

PREFACE

Adherence to a belief in the market economy has led many countries around the world including India to adopt competition laws aimed at preserving and protecting the competitive process and regulating the behaviour of firms as they compete on the market. The competition rules of the European Union have been in force for the last fifty years. In this time the impact of the rules on the conduct of business has increased enormously and competition laws has become a major area of legal practice. In the Indian context the competition laws has taken over the reins from the MRTP Act,1969 and the Competition Act has been recently notified in 2009. The objective of this thesis is to provide an analytical approach of the working of competition laws in Europe and India. The thesis includes the research from main European Community and Indian competition law rules and traces the development of the law from relevant legislation, cases and broad range of other literature which includes the material written by the European Commission, lawyers, economists and competition officials.

Competition law is a dynamic, evolving subject that has been developing at such a rate that anyone researching in the field is presented with almost insuperable difficulties. The pace of change in the last couple of years in Europe particular with the reform of the law on vertical restraints, non horizontal mergers, white paper on damages actions, introduction of new cartel procedures, guidance paper on the Commission's enforcement priorities in applying Article 82 now renamed as Article 102 to abusive exclusionary conduct by dominant undertakings and the coming into force of modernization regulation has been breathtaking.