



FACULTY OF JURIDICAL SCIENCES

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

Semester

SUBJECT: COMPETITION LAW

SUBJECT CODE: BBL 901

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LECTURE 29

TOPIC: ESTABLISHMENT AND COMPOSITION OF THE COMPETITION COMMISSION OF INDIA

Chapter III of the Competition Act, 2002 provides for the establishment of Competition Commission of India (CCI). Section 7 of the Competition Act, 2002 provides for the establishment of the CCI.

Establishment of Commission

7. (1) With effect from such date as the Central Government may, by notification, appoint, there shall be established, for the purposes of this Act, a Commission to be called the "Competition Commission of India".

(2) The Commission shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued.

(3) The head office of the Commission shall be at such place as the Central Government may decide from time to time.

(4) The Commission may establish offices at other places in India.

According to the Act, the Commission shall comprise of Chairperson and not less than two and not more than six other members to be appointed by the Central Government.

The statutory provision further entails that the Chairperson and other members of the Commission shall possess special knowledge and professional experience of not less

than 15 years in international trade, economics, business, commerce, law, finance, accountancy etc.

Under the provisions of the Act, the Chairperson and other Members shall be selected in the manner and in accordance to the Rules prescribed by the Central Government.

Exercise:

1. CCI shall not initiate any inquiry relating to acquisition referred to in clause (a) of Section 5 of Competition Act whether such a combination has caused or is likely to cause an appreciable adverse effect on Competition after the expiry of _____ from date of such combination
 - a) Two years
 - b) 3 years
 - c) 6 months
 - d) one year

2. Who shall notify the wholesale price index or fluctuations in exchange rate of rupees of foreign currencies?
 - a) Finance Ministry, GOI
 - b) Law Secretary, GOI
 - c) CCI
 - d) Union Government

3. Reference to CCI by statutory authority can be made
 - a) On the instance of party
 - b) Suo Motu
 - c) Both a & b
 - d) None of these

4. On a reference to CCI by statutory authority, the Commission shall give its opinion within _____ of receipt of such reference

- a) Six months
- b) one month
- c) Sixty days
- d) Ninety days

5. The CCI may make a reference to a statutory authority

- a) On the instance of party
- b) Suo motu
- c) Both a & b
- d) None of these