

people who own it are Indians but still they are carrying on foreign names. In any case, are we feeling that we cannot ever compete with foreign names? Shouldn't it be that we improve our products so that Indian names are respected as much as foreign names?

SHRI SRIKANTA JENA: Sir, I could not follow the question exactly.

SARDAR JAGJIT SINGH AURORA: The question is to support the view that there is no need to get upset about it

SHRI SRIKANTA JENA: I fully agree with it.

श्री प्रमोद महाजन: हाई ब्रीड भाषा हेती तो समझ जाते।

SHRI SRIKANTA JENA: Sir, at one time, a large number of foreign companies were operating in this country and many of them have diluted their foreign share holding because of enforcement of FERA. These companies are Cadburys, Nestle, Exide, etc. These types of companies were there and those names are already there.

SHRI DINESHBHAI TRIVEDI: Mr. Chairman, Sir, I would like to know from the hon. Minister this thing. There is the existing law that we will encourage Indian brand names and the foreign brand names will not be encouraged. I would like to know whether there is any compulsion that unless and until Pepsi word is not used, they will not come and have the collaboration. Secondly, do we have any such restriction as far as the brand symbol is concerned?

SHRI SRIKANTA JENA: There is no such restriction.

SHRI DINESHBHAI TRIVEDI: The first part of my question has not been answered.

Does the Government have any compulsion while signing the agreement?

SHRI SRIKANTA JENA: There is no compulsion.

### FICCI President's demand for modifying the MRTP Act

\*366. SHRI SURESH PACHOURI:†  
SHRI MURLIDHAR CHAND-  
RAKANT BHANDARE:

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government's attention has been drawn to the statement made by the President of the Federation of Indian Chambers of Commerce & Industry as reported in the Indian Express of the 14th May, 1990 to the effect that MRTP Act has lost its relevance in the changed circumstances;

(b) if so, what is his precise demand regarding modification in the MRTP Act; and

(c) what is Government's reaction thereto?

THE MINISTER OF STATE IN THE DEPARTMENT OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES IN THE MINISTRY OF INDUSTRY (SHRI SRIKANTA JENA): (a) to (c) A Statement is laid on the Table of the House

### Statement

(a) Yes Sir.

(b) Federation of Indian Chamber of Commerce and Industry (FICCI) has made the following major suggestions for changes in the MRTP Act, 1969:—

(i) MRTP undertakings should be re-defined in terms of the share of the market and not on the value of assets as the assets criterion has lost its relevance in the present context;

(ii) Sections 21 and 22 of the MRTP Act, 1969 relating to substantial expansion and establishment of new undertakings are totally out

†The question was actually asked on the floor of the House by Shri Suresh Pachouri

of place and should be deleted;

(iii) It is necessary to narrow down the scope of the definitions of "interconnected undertakings", "group", "associated persons" and "relative".

(iv) The procedure for de-registration of the MRTP companies and the prescription of time limit of 60 days for grant of de-registration certificate should be simplified;

(v) The present restriction and transfer of shares within the same group should be withdrawn and multiplicity of approvals under various sections of the MRTP Act should be avoided.

(c) The suggestions made by FICCI have been noted by the Government. However, at present, there is no proposal under consideration of the Government to amend the MRTP Act, 1969.

**श्री सुरेश पचौरी:** माननीय सभापति जी, "फिक्की" के चेयरमैन ने कुछ सुझाव एम०आर०टी०पी० ऐक्ट, 69 को ग्रेथ ओरियेंटेड बनाने के लिये दिये और इसी तरह के सुझाव 1978 में सचर कमिटी ने तत्कालीन सरकार के समक्ष प्रस्तुत किये थे, जो नामंजूर कर दिये गये। मान्यवर, मैं आपके माध्यम से जानना चाहता हूँ कि इन महत्वपूर्ण सुझावों पर, जो "फिक्की" के चेयरमैन ने सरकार के सामने प्रस्तुत किये हैं, सरकार की क्या प्रतिक्रिया है? क्या भविष्य में सरकार इन पर विचार करेगी? साथ ही एसोसियेटेड चेंबर आफ कामर्स एंड इंडस्ट्री की एक वर्कशॉप नवंबर 1989 में दिल्ली में हुई थी। जिसमें यह मांग की गई थी कि एम०आर०टी०पी० ऐक्ट, 69 को पब्लिक सेक्टर मैनुफैक्चर के लिये अप्लीकेबल होना चाहिये। क्या यह सरकार की जानकारी में है और यदि हां, तो सरकार इस पर क्या कार्यवाही करने जा रही है?

**SHRI SRIKANTA JENA:** Sir, as regard the FICCI's suggestions, the Government have noted their suggestions. However, at present there is no proposal under consideration of the Government to amend the MRTP Act.

**SHRI SURESH PACHOURI:** What about the Associated Chambers of Commerce and Industries Workshop

which took place in the country in November, 1989?

**SHRI SRIKANTA JENA:** Sir, I have stated that the Government have taken note of all the suggestions that have come.

**श्री सुरेश पचौरी:** मान्यवर, मंत्री जी ने अपने उत्तर में बताया कि "फिक्की" ने जो सिफारिश की है उसके अनुसार बिन्दु 2 में यह दर्शाया गया है कि एम०आर०टी०पी० ऐक्ट 69 के सेक्शन 21 और 22 असंगत हैं और इनको हटाना चाहिये। मगर मेरी अपनी जानकारी के हिसाब से "फिक्की" के चेयरमैन ने यह भी सिफारिश की है कि सेक्शन 21 और 22 के अलावा सेक्शन 23 भी असंगत है और उसको हटाये जाने की सिफारिश की है। लेकिन इसका उल्लेख मंत्री जी ने अपने उत्तर में नहीं किया है। दूसरा मेरा प्रश्न यह है कि मंत्री जी क्या यह बताने की कृपा करेंगे कि कुछ उद्योग घरानों को एम०आर०टी०पी० ऐक्ट, 69 के सेक्शन 21 की परव्यू से मुक्त किया गया है। यदि हां, तो ऐसे वे कौन-कौन से उद्योग घराने हैं?

**SHRI SRIKANTA JENA:** Sir, I have clearly stated that the Government is not going to dilute the thrust of the MRTP Act. And whatever suggestions have been made, the Government has taken note of these. And at the moment the Government is not thinking to change anything in the MRTP Act.

**SHRI MURLIDHAR CHANDRAKANT BHANDARE:** Sir, two decades is a convenient period to go into the assessment of working of an Act which is inextricably linked up with growth, production and economic justice. Sir, apart from the changes, there seems to be a considerable basis in the criticism that there is gross delay even in operating this Act. For example, the Chairman has not been appointed since December, 1989. That vacancy is there for the last six months. And it has paralysed the whole work of the MRTP. Every day's delay—I don't have to give the figures—results in gross loss of production and also man-days and also loss of jobs, particularly when the Government is saying that right to work should be a fundamental right, and rightly so. Therefore, may I ask the hon. Minister as to whether the Government has made its

own assessment on the working of this Act and what steps has it suggested for removing the delay, including the filling up of the vacancy of the Chairman?

**SHRI SRIKANTA JENA:** Sir, certain recommendations were made by a high-powered committee, popularly known as the Sachar Committee. The recommendations were made in 1978 for amendment to the MRTP Act. Most of the recommendations of the Committee have since been implemented by the Amendment Acts of 1982 and 1984. Sir, the Government is not going to dilute the thrust, the basic genesis of this Act. And in any trade or any business, we will not allow any liberalisation to give any Company any monopoly. And that is the thrust of this Act. And at the moment the Government is not going to dilute this Act.

**SHRI MURLIDHAR CHANDRAKANT BHANDARE:** What about delay? Eliminate the delays.

**SHRI SRIKANTA JENA:** Delay means, Sir, the whole thing is in the procedure. You know the bureaucratic delays are there. But we are trying our best not to make any bureaucratic delay.

**SHRI S.B. CHAVAN:** Sir, there are two very simple clarifications which I would like to seek from the hon. Minister. One is about the necessity to increase our exports and updating the technology if it is outdated. If the MRTP Act comes in the way of export promotion or for moderation of the industry with a view to introducing the new technology, are there any considerations which the Government has in view with a view to see that both these aspects are not being hampered by the MRTP provisions?

**SHRI SRIKANTA JENA:** Sir, the MRTP Act does not stand in the way of export at any time.

**SHRI SUBRAMANIAN SWAMY:** Sir, I must say it is disappointing to hear the Minister say that they will not consider any changes in the MRTP Act.

Sir, at the moment the MRTP Commission can take cognizance only when the Government refers the case to the Commission. I want to know (a) whether the Government is prepared to amend the Act so that the Commission can *suo moto* take notice where violations are taking place or dangers of monopoly are there, and (b) by which date the Chairman of the Commission would be appointed.

**SHRI SRIKANTA JENA:** Sir, about the appointment of the Chairman, at the moment, I cannot say the exact date. And I think Swamiji will agree with me, as I have clearly said that the thrust of the MRTP Act should not be diluted at any point of time. That is why, the Government is not going to dilute this.

**SHRI SUBRAMANIAN SWAMY:** Sir, that was not my question. What I asked was this. At the moment, the Government has to refer cases to the MRTP Commission. I wanted to know whether the Government would consider empowering the Commission to take notice, *suo moto*, of such violations.

**SHRI SRIKANTA JENA:** The commission can take cognizance, *suo moto*. The provision is there.

**MR. CHAIRMAN:** Such a provision is there? Good. Question No. 367.

**Concessional import duty benefit to Hindustan Photo Film Manufacturing Company Limited for import of Jumbo rolls**

\*367. **SHRI PRAVAT KUMAR SAMANTARAY:** Will the Minister of INDUSTRY be pleased to state how the Hindustan Photo Film Manufacturing Company Limited is enjoying concessional import duty benefit for import of Jumbo Rolls under Notifications No. 252/88 of the 16th September, 1988 and No. 216/88 of the 7th July, 1988, when no specific licence has been issued to it for slitting and confectioning of photo-sensitised material from jumbo rolls?

**THE MINISTER OF STATE IN THE DEPARTMENT OF SMALL SCALE**