provides for distribution of business amongst Commission and benches?
 - a) Section 23
 - b) Section 24

- c) Section 25
- d) Section 26

2. Who may transfer a member from one bench to another?

- a) Chairperson, CCI
- b) Secretary, CCI
- c) Senior Most Member, CCI
- d) Director General, CCI

3. Members of one Bench may discharge also the functions of the Members of other Bench on the direction of the Chairperson, CCI

- a) True
- b) False

4. CCI works under the guidelines of Supreme Court

- a) True
- b) False

5. It is mandatory for a firm proposing to combine to notify the CCI

- a) True
- b) False