

Prof C. Lakshmanna

Another point is about the delay in flights. Yesterday, all the flights in the evening from the Airbus terminal were delayed by two to five hours. When a flight is delayed, they may not be able to tell us exactly how much delay will be there. But they can be realistic and reasonable. The flight had to come from Bombay and to Bombay it had to come from elsewhere; the problem was and they could calculate the probable magnitude of the delay. What they do is otherwise. First they will announce one hour delay or half an hour delay; then two hour's delay; then add another half an hour and then two hours. It appears as if they want to save at the cost of the passengers. Under the rules, if delay takes place, the passengers have to be looked after. If they have to go somewhere and come back, even the taxi fare has to be given as per the rules. But they keep the passengers in ignorance so that they will not be able to take advantage of even this small facility to which they are entitled. Yesterday, a flight had to leave for Hyderabad and Madras at 8.20. Even at 12.25 my wife, who was to travel by that flight, phoned from the airport that they were just announcing security arrangements. She was not very sure when the flight would leave. What happens if people go by these flights in the late hours? They reach their places at 2 or 3 o'clock. They are put to untold miseries. Transport will not be available. They cannot reach their places. Nor can they stay in the airport, especially if it is winter. Also, those who have to receive them are in perpetual anxiety. Those who send off are also in perpetual anxiety. That means the anxiety is three-fold.

In view of all these, I would like the Civil Aviation Ministry to present a white paper as to what specific, concrete, steps will be taken to reduce the possibility of accidents and to reduce delays in flights so that the travelling public in this country is

not put to the type of anguish which it is put to now. Thank you.

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): I am also worried now. I want to go by today's evening flight. I do not know whether it will reach in time or not.

SHRI P.K. KUNJACHEN (Kerala): Mr. Vice-Chairman. Sir, let me associate with him. He says it is a narrow escape. If the Air...

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): AU right. You want to associate. That is all.

SHRI P. K. KUNJACHEN: It is a very serious thing and the Government must take serious action on that.

SHRI KAMAL MORARKA (Rajasthan): Sir, I only wish to add this. In the light of the recent discussion about the Ahmedabad accident we had in this House and in the light of what happened yesterday, the special mention made by Prof. Lakshmanna is very very timely. The other House has accepted an adjournment motion on the subject. I wish to bring it to the notice of the Civil Aviation Minister, through you, Sir, that the entire maintenance of the Indian Airlines has to be put on a sound footing. It is not a question of enquiry. They will again say that they will enquire into the accident. Enquiry is after the accident. What we need is to prevent the accident from happening. That cannot be prevented till the entire management is revamped.

#### **MONOPOLIES AND RESTRICTIVE TRADE PRACTICES (AMENDMENT) BILL, 1988**

THE VICE-CHAIRMAN (SHRI B. SATYANARAYAN REDDY): Now, we will take up the Monopolies and Restrictive Trade Practices (Amendment) Bill, 1988. Shri J. Vengal Rao to move the motion.

THE MINISTER OF INDUSTRY (SHRI J. VENGAL RAO) Sir, I move:

"That the Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969, as passed by the Lok Sabha, be taken into consideration."

Sir, the Monopolies and Restrictive Trade Practices (Amendment) Bill, 1988, was passed by the Lok Sabha on 22nd November 1988 is now before this House for consideration. Section 22A of the Act empowers the Central Government to direct by a notification that all or any of the provisions of section 21 relating to substantial expansion of undertakings or section 22 relating to establishment of new undertakings shall not apply in relation to certain categories of proposals specified therein. Clause 2 of the Bill seeks to amend Section 22A so as to empower the Central Government to empower the Central Government to issue such notifications also in relation to proposals based totally on indigenously developed technology. As stated in the Objects and Reasons attached to the Bill, indigenously developed technology would include technology developed in India in the public or private sector or in national laboratories. In order to be technologically self-reliant it is necessary to encourage commercial exploitation of indigenous technology. The proposed amendment is a step in this direction.

Clause 3 of the Bill is intended to eliminate certain administrative difficulties in giving effect to the decision of the Central Government to revise the scales of pay and allowances of the Chairman and members of the Monopolies and Restrictive Trade Practices Commission, with retrospective effect, in the light of the revision of the Scales of pay of Central Government officers consequent upon the recommendations of the Fourth Pay Commission

I now request that the House be pleased to take up the Bill as passed by the Lok Sabha for consideration and pass the same

The question was proposed.

SHRI KAMAL MORARKA (Rajasthan): Mr. Vice-Chairman, I rise not only to oppose the Bill that has been brought before this House today but to expose the hollowness of the objects and Reasons which the Minister has just placed before the House. Before I come to this point I will have to give a little background because this is the first legislation of its kind in this country which was brought forward in 1969. Mrs. Indira Gandhi, while dissolving the Lok Sabha in December 1970 and calling for midterm elections, addressed the nation on the radio and one of the achievements she claimed was that the Government had set up the Monopolies and Restrictive Trade Practices Commission to control the concentration of economic power which had got concentrated in a few hands, and to go forward on the road to democratic socialism. That was 1970. After its enactment this Act has already been amended a number of times. In November 1980 was the first amendment when they said that export production should be excluded from the purview of the total production taken because that does not affect the consumer, it goes out of the country. In April, 1982 there was an amendment which gave powers to the Government to exempt by notification industries which, in the opinion of the Government, are of high national priority, or where the Government feels that there is scope for export or if the industry is to be put in a free trade zone. That was in April 1982. That amendment by itself had signalled the dilution of the MRTP Act. In fact, the honeymoon with socialism had come to an end and after 1980 the Government had

LShri Karnal Morarka] already started on this new path of liberalisation and privatisation and there was a new vocabulary which is very much in fashion these days. In 1983 the Government again amended the Act purportedly based on the recommendations of the Sachar Committee, tee. I will show you within the course of my speech how the Government has ignored the major recommendations of the- Sachar Committee and accepted only those amendments which have suited this new role of liberation.

At the outset let me tell you that this Bill before the House is the last nail in the coffin of the MRTP Act, 1969. It would have been much more honest to bring a simple legislation saying that this House hereby repeals the MRTP Act, 1969. That would have been a much more honest way of doing what we are today being asked to do. The Minimum I expect from the Minister is that an economic legislation of such far-reaching consequences should be referred to a Select Committee. In this House and in the Lok Sabha also, from the time of Pandit Jawaharlal Nehru, there has been a very healthy practice that every complicated piece of legislation is referred to a select Committee. In recent times, the Government has given a total go-by to the system. Last year, both the Houses of Parliament passed the Direct Taxes (Amendment) Bill without

understanding the clauses and the Government and Parliament were embarrassed later because that cannot be implemented and it has to be amended. I am a saint. Therefore, my humble submission to the honourable Minister through you, Sir, is to refer even at this stage the Bill to a Select Com-

mittee in which there can be experts. There are eminent people on the Treasury Bench who have got a lot to say on this and I would be most happy to have their views. But, under the present system, they are unable to oppose the Bill and the Bill will go through.

First, we must understand what this legislation is. Unlike the Companies Act or the Income-Tax Act, which are Acts to regulate business, this Act was an Act meant to restrict a few business houses so that the others could be free therefore, today if you lift the restrictions on these business houses, it is not liberalisation, but it is restriction to the vast majority of small entrepreneurs. The phraseology itself is wrong and the impression created is as if they are loosening. No. We are allowing these powerful people to have a hold on the small entrepreneurs. That is what we are doing under this Act. So, the term 'liberalisation' indicates as if the Government is reducing its power. No. What we are doing is that a whole bunch of small and medium entrepreneurs will now be again open to the competition from these large houses which Mrs. Gandhi, in her wisdom, wanted to restrict through this Act. so, first we must understand what we are doing. Liberalising a restrictive Act is like asking for boiling ice; It is a contradictory term. You cannot liberalise the MRTP Act. The Monopolies and Restrictive Trade Practices Act can only be tightened or repealed. Liberalising that Act means negating it. We are acting against the Spirit of that Act.

Sir, the Act itself has two parts; one is concentration of economic power and the other is protection to the consumer. Let us now discuss about concentration of economic power. Firstly, the Government has got powers to exempt a whole list of industries or even undertakings from the purview of the Act. As a result of that power, under section 22A, the Government issued a notification in May, 1985, saying that such and such a list of industries shall be exempted from the purview of section 22A of the MRP Act. Now, what are those industries? Sir, these industries include everything from Pig iron to cement, to drugs, to fertilizers to pumps, to compressors, to machine tools etc.. come under 27 broad heads. A host of industries have been exempted

from the purview of this Act in May 1985, that is, after this Government came to power. Again, in December 1986, another notification has exempted a host of further industries from the purview of the MRTP Act. And, what are those industries? Shipping, hotel, paper, vanaspati, industrial machinery sponge iron, power equipment etc. and with certain restrictions that they have to be put up in backward areas even cycles bulbs, pressure cookers, sewing machines, tiles—all these have been already exempted from the purview of this Act even before the amendment that is before us now is passed. By what strength of imagination these industries can be called in industries of high national priority, only the Government can explain. But what I am trying to tell the House is that, as things stand today, this legislation also is nothing but a piece of paper. Frankly, it is an irritant in the sense that since the major industries are outside the purview, it is now one more hurdle in the hurdles race to put up an industry. Today, if a big house wants to put up an industry, the MRTP Commission is one more hurdle, one more nuisance, that it has to cross.

It has ceased to have a social purpose. It has ceased to have any control or any sort of restrictive objective. It is now one more octroi post which has to be cleared. With this background it is very clear that the prevention of concentration of economic power has ceased to be one of the objective of this Government. I do not wish to challenge, because it is their Government. They are free to make a policy. But I do except from them an honest enunciation of their policy. They cannot say We are against big business houses, we are against multinationals we are for socialist economy and then go ahead and dilute the Monopolies Act and allow Pepsi Cola to come in this country. This double talk is not good.

Now, the second part of the legislation is protection to consumers. In

their wisdom, the 1969 Act had precluded the Government Undertakings from the purview of this Act. As far as the concentration of economic power is concerned, the public sector cannot be in the same category. So we should exclude it. But when it comes to unfair trade practices, when it comes to restrictive trade practices, when it comes to consumers being protected, why should the Government Undertakings be exempted? The Sachar Committee in its Report has stated—I quote:

"There is no justification for exempting Government and Government controlled undertakings from the provisions relating to control and prohibition of monopolies and restrictive trade practices under the provisions relating to unfair trade practices being suggested. The beneficiary of monopoly legislation is the consumer. And it is only fair and reasonable that undertakings owned or controlled by the Government, should be subject to the same type of rigour and discipline as the private sector undertakings where the interests of the consumers are involved. .."

Now, Sir, this is the most important recommendation which has been ignored, with the result that today the consumer has no remedy against the Telephone Department, against the supply of cooking gas, against the water supply, against the electricity, which are all in the hands of the Government. Now, the Sachar Committee in its wisdom said that if we must have an Act to protect the consumer and if the Act is aimed at stopping the malpractices of big companies, for the purpose of protecting the consumer, there is no justification for excluding Government companies

[Shri Karnal Morarka]

which are responsible for major supply of day-to-day necessities.

What I would like to know from the hon. Minister is, having come forward with this Bill. Why have the Government not thought of revamping the entire Act? If they feel that between 1969 and 1988—19 years have passed and there is a sea-change in the corporate sector—the very concept of concentration of economic power under Cabinet decision or under their they want to change, by all do it; come forward and repeal this Act. But protection to consumers fully, they are not against that; please make it more genuine.

Now, here is a case where the Act" has two parts. Prevention of concentration of economic power has been totally diluted. Today's amendment says "local industries based on local technology shall be exempted. I do not understand, first of all the purpose of this amendment, because under section 22A they have the power to name any industry they have to decide whether it is high priority. So all the local technology industries they can include in that by notification. But they have brought forward the Act. What will happen, Sir? Supposing we need the big business, suppose we need high technology projects, we are not allowing them entry into the locally developed technology. That means, tomorrow the smallest project, the most insignificant project, also is now outside the purview of the MRTP Act. In other words, the very concept of monopoly capital, concentration of economic power, is a dead letter. I would expect the Government to come forward and say: yes, the concentration of economic power is no more a priority on our list; therefore, bring legislation and repeal it. If not, refer the present Bill to a Select Committee. Let the Select Committee go into the entire gamut of monopoly legislation not only

in this country but the anti-trust laws of the US. US is supposed to be a free economy. We always criticise it for being too much private sector-oriented. In the United States, it is much more difficult for big company to bully a small company because the anti-trust laws are very strict. If a big company takes away or copies the designs of a small company, they have to pay millions and millions of dollars in damages. In this country, a big company can just elbow out a small company, and the Government cannot do a thing because this Act has no teeth. If we have a Monopolies Act, if we have a Monopolies Commission with senior Judges, ex-Judges of the Supreme Court, please put teeth into the Act. Instead of dilution, what we need is changing the direction of this Act, giving it teeth, giving it power so that the strong man does not take advantage of the weak man. I see that not only the features which are necessary in the Bill but also the intention of the Government is totally missing. They have forgotten about the figures given in this House in this session itself. They have given figures of the growth of the 20 top Business Houses. Their assets are growing not in arithmetic progression any more; they are in geometric progression. How can it happen? In this country, nobody can put an industry without taking money from the Government which means the Government is giving them licence, the Government is giving them MRTP clearance, the Government is giving them the loan. If that is the policy of the Government, what is this sham? Why is the House, why are the people being subjected to this sham? There is a general impression and on the top of it the trade and industry is always shouting that, oh, the Monopolies Act is a big damper to our growth. Probably they are right because they know that whatever they want to put up, in any case, they put it up. Only it has a longer process, one more visit to the Kasturba Gandhi Marg or

wherever this Commission is situated, and another six months. If the country has to set up an industry, if the country has to give it to a big business house, let us have it faster, and employment will be generated faster. This Act is only serving the purpose of (a) delay, (b) further concentration of economic power, (c) discretion in the hand of the Government. This is what they always want because they can decide what is high priority. We have seen the high priority list. I just read out to the House. Everything from a sewing machine to a lantern, everything is high priority. Simply in one word they can say that all industries are exempt from the purview of this Act. Sir, I do not know what name to give to this kind of legislation. But we are just fooling ourselves. And I don't think that Parliament should be used as a forum to pass Acts which *initio* have no meaning except increasing the bureaucratic powers, bureaucratic paper work. And probably, till the election, the Government do not want to say but I don't think it is a secret any more because everybody knows, and even the oil refineries are being put up in the joint sector now. Even industries reserved for the Government are being now shared with the private sector. So, your 'u' turn in the policy should be openly reflected. A white Paper should be placed before the people giving the total new picture of Mr. Rajiv Gandhi's economic policy with all its features of liberalisation, privatisation, competition, high technology, 21st century, etc. us have that and let us have a debate on that. There is no use trying to flog a dead horse. Your MRTTP Act is a dead letter. I again request the Minister: Please do not pass this Bill. Please refer it to a Select Committee. Let us have a proper deliberation on it. not only to cover the Monopolies Act but also the other connected legislation.

Thank you. Sir.

(Amdt.) Bill, 1988

PROF. CHANDRESH P. THAKUR (Bihar): Mr. Vice-Chairman, Sir, I rise to support the Monopolies and Restrictive Trade Practices (Amendment) Bill, 1988. Sir, it is always a pleasure to listen to my young friend from the other side, Mr. Karnal Morar. ka.

Sir, while we are discussing this Amendment Bill, we are in the realm of reflecting on managing the economy. Macroeconomic and the instruments used for that purpose. More specifically, we are interested in discussing the relationship between the Government on the one hand and business and industry on the other. Let us accept one thing that no economy is static. It is not frozen, structurally and otherwise. Economic i evolve and move on to a newer path and require a corresponding change in the dispensation from the Government end. Notwithstanding that in the Indian context we wanted not only growth but we wanted a large visible and substantive social purpose lent to growth. It is precisely with the consideration that the Directive Principles of State Policy were framed in a particular way and subsequently when this Act was enacted, the very objectives of the basic Act alluded towards that, that is the promotion of certain directives under the Directive Principles of State Policy in the operational arena.

Now, if we look at the MRTTP and its working there are two areas, there are two parts and I agree with Mr. Morarka, one is the control of concentration and monopoly power in the larger macro economy of the country and the other part is the restrictive trade practices. But in the first part itself the concentration is more with regard to large and dominant industrial undertakings. We have a problem here. There is scope for a bolt of an ambivalence some what where we want growth and greater support to the growth impulses. We have to depend on such forces which possess the capability to do so based in their record. Nevertheless, they may

of. Chandresh P. Thakur] not be very vegetarian. They may ask for the approval of their own plans and precisely for that reason we want to let them contribution, but not without social purpose built around them. Now the whole discussion is around sections 21, 22 and 23 and more particularly section 22A which has been subsequently added. There is no denying the fact that the entry of the Government directly or indirectly in the economy arenas is due to the market failure or the lack of contribution of the market forces to promote the social purpose which any country of the Indian profile intends promoting. However, in the management of the economy after a certain number of years of growth that you begin to realise whether the instruments which you created are still having the same potency, are they still having the same effectiveness and the collapse or disfunctionality of the market forces consideration which prompted the creation of those instruments and persuaded the use of such instruments are still relevant for our needs.

My submission, Mr. Vice-Chairman, is that perhaps over the last several decades the way the economy has performed it has prompted the Government to have a look at it and see what in the changing circumstances, and keeping a prospective view in the intermediate range of the economy, needs to be done in order to accelerate the process of growth and yet not jeopardise the social and the target purpose that we want to blend with that. So, the basic concern that Mr. Morarka has, I agree with that. But in his interpretation or in his attempt to that exposure, there is scope for parting company with him. I will come to some of those aspects a little later. I am only hoping that you will be a little considerate with me for the time because this is the first time I am speaking in this session of the House.

Now, there has been a near chorus cry in this country that the Government regulations are stifling the growth of the economy, that the instruments of growth and control are becoming an end in itself rather than an instrument in the promotion of growth of business and industry with a social purpose. Now responding to such a pressure and in its own judgment after the examination of the realities of the economic life when the Government has gone ahead and taken certain steps, then you see the pendulum swinging on the other end and now it is, I mean devil quoting scriptures, Karnal Morarka crying in the name of socialism and that shows the tremendous persuasive power of the economic philosophy of the Congress Party and I think the party leaders must be given a pat...

SHRI H. HANUMANTHAPPA (Kar. nataka): Is it real?

PROF. CHANDRESH P. THAKUR: I do not know. He is a smiling person. Karnal Morarka I was with Mrs. Gandhi when this Act was passed. I was very much a part, Mr. Chandresh, and was in the forefront of the socialistic measures that were taken. So, there is no question of devil quoting scriptures. That shows that after her death, you changed the party instead of staying loyal to her.

Nevertheless, what we are tailing at this stage is, isn't there a time now to move from the control and regulation of the economy through non-physical 'instruments'? That is, you may have the same problems persisting in a certain measure but the medicine needs a change. If the diagnosis is revised and is adequately revised, prescription also must change, and that is precisely what is happening, that we are moving to a regime from physical to financial and fiscal control when we find that the current profile of the business and industry needs that kind of dispensation.

What we find is that our concern today is to promote productivity. Our concern today is to control costs through cost efficiency. Our concern

is to improve quality. We do want to modernise our economy and for that we want better technology. We want economy in the scale of operation at the unit level which, as a businessman, Mr. Morarka will agree. We also certainly want diffusion, a faster diffusion of the centres of growth and more so in the relatively backward areas or regions of the country. We also want exports because a developing economy cannot finance itself beyond a point unless our balance of payment situation through export promotion—not through import control—is also brought to a respectable level. Now if these are the concerns, and these are the legitimate concerns, and these are the concerns around which more or less there is a national consensus and this is where international body of experts also come to persuade us, then in that case the question arises do we not need a certain degree of discreet flexibility in the instruments of the Government? So far as the management of macro economy in general and support to and regulation of business and industry in particular is concerned, my submission is that we need accelerated economic growth and for that we need accelerated industrial growth, both in the secondary sector as well as in the tertiary sector, and if we look at the consistency in the Government policy, not within the framework of the MRTP alone but in a larger framework, and that has been the thrust and burden of the Government policy, whether it is delicensing, broadbanding, re-endorsement of the capacity or for the new units to require a minimum scale of operations for economic efficiency then they fall into a very logical consistent pattern of economic decision making and they are certainly supportive for the larger purpose within the contemporary and prospective reality of the economic life in this country.

However, having said that—that is in terms of the general support—I would be less than honest. Mr. Vice-Chairman, I did not draw the attention of the hon. Minister, a very

competent Minister who has seen things all his life very carefully, to certain aspects that whereas we have allowed a certain degree of openness or liberalisation or deregulation with a fond hope, with a certain degree of expectation from the business and industry to respond in the same spirit through its own contribution, then we have to ask the question how much business and industry growth under the liberalised position is being propelled by internal resources of business and industry itself? The question here is, how much is additional growth through internal resources versus the one which is coming from the term-ending institutions. It is in this context that I would like to draw the attention of the House to a particular guideline of the Reserve Bank of India with regard to non-banking financial institutions covered under MRTP Act, and how they should operate. Sir, the Government is trying to suggest that if you want the benefit of liberalisation, then come, get forward, and bring out your own internal resources; do not depend through direct or indirect channels on the public moneys because you are not going to have it both ways, liberalisation as well as access open ended to public funding as it was in the earlier period. I would like to suggest that on this consideration the Government needs to be a little more circumspect and probing in relation to the track record of business and industry which are the beneficiaries of this liberalisation policy.

Secondly, Mr. Vice-Chairman, what is the record of the beneficiaries of this policy in regard to cost efficiency? Are our products becoming less cost, right? Is the quality improving that fast? Are our consumers getting the benefit of this cost and quality improvement as well as the total flow of goods and services so far as their daily life is concerned? My submission is that if you look at all these parameters, whether it is price, which is the result of cost performance, or quality, or the availability of goods



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and services, the consumers have still to go a long way in regard to establishing their right, if not substantially, even somewhat more than marginally.

Thirdly, if liberalisation is in the name of export promotion, I am sorry to say that the track record of the dominant and large enterprises is dis. mal. It is a fact of life. It is a statistical data that most of the contribution in the export sector has been from the medium and small units rather than from the primary beneficiaries of liberalisation in this country. Perhaps, a little bit of additional, supplementary, measure will have to be thought of in order to see that exports are promoted as a result of contribution by large and dominant business houses which are going to benefit from the liberalisation.

More particularly, Mr. Vice-Chairman, what do we see when we look at the track record of the so called hundred per cent export-oriented units?

[THE VICE-CHAIRMAN (Shri H. Hanumanthappa) in the Chair: Now, these units have been more in the nature of units claiming and getting subsidies and support from the Government than serving the purpose for which they were created. I had run into the data in regard to their performance and the more we see the less we discover so far as their export performance is concerned. As a result of this, they come back again and say 'We are not performing well and, therefore, we want one more concession; we want one more facility'. Therefore, there is kind of a puzzle here that you create hundred per cent export-oriented units and yet you discover that they are not performing. They come back with more requests for additional support in order to let them survive despite their managerial deficiencies or infirmities.

When we look at the backward area development also, we see that the interregional inequity in development has been growing. Whether we have been able to achieve the kind of re-

gional balance in the growth through the location, of industries in the backward areas is a different question. But if we are allowing certain facilities to large and dominant houses on the plea that this will be a vehicle for growth, for generating growth impulse in under developed region. I would like to have a look at their track record again. This track record should be reported to Parliament at regular intervals and it should be a kind of a real-time data with appropriate Ministries, appropriate officers, looking at it and trying to do the course corrections so that this purpose is not ignored. This inter-regional inequity in development is creating a lot of problems in the country. Inter-regional inequity in development is behind the lot of social tensions and inter-regional tensions that we are seeing today. To the extent that the intention of the policy of liberalisation is to encourage regional balance in the growth of business and industry, it must be rigorously monitored and whatever administrative or legislative measures required should be taken without delay in order to see that the purpose is served. (Time-bell rings) Mr. Vice-Chairman, the previous occupant of the Chair said that I would get all the time. I hope you will keep that promise.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): What is promised by the Chair is given.

PROF. CHANDRESH P. THAKUR: I would request you to keep in mind the spirit of the assurance given by the previous occupant of the Chair. Chairmanship has changed hands but Chair is the same.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB) : He is - very generous.

PROF. CHANDRESH P. THAKUR: He is generous.

So far as -modernisation is concerned, who can deny that this country has gone in for modernisation all along the route?

From that domestic kitchen to out-assembly line or the manufacturing unit. Obsolete technology, has been one of the major limiting factors in the performance of the economy in the market place, whether it is the domestic or the international market place, more so in the latter.

Here is a point where I will agree with Mr. Morarka that we need R&D. There is no denying the fact. In fact, yesterday in this House while answering to a question one of the hon. Ministers indicated that annually several thousand crores are going in for R&D. I would like to know what has been the payoff? Has it been converted into an effective gain to the economy in terms of cost control, quality improvement and improvement of the delivery schedule? Has it benefited the economy in terms of growth, in terms of benefit to the consumer, in terms of price quality and benefit to the taxpayers in reducing the burden on him? So, I submit if this particular amendment is directed towards promoting the commercial use of indigenous R&D contribution, then we have to go behind this agenda still further, in the sense, to see what is the profile of the R&D, what is the quality of the R&D and what is the contribution of the so-called R&D in terms of cost improvement, in terms of quality, improvement and in terms of benefits that the economy and the individual member of the economy are getting. If it is not, then simply by allowing this enabling provision you are likely to open up a vent through which more money will be diverted towards R&D without the results coming and we will be stuck up with the problem of continuing stagnation in the sector that we are talking about. So, I am in favour of the spirit of modernisation and the commercial use of useful R&D but it must be useful, it must be timely and it must be capable of commercial use on the touchstone of vigorous economic criteria from the macro or micro economy point of view.

We have talked in the context of MRTP in merger, amalgamation, takeovers in relation to the sick units. The incidence of sickness is writ large on the industrial landscape of the country. True, small and medium firms are having much greater degree of sickness but in the older units, whether they are textile or engineering units, you have a high incidence of sickness and the locking up of the resources in large units as well. There is the threat of job and deskilling and all these things are creating a lot of tension, misery and suffering in this economy. What I am trying to suggest is that under these liberal provisions what has been the record of the sick units, how fast and how effectively their merger, amalgamation with or without public money, support, for rehabilitation has been and if it has not been there, then I think there is a need for supplementary instruments at the disposal of the Ministry of Industry or the Ministry of Finance which could be made use of effectively in this context.

Now there is one more point where I will refer to Mr. Morarka. He talked about the possible risk of hurting new and smaller entrepreneurs as a result of the growth of large business. I think it is a real threat, no doubt about it. The reason is, smaller and larger firms do not have the same market facilities, particularly so far as marketing techniques and network of retailing are concerned. So, they will have to compete with unequal advantage and in the process there will be a kind of free for all. For that I would submit that from a macro economic point of view we need to gain from the strength of the large and dominant enterprises but we should not in the process create a situation for an extinction or lack of resilience in the small and medium enterprises. For that my submission is that ancillaryisation is one of the packages which the Ministry of Industry is trying to promote. Can we make it mandatory

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on a proportionate basis, that out of the total value added production, a certain proportion will have to come from the ancillaries? On a mandatory basis, it should be there for all business houses. That will be one way of maintaining a kind of a dualistic structure of the economy, a healthy interdependence between the two and this will also support the growth of small and medium entrepreneurs. This will also grow with the help of a proactive strategy imposed on the large and dominant enterprises in promoting ancillarisation rather than staying within the framework of the network that they have been primarily used to. This is not contradictory to the Government policy. Government wants to promote entrepreneurs, wants to have first generation entrepreneurs created in different parts of the country, operating on economic viability basis and they cannot work unless market access is provided, unless technology support is provided, unless basic input support is provided. That can come primarily on an effective basis from the large and dominant enterprises. So if the society is giving them some concessions, let the society demand on a legitimate basis. On a very credible basis this kind of a contribution from these enterprises which will serve the larger purpose of the economy in growth through them directly and growth through them indirectly too *via* the support they extend to the small enterprises.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA) (*Time bell rings*)  
Please try to conclude now.

PROF. CHANDRESH P. THAKUR-Sir, this is the first bell. I appreciate your concern, but I would not like these large enterprises' sick units to take advantage of speculative prices of urban land as the sole support of their turn-around funds. I would like that there should be a much more rigorous analysis of managerial capabilities and much more honest looking

out of their internal resources in support of the turn-around operation. If we do not do that, there is a risk here. And I am deliberating on this point because there is a fear in my mind of a possible linkage between an engineered sickness which the country has known, followed by merger and take-over in the name of revival, pre-empting the MRTP Act and ultimately in the post-revival phase, cornering a lot of economic power in the economy. That will be a deadly thing. In the first place, the country has lost because of the engineered sickness. Secondly, it has allowed a kind of a garden path through which circumvention of the concentration of economic powers prevention provisions has been facilitated. And finally you will get what you never wanted. You never wanted either engineered sickness or the kind of economic concentration of power. If both these get combined the conspiracy of engineered sickness and revival through this kind of merger and public support, then you will have worst of both which is not Government's intention, which is not the tax-payers intention, which is not the voter's intention in this country.

The Act certainly, as Mr. Morarka said, is effective, or I do not know whether he meant that, but he did allude to that possibility with regard to the second part of the Act—i.e., restrictive trade practices. If in the track record, we find there is more emphasis on this part of the operation of the Act, I have no quarrel with it so long as it is really effective. It is a valuable policy goal and the consumer here or those who are at the 'receiving end of the trade and restrictive practices look forward to the Government for certain support and protection. There is nothing wrong in it. The only thing is, can the provision, or the Working of these Provisions be such where the despatch and effectiveness are visible enough for all of us to say that here is some instrument of the Government which is working for the

common purpose, for the common benefit in a very credible way, on a very well demonstrated data-based record. We have to look at advertisements, we have to look at after-sale services, the working of the R&D provisions, we have to look at what is called the prices of the components. If you are looking for repair of your equipment, you have to look at the service charge provisions which are creeping and proliferating in industry after industry. Only a very vigilant and resourceful consumer can resist against these insidious ways of exploitation. So, the Government has to look at that.

Public sector, yes, we have created the public sector with great expectations, and on several criteria we are proud of the contribution of the public sector, but not that everything is great and good about the public sector. When it comes to restrictive trade practices, I think, the consumers of the goods and services dispensed through public enterprises have a lot of crying to do and, as a result, a stage has come where the consumers and the public need certain protection through these legislations from the infirmities or the poor management practices of the public enterprises themselves, whether it is the quality of the product, whether it is the price of the product whether it is the delivery schedule of the product or whether it is the repairs of product that they provide. We have all those problems and, on that point. I would like to go along with Mr. Morarka that, if not through the provision of this Act, through some provisions of the Ministry of Industry the public enterprises must be brought on a more worthwhile track so far as the consumers are concerned.

Sir, two more points. We realize that certain provisions with regard to salaries and expenditure for the working of the Monopolies and Restrictive Trade Practices Commission are required, and we welcome that. But my

submission is that the intentions behind this legislation will not be met if it continues to work purely as a judicial body, because a judicial body has certain due processes and, as a result, it becomes a kind of a delayed process and, if we want the results, it has to work, perhaps, through a quasi-judicial pattern so that there is a lower incidence of legalism whether it comes through the appeal provisions or the writ provisions or the working of the prosecution and other kinds of area of legalism. So, it seems to me. Mr. Vice-Chairman, that, by and large, the basic intentions of the Act are still valid. We do want a reduced concentration of economic power, we do want the growth of the industry and business with a social purpose, but we also must not ignore the changing structure of the economy and the need for a certain flexibility in the package of instruments available for the Government.

Mr. Morarka talked about Mrs. Gandhi's claim, and I see no reason why that claim should not have the credibility of the kind which he is doubting. The Government is still carrying on the policies which were established, not in slogans but in terms of their concrete content, except that certain course corrections, as demanded by the realities of economic life as they have emerged over the years, are being done. When the economy is designed to be open for the good of the larger country, there is nothing to expose, Mr. Vice-Chairman, as Mr. Morarka was trying to assert and talking of exposure. He is a young man; he comes from Bombay, he must be going to the beaches; he must be looking at the bikinis. A good old story: What is exposed is uninteresting, but what is still unexposed is more vital what he should be looking at is what is the content of the Government now still. Is it running away from the participation and regulation of the economy? Is it still not keenening, the levers of control and management of the economy to bring a

[Prof. Chandresh P. Thakur ] certain modicum of desired behaviour and compliance from the dominant and larger undertakings? If the answer is "Yes", then this is a vital part which he should not ignore when he goes to the beach next time. Thank you, Sir.

SHRI M. A. BABY (Kerala): Mr. Vice-Chairman, Sir, I remember that my honourable colleague from the other side, Mr. Jagesh Desai brought to the notice of the House through a Special Mention, sometime back, a deadly move from some quarters to scrap the MRTP Act itself and I was one from this side who associated with that Special Mention. I think the intention of this amendment is to give effect to that proposal to scrap the MRTP Act itself through the backdoor. My only humble submission to the Treasury Benches is to change the full form of the MRTP Act. Presently the full form of the MRTP Act stands as "Monopolies and Restrictive Trade Practices Act." But it should be changed to the following:

"Monopolies and Ruthless Tycoons Promotion Act." If you are prepared to accept this change of the full form of the "MRTP Act" into the "Monopolies and Ruthless Tycoons Promotion Act" then, I shall appreciate the spirit of the Amendment.

It is very ironical and unfortunate that when the Central Government and the ruling party at the Centre are observing with great fanfare the birth centenary of Pt. Jawaharlal Nehru, you have chosen to come with such an amendment. What is the effect of the Amendment? Over the years the MRTP Act, without it being properly applied to restrict monopolies, has been having a natural death. According to me, thanks to the lackadaisical application of the MRTP Act which itself is not having sufficient teeth, over the years the monopolies have been growing, they have been flourishing. What is the experience of the application of this MRTP Act? What necessitated the

Government to come out with this Amendment? According to the Sachhar Commission Report, since the MRTP Act came into effect in the year 1970, the top 20 business houses could enhance their total assets from Rs. 2,430.61 crores in 1969 to Rs. 4,465.17 crores in 1975. The percentage of growth of these 20 monopoly houses from 1972 to 1975 was 68.6 per cent. This is the finding of the Sachhar Commission Report. That means, despite the existence of the so-called MRTP Act, the purpose of this Act was not served. In fact, they were flourishing. So, what should have been the attitude of the Central Government by bringing out different amendments in order to give more grip to the MRTP Act so that the purpose of the MRTP Act can be served?

Not that the Government did not come out with any amendment. The Government did come out with amendments. So far, seven amendments have been brought out. This is the eighth amendment if my information is correct. But all these amendments were intended to give more elbow-room to the monopolies to grow. Is this not the fact? The earlier speaker, a knowledgeable professor, very effectively put forth many specious arguments. Very cleverly, very ingeniously he argued the application of various economic principles, macro economics, micro economics and all that, but very cleverly he did not come to the crux of the point.

The MRTP Act was brought on the statute book; it was enacted with great fanfare, stating that we wanted to give effect to the guidelines of the Directive Principles to prevent concentration of economic power in certain hands and to see that economic growth ensures the overall well-being of the society and all that. Did that objective materialise over the years? This is the primary question to which my very learned hon. colleague did not find time to go into despite the very liberal and unrestrictive attitude of the

bon. Chair in giving him sufficient time. Through his ingenuous arguments he cut away himself from addressing the crucial question. Experience of our country tells us that this was just a propaganda that the Government is coming out with certain restrictive measures on the monopolists. What we demand is that more and more stringent punishment should be brought into the MRTP Act. But what is the Government doing by bringing in this amendment? It is performing an unceremonial burial of the Act. To this we oppose very firmly.

Now, what is the content of this Amendment? Because of this amendment, MRTP Act will not apply to new projects and firms based on indigenous technology. For argument's sake let me ask does the provision of the MRTP Act prevent any monopoly house from utilising the indigenous technology? No. Already it has been diluted to the extent of making the MRTP Act totally ineffective. That is the present position of the MRTP Act. Now, a new amendment has been brought in to make it totally useless and ineffective. Some may say that this is an innocuous amendment or this is a great patriotic amendment to inspire indigenous technology. Some friends with patriotic notes may say for the prosperity Of the indigenous technology we are bringing in this amendment and all that. But the experience is that the ruling party at the Centre is subverting whatever little public sector or planned economy was built over the years by Pandit Nehru and so on. That is being subverted. And this is the latest step towards subverting the planned economy, subverting the efforts to control the monopolists, according to me. And whatever actually was there is being diluted and now this is being given a sound burial. So, we oppose it tooth and nail and we demand that the Government should come forward with amendments in order to give teeth to the MRTP Act to make it

more effective, to make it more stringent. From Rs. 20 crores the limit had been enhanced to Rs. 100 crores. Now there is a talk that it should be further enhanced to Rs. 200 crores. I do not want to go into other amendments which were brought in to help the monopoly houses. But the real intention of the Government stands exposed. This is a Benami Government run by monopoly capitalists and landlords hand in glove with foreign multinational corporations and I don't find any reason why the Government should serve the interests of the people other than the interests of the multi-nationals and monopoly houses and landlords. This Bill proves the real intentions of the Government and for whom does this Government function.

With these words I thank you for giving me an opportunity to speak.

**श्री नरेश सो० पुमलिया (महाराष्ट्र) :**  
उपसभाध्यक्ष मैं महोदय, मोनोपली एंड रि-  
स्ट्रिक्टिव ट्रेड प्रेक्टिसेज (अमंडमेंट) बिल,  
1988 का समर्थन करने के लिए खड़ा  
हुआ हूँ। महोदय, इस बिल में, खासकर  
स्वदेशी टेक्नोलॉजी को प्रोत्साहित करने  
के लिए जो अमंडमेंट आया है, उसका मैं  
तहेदिल से स्वागत करता हूँ। इस देश  
में आजादी के बाद औद्योगिक क्षेत्र में  
जो क्रांति आई है, खासकर प्राइवेट  
सेक्टर में, जवायंट सेक्टर में, पब्लिक  
सेक्टर में और हर सेक्टर में हमने  
बहुत बड़ी क्रांति की और इस क्रांति  
के जनक उस समय के प्रधान मंत्री श्री  
जवाहरलाल नेहरू जी हैं जिन्होंने हमारे  
देश में पंचवर्षीय योजनाएं बनाई और  
जिस समय हमारे देश में सुई तक नहीं  
बनती थी आज उसी देश में बड़े-बड़े  
कारखाने चल रहे हैं। उसी परम्परा को  
दूसरे प्रधान मंत्री श्रीमती इन्दिरा गांधी  
ने चलाया और आज उसी को श्री राजीव  
जी चला रहे हैं। लेकिन एक तरफ तो  
औद्योगिक क्रांति की है और औद्योगिक  
क्रांति करते समय कांग्रेस सरकार और

[श्री नरेश सी० पुगालियः]

हमारी केन्द्रीय सरकार का उद्देश्य था कि इस देश में जब औद्योगिक क्रांति हो रही है तो इस औद्योगिक क्रांति को इस देश के चन्द घरानों तक ही न रखा जाय, सर्व-साधारण नागरिकों तक और जो भी आन्त-प्रनर है उसको प्रोत्साहित करके उनके माध्यम से औद्योगिक क्रांति हो। लेकिन बड़े दुःख के साथ कहना पड़ता है कि इस देश में एम० आर० टी० पी० एक्ट के होते हुए भी और दूसरे एक्ट्स के होते हुए भी इस देश में औद्योगिक क्रांति कुछ घरानों के हाथों में ही सीमित रह गई है और औद्योगिक शक्ति और धन-शक्ति एक जगह पर केन्द्रित रही है। इसलिए मैं यह मानता हूँ कि एम० आर० टी० पी० एक्ट को जिस परिणाम में सफलता मिलनी चाहिए थी और उसका जो उद्देश्य था उसमें वह सफल नहीं हुआ है और साथ-साथ जो हमारा कंज्यूमर है, जो उपभोक्ता है, उसको उचित दाम पर और उचित समय पर जो चीज मिलनी चाहिए थी वह देने में यह एक्ट फेल रहा है। लेकिन इन सब बातों के होते हुए भी आज देश में जो औद्योगिक क्रांति की बात चल रही है उसमें हमारे प्रधान मंत्री श्री राजीव गांधी जी ने और कांग्रेस सरकार ने इस बात का एलान किया है कि और तेजी से औद्योगिक क्रांति लाने के लिए हमें इस एक्ट में और हमारी इंडस्ट्रियल पालिसी को लिबरेलाइज करना चाहिए और इसी पालिसी के अन्तर्गत सरकार ने इस पालिसी को लिबरेलाइज भी किया है। इसका मतलब यह नहीं है कि एक तरफ तो हम इस पालिसी को लिबरेलाइज करते हैं तो उसका फायदा कुछ चन्द घरानों को ही होता है, यह उचित नहीं है। इसलिए हमको देखना चाहिए कि हमारे देश की औद्योगिक शक्ति और पूरा धन एक जगह पर केन्द्रित न हो। अर्न्त स्थिति यह है कि 25-50 घरानों के पास ही सम्पत्ति चली जाती है। यह हानिकारक बात है। हमारे देश के संविधान के मुताबिक हर व्यक्ति को उसका लाभ मिलना चाहिए।

मैं आपके माध्यम से कुछ सुझाव देना चाहता हूँ। इस कानून को उदार बनाने के पीछे केन्द्रीय सरकार का मकसद यह है कि औद्योगिक शक्ति को एक जगह पर केन्द्रित होने से रोका जाय। मैं उम्मीद करता हूँ कि आपने एक्ट में लिबरेलाइज करने का जो प्रावधान किया है उसमें आप अवश्य सफल होंगे। हमारे देश में जो नई इंडस्ट्रियल पालिसी आने वाली है वह हमारे देश के पिछड़े इलाकों में पहुँचेगी, ऐसी मैं आशा करता हूँ। आज हमारे देश में जरूरत इस बात की है कि पिछड़े इलाकों में उद्योग खोले जायें। हमारे उद्योग केपिटल बेस नहीं होने चाहिए, बल्कि लेबर बेस होने चाहिए ताकि ज्यादा से ज्यादा वर्कर्स उसमें पार्टिसिपेट कर सकें। हमारे देश की बढ़ती हुई आबादी को देखते हुए उद्योगों के माध्यम से हम अगर ज्यादा से ज्यादा लोगों को रोजगार नहीं दे पाये तो हमारी आजादी और लोकतंत्र खतरे में पड़ जाएगा। अगर माडर्न टेक्नोलॉजी के नाम पर लोगों की रोजी-रोटी छिनती है तो यह ठीक नहीं है। मेरे जिले चन्द्रपुर का मैं उदाहरण देना चाहता हूँ। हमारे यहाँ दो सौ करोड़ रुपये के सीमेंट प्लांट लगे हुए हैं। माडर्न टेक्नोलॉजी के नाम पर वहाँ पर आठ सौ से हजार, बारह सौ लोगों को रोजगार मिलता है। इसके विपरीत स्माल स्केल इंडस्ट्री में अगर दो सौ करोड़ का इन्वेस्टमेंट हो तो 20 हजार लोगों को रोजगार मिल सकता है। अगर हम माडर्न इंडस्ट्री के नाम पर यह सब करेंगे तो बेरोजगारी बढ़ेगी और लोगों को रोजगार देने की हमारी जो जिम्मेवारी है उसमें हम सफल नहीं होंगे। इसके साथ-साथ मैं यह भी कहना चाहता हूँ कि जो हमारा उपभोक्ता है उसको जिस दाम पर चीजें मिलनी चाहिये उस दाम पर नहीं मिलती है और बेकारी मात्रा में मुनाफा लेकर उसको बेचते हैं। तो इसमें भी आपको जो कास्ट आडिट का सिस्टम है, उसको तेजी से अमल में लाना चाहिये ताकि कंज्यूमर्स को फायदा मिल सके। साथ ही साथ मैं यह भी कहना चाहूँगा कि इसमें आपने जिस

तरह से भारतीय टेक्नालाजी को महत्व दिया है यह बड़ी प्रसन्नता की बात है। लेकिन इस ऐक्ट के माध्यम से नई इंडस्ट्रीज पर यह वंश्रण होना चाहिये और खासकर उनको ही इस तरह का लाइसेंस मिलना चाहिये जो अपनी इंडस्ट्री में वर्कर्स का पार्टिसिपेशन कर पाये हों और जिनकी ऐसी इच्छा हो। मैनेजमेंट बोर्ड में जब तक वर्कर्स का पार्टिसिपेशन नहीं होगा तब तक हमारे यहां इंडस्ट्रियलिस्ट, औद्योगिक घराने उनका एक्सप्लोइटेशन करते रहेंगे। इनर्जी मिनिस्टर ने पिछले साल कोल इंडिया में वर्कर्स के पार्टिसिपेशन की बात कही थी। पब्लिक सेक्टर के माध्यम से उन्होंने इसकी शुरुआत कोल इंडिया से शुरू करने का ऐलान किया था लेकिन उसमें विलम्ब हो रहा है। हमारे प्राइवेट सेक्टर में भी वर्कर्स का पार्टिसिपेशन हो सके तो यह बहुत अच्छा कदम होगा। इसके साथ मैं यह भी कहना चाहता हूँ कि एम०आर० टी०पी० के अन्तर्गत जो पूंजीपति बड़ी इंडस्ट्री लगाते हैं उनके साथ एमिलिथरी उद्योग डेवलप करने की कंटीशन सरकार को रखनी चाहिये ताकि उसके बाजू में छोटे-छोटे उद्योग डेवलप हो सकें और वहां पर ज्यादा से ज्यादा लोगों को रोज-कार मिल सके। मुझे उम्मीद है कि इस पर हमारे उद्योग मंत्री जी अवश्य ध्यान देंगे और इस पर विचार करेंगे।

उपसभाध्यक्ष महोदय, 1984 में एक संशोधन आया था। उस संशोधन के माध्यम से कंज्यूमर्स को, उपभोक्ताओं को एम० आर० टी०पी० ऐक्ट के तहत पूरा प्रोटेक्शन दिया गया था। लेकिन उसको जिस ढंग से इम्प्लीमेंट किया जाना चाहिए था उस ढंग से इम्प्लीमेंट नहीं किया गया है? किसी भी कानून को इम्प्लीमेंट करने की जिम्मेदारी सरकार की है। मुझे उम्मीद है कि इस संशोधन के माध्यम से सरकार कंज्यूमर्स को फायदा दिलाएगी। उपसभाध्यक्ष महोदय, हमारी भूतपूर्व प्रधान-मंत्री श्रीमती इंदिरा गांधी ने ऐलान किया था कि कास्ट आडिट अवश्य होना चाहिये। कास्ट आडिट जब तक नहीं होगा तब तक उपभोक्ताओं को उचित दाम पर माल नहीं मिल सकता है। इसलिए कास्ट आडिट सिस्टम आपको तेजी से लागू करना

चाहिये। साथ ही साथ कंज्यूमर्स मूवमेंट के माध्यम से, उनको इस बारे में पूरी जानकारी देते हुये उनको जागरूक किया जाना आवश्यक है। इस मूवमेंट को खासतौर से, जब तक हम तेज नहीं करेंगे तब तक कंज्यूमर्स को आइडिया नहीं होगा कि जो वस्तु वे खरीद रहे हैं उसकी उनसे ठीक कीमत ली जा रही है या ज्यादा कीमत ली जा रही है। उपभोक्ताओं को वह चीज किस कीमत पर मिलनी चाहिये इस बारे में जब तक मूवमेंट तेज नहीं करेंगे तब तक उनको कोई फायदा नहीं मिलेगा। मैं उम्मीद करता हूँ कि मंत्री महोदय जो यह अमेंडमेंट लाये हैं, उस अमेंडमेंट के माध्यम से देश का औद्योगिक विकास तेजी से होगा। लेकिन एक चीज का हमें ध्यान रखना होगा कि औद्योगिक विकास के नाम पर हमारा जो पब्लिक सेक्टर है, हमारे जो सेंट्रल गवर्नमेंट और स्टेट गवर्नमेंट के पब्लिक सेक्टर एंटरप्राइजिज्म है वे एफेक्टिव न हों। इससे भी आपको खबरदार होना होगा। इसके अतिरिक्त हमारे एसोसिएट चैंबर आफ कामर्स आफ इंडिया, फिक्की और ऐसे अन्य संगठनों ने कहा है कि देश में अगर इंडस्ट्रियल पालिसी लिबलाइज होती है तो हमारे देश में औद्योगिक विकास होगा और काफी गति से होगा। तो मैं उम्मीद करता हूँ कि केन्द्र सरकार के इस संशोधन द्वारा इस देश का औद्योगिक विकास होगा। उद्योग मंत्री जी इस एम० आर० टी०पी० बिल को लाये हैं उनको धन्यवाद देता हूँ और इस बिल का दुबारा स्वागत करते हुये अपनी बात समाप्त करता हूँ। धन्यवाद।

SHRI YALLA SESI BHUSHANA RAO (Andhra Pradesh): Mr. Vice Chairman, Sir, the present Bill is seeking to regularise the provisions of the MRTP Act in respect of certain industries based totally on indigenous technology. It seeks to amend section 22A of the Act. The technology is totally developed indigenously in national laboratories or by public



[Yalla Sesi Bhushana Rao] and private establishments. The amendment empowers the Government to exempt, by notification, certain categories of proposals or to substantially exempt establishment of new industrial units. The amendment is further going to liberalise the provisions of the MRTP Act. The amendment looks simple' and also tries to encourage indigenous technology. But the history of the working of the MRTP Act and the dubious ways through which the monopoly houses exploit the legal loopholes to create company after company, flouted the restrictive provisions of the MRTP Act. Just now Shri Morarkaji said that there is a list of industries which are exempted. Can the hon. Minister say whether there is left over to such a list of exempted industries at all? This is my simple question.

Then I come to 'indigenous technology'. What type of technology is indigenous? Even indigenous technology can be given to multinationals. That is another question. Monopolists can safely combine the indigenous technology with their technology and say that it is indigenous. Is there a way to monitor this, to know what indigenous technology is? Suppose then? is a company which is producing number of products. It has diversified its products. It may use either imported technology or indigenous technology. How to ensure that a particular technology is cent per cent Indian technology within the provisions of the Act? What means has the Government to verify or monitor or ensure that a technology is totally indigenous? Is the Government thinking of having any machinery to decide what is indigenous technology? What is the Government going to do about this? I suggest that at least the Government can have a machinery under the Directorate of Scientific and Industrial Research. This machinery may include not only the Government scientists but also other eminent scientists in this country who are well-versed in the

field. This is one way to safeguard the indigenous technology. I request the hon. Minister to consider this suggestion. On an average, the MRTP Act is brought to this House for amendment once in every two and a half years. This is the eighth amendment sought to be made. In this way the effect of the Act has been whittled down to zero and big companies have wrested major concessions by way of raised investment limitg and by diversification into areas of small manufacturing units. The MRTP Act flows from the Directive Principles enshrined in our Constitution. The direction of these principles is to secure distribution of ownership and control of the natural resources to serve the common good. This is the plank of our cherished goal of democratic socialism. Is this Government marching towards that goal cherished by Pandit Nehru and Indira Gandhi? These provisions are far from that. This Government is heading towardg an economy which may be called Rajiv economy or Hinduja economy. Monopoly houses have built up their assets at the rate of eight or nine per cent in the past 35 years. They are successfully exploiting the legal loopholes in the restrictive provisions of the Act. The MRTP Commission is only restricting its own activities by exercising mechanical control on restrictive and unfair trade practices. In^ stead of calling it the MRTP Act, the name can be changed to Monopoly Protection Act. That will be honest on the part of the Union Government.

During the 18 years, the MRTP' Commission is given only three cases by the Government for adjudication. Even the three cases are multinationals. They had gone to the Supreme Court and obtained stay orders. The cases are still pending. Nothing has come out of it. That is the interest shown by the Union Government as far as the Commission is concerned.

The Union Government is operating-the economic system in such a way-

that it has resulted in concentration of economic wealth and means of production to the common detriment. Twenty among the largest companies in 1986 had assets worth Rs. 29,000 crores which is equal to our Union Government's Budget of 1988-89. The assets of the monopoly companies are only growing. We cannot check the monopolists in any way—that is the philosophy of this Government. Even the US Government which is said to be a free-trade Government, has its own restrictions. In some cases of monopoly the US courts have ruled that even a 10 Per cent market share would imply market dominance, unhealthy competition and a tendency towards concentration. These companies have been directed to divest themselves of a part of their assets in public interest. That is the attitude of the US courts. Now, take the case of employment growth. It has to be remembered that all the industrial growth, modernisation and the rest have not brought about any growth in the rate of employment since 1951. The employment growth rate has remained static and stagnant. Production has to meet social justice. It cannot be supported by wrong policies of the Government. The wrong policies of the Government have only generated over the years black money to the tune of Rs. 40,000 crores or even more which is having an adverse impact on our economy, I strongly feel, therefore, that the present amendment only paves the way for more unfair trade practices and monopolies. The present Government has no will to check this monopolistic economy. I. Therefore, strongly oppose the amendment.

SHRI CHIMANBHAI MEHTA (Gujarat): Before considering this Bill we have to keep in mind the economic scene of our country and one of the pertinent questions we should raise is whether they have grown sufficiently in the industrial field looking to the potentialities of our resources and constraints. I

think they have not grown to the extent required. Therefore, a question may come up what they have to do if the public sector which is the core sector of our economy is not in a position to develop beyond certain limits. In this context if we look at the whole debate, then arguments for the Bill and arguments against the Bill also can be made out. I know our Constitution in Article 39(c) — under Directive Principles of State Policy—specifically directs the prevention of concentration of wealth in a few hands. Now, whether this Bill will strengthen the concentration of economic power in a few hands or not, is also a very vital question, because when the MRTP Act was enacted in 1969, the twenty big houses that are referred to had in 1969 assets worth Rs. 2,400 crores. Today, their assets have grown to Rs. 26,000 crores which means they have grown a hundred times. How they have grown and, after this Bill becomes a law, how faster they will grow are very important points. When you say, "What is wrong if somebody develops a local technology and the public sector is not capable enough of absorbing that technology. if we allow the private sector to develop that technology?", I would say that technological development has some relation with the industrial houses' capacity and, therefore, I would like to ask, "Are you looking at it from a national angle or from a partisan angle?". You want to be just a public sector advocate or a private sector advocate? Well, I take another view. I take the view that the public sector could have done a lot in this country. Having invested about sixty thousand crores or more, we find that it has not given the results to the desired extent. One of the reasons for its failure—this has not been discussed though, of course, it has been referred to—is that labour, which is the kefr to the wealth of the nation, was never given a sufficient part in the management either by the private sector or by the public sector although this has been enshrined in our Constitution in 1976

*Restrictive**(Amdt.) Bill, 1988*

[Shri Chimanbhai Mehta]

and twelve years have passed since then.

Either we want to develop our economy through our bureaucrats or we think that the industrialists are capable of developing the economy. But both are not developing it to the desired extent and their grievances are there I know. Indirect taxation in our country is Rs. 60,000 crores, that is, Rs. 44,000 crores of the Central and Rs. 16,000 crores of the State Governments, which is about 25 to 25 per cent of our national income. Indirect taxation hits everybody hard. It is not like the Income-tax. In the case of Income-tax when you make an income, you pay the tax. But, in the case of indirect taxation, whether you make income or not, you have to give away one-fourth of your income to the Government. On the one hand, we have a low level, the poverty level, and, on the other, we have such high taxation, indirect taxation. I am talking about indirect taxation only now. So, where is the purchasing power? Where is the purchasing power with the people to buy or consume the industrial goods? Where is the surplus that our people have? There are various segments in our economy. There is a tremendous evasion of taxes. Sixty crores you collect and sixty crores are evaded, an equal amount, or perhaps even more, and that goes in black into the Swiss banks. We have been talking since last two years about negotiating with the Swedish Government and about accounts having been opened there. Once the former Finance Minister, Mr. Tiwari, told the House that without agreement also we could have accounts opened in the Swiss banks. So, the money goes there. Nothing tangible comes out. Black money cannot generate industrial wealth because that is not possible. And, Sir, our taxation is so high that a plant that would cost about Rs. 50 crores in investment in developed countries is Rs 150 crores in India now.

Now, who is the hindrance to economic development? Why don't you look it from that angle? This removal, or removal of restriction, on indigenous technology I welcome, anyway. But have you found out other resources which can develop our economy? We are not concentrating on those things. Therefore, we are exposed to the charge that we are interested in helping the monopolists. This may not be correct or may be correct; one can argue about it. But the situation has come to such a point where even a right measure that was taken two years back, Rs. 20 crores limit for monopoly rose to Rs. 100 crores. At that time I supported Rs. 100 crores because I was told that in 1969 prices were below Rs. 100 index whole sale prices and when the Bill was moved here it was around 360 almost—four times the prices went up. So twenty crores becomes eighty crores. At that time there was a rationale behind making twenty crores to hundred crores. But today if you say that nationalism comes first and if the public sector is not able to develop, why do you come in the way of industrial development if you want to develop indigenous technology? I can understand that there is some rationale in the argument. Allow them to develop which they can develop. But what about the fruits of industrialisation? That is the crucial question. Has employment grown in the private sector? Negligible. After an enormous investment in the textile industry, unemployment has decreased. In other industries the

situation is the same. One lakh and fifty thousand units have gone sick, throwing out lakhs of organized workers on streets. So our approach, our view, is being challenged. Are you really interested in industrialisation? Or are you going to help a few industrialists, because you have taken a blanket powers that Government can give directive outright to certain industries to go out of the

purview of the operations of the provisions of the Monopoly Act under this Bill. The test of the pudding is in the eating. How are you going to operate this Act? That will be a very crucial question. Some Members have rightly asked; How many cases were referred to the Monopolies Commission during the last few years? In one year not a single case was referred. Well if there is no case to be referred to the Monopolies Commission, then what is the need for the Monopolies Commission. Unnecessarily you give a handle to bureaucrats who create hurdles that are not cleared even in three years. Cost, escalation takes place. Inflation is there. Ours is a high cost economy. The real answer to the problem is not about the technology. And who knows what is local technology. How will you define it? Second generation, third generation, fourth generation and so many technologies are there. Technology is what is actually locally developed technology. He, industrialist, will import technology secretly and say that it is local. Anyway, whatever argument may be there, I am all for the growth of wealth of the nation.

But I feel that today what we need is really a proper management of our industries, and that is nowhere coming. Neither the public sector units are well-managed nor the private sector. Dozens of industries which were formerly under the Industrial Development (Regulation) Act, I think seven dozen industries have been exempted now in one way or the other. Some are export-oriented, some are going to the backward areas, some are national priorities. More than 80 industries do not have any application of the Industrial Development (Regulation) Act. And also dozens are not coming under the purview of the Monopolies Act because if they are export-oriented industries, the Monopolies Act will not apply. If they are national priority industries, the Monopolies Act will not apply.

Sir, sometimes I bear this talk that China and Russia have also liberalised. That has no relevance. They have socialised their country's economy. The means of production were nationalised. When they found that bureaucracy is coming in the way of further development, they thought bureaucratic control to be relaxed, not that ownership of the people should be given up to private sector or socialism should be given up. (*Time bell rings*). So, sometimes we are quoting wrongly from other countries. Today also, when we are discussing, we are not discussing the real context of our economy. Our economy is in doldrums. Sometimes I hear that the private sector is more efficient. No doubt about the Tatas' Bombay Electricity. They have 96 per cent efficiency in the electricity companies they own. And our public sector is 50 per cent. Therefore, private sector has some edge over us in talking about it. And when the national interest comes first, we are a little confused, where to act and where not to act. (*Time bell*). Sir, I know you have given me enough time. I appreciate that point.

Further coming to the monopolies. Sir, in 1961 they had assets of Rs 2400 crores. In 1987 they had Rs. 2600 (5-crores) of assets. They had a turnover of Rs. 27,000 crores. They had a profit in one year before tax of Rs. 1100 crores. And their annual budget is Rs. 30,000 crores. They have sufficient strength. They can do a lot of things. There is a talk of nexus of politicians, bureaucracy and monopolists. Take care of all these things while you try to implement this legislation when it becomes law..

Thank you, Sir.

श्री शंकर सिंह बापेला (गुजरात) :  
मिस्टर वाइस चयरमैन सर, मैं इस एम.  
आर.टी.पी. एमंडमेंट बिल का विरोध  
करने के लिए खड़ा हुआ हूँ।

[ श्री शंकर सिध वाघेला ]

वाइस चयरमैन सर, हरेक कानून में स्पिरिट और लेटर दोनों का महत्व होता है। हमारे कांस्टीट्यूशन में भी सोशलिस्टिक पैटर्न आफ सोसाइटी का जो सिद्धांत स्वीकार किया गया है, वह समाजवादी समाज रचना कांस्टीट्यूशन के लेटर और स्पिरिट के खिलाफ है और इस एक्ट की लेटर और स्पिरिट भी उसकी पूर्ति के लिए होगी। इसमें लेटर और स्पिरिट में फर्क है। वैसे हमारे चिमन भाई मेहता ने अभी कहा कि ऐसे ही गरीब और गरीब बनता जा रहा है और पैसेव ला ज्यादा पैसेवाला बनता जा रहा है। सोशलिस्टिक पैटर्न सोस इटी की जो लेटर और स्पिरिट की बात कही गई है उसकी वृ भी आज के राजीव गांधी के समाजवाद की इस सरकार में, कंट्री में नहीं आ रही है। राजीव जी की एक-एक बात में से कैपिटलिज्म की वृ आ रही है और यही एम. आर. टी. पी. का भी आपका एमेंडमेंट इसमें इम्प्रूव करने जा रहा है—समाजवाद का इम्प्रूव करने नहीं, कैपिटलिज्म को मजबूत करने जा रहा है। आप यह समझते हैं कि जितने बिग हाउसेज हैं, जितने भी मोनो-पली वाले हैं वह आपकी पाकेट में हैं और लेकिन वह समझते हैं कि सरकार उनकी पाकेट में है, हम उनकी पाकेट में नहीं हैं और उनकी इच्छा जो है इसकी पूर्ति के लिए आपका यह 22-ए वाला उसमें पूर्ति बन रहा है। आपने इसमें जो कहा है 22-ए के एमेंडमेंट की बात इंडिजिनयसली डेवलपड टैक्नालाजी की, इसे आपने आब्जैक्ट्स एण्ड रीजन्स में क्यों रखा, बिल में क्यों नहीं रखा? बिल में रखते तो उसका लेटर एंड स्पिरिट था, उसका सही ढंग से इस्तेमाल कर सकते थे और टैक्नालाजी डेवलपड इन इंडिया इसकी जगह हमारे यहां के प्राइवेट बिग हाउसिज आर. एण्ड डी. के लिए बजट रखते हैं, मल्टी नेशनल भी अपनी कम्पनी के लिए रिसर्च एंड डेवलपमेंट के लिए बजट अलाट करते हैं, हमारा सी.एस.आई.आर. भी और दूसरी नेशनल लैबोरेटरीज भी। तो क्या आप उस आर.एड डी. का पूरा उपयोग बिफोर इम्पोर्ट टैक्नालाजी करते हैं क्या? होता तो ऐसा है कि आप जिसको हाई टैक्नालाजी इम्पोर्ट करने की बात करते हैं, एक्चुली अभी आपने पैप्सी कोला

इम्पोर्ट किया। कौन सी हाई टैक्नालाजी पैप्सी कोला में थी जिसको आपको इम्पोर्ट करना पड़ा? एक सामान्य तकनीक, जिसको हमारे यहां सामान्य आदमी भी इस्तेमाल कर सकता है, उसका इम्पोर्ट करने की क्या जरूरत थी? कौन सी हाई टैक्नालाजी इसमें आपने देखी जिससे आपने इस पैप्सी कोला को इम्पोर्ट किया?

माननीय वाइस चयरमैन सर, हाई टैक्नालाजी मीन्स अन-एम्पलाईमेंट। आपने करोड़ों रुपए की मशीन्स इम्पोर्ट करके, रिसेन्टली आप देखिए अभी आपने इम्पोर्ट लाइसेंस दिया है, मोर दैन वन थाउजैंड करोड़ रुपीज। इतना रुपया इन्वेस्ट करने के बाद एम्पलाईमेंट चार सौ, पांच सौ, लोग एक हजार करोड़ रुपया इन्वेस्ट करने के बाद भी पांच सौ लोगों को अप रोजगारी दे रहे हैं, इसका मतलब क्या है? इस अम प्रधान देश में ज्यादा जरूरत लोगों को एम्पलाईमेंट देने की है। जितना आप इन्वेस्टमेंट करते हैं उससे उतना एम्पलाईमेंट मिलता है क्या? आप तो बेकारों की लाइन और लंबी कर रहे हैं। आपको तो सी.एस.आई.आर. और दूसरे जो हमारे वैज्ञानिक होते हैं उनका पूरा उपयोग करना चाहिये। सैल्फ रिलायंस और इम्पोर्ट सब्सिट्यूट हमारे साइंटिस्ट अपने दिमाग से रिसर्च करके निकाल सकते हैं। सी.एस.आई.आर. और नेशनल लैबोरेटरीज की हालत क्या है? साइंटिस्ट मरकर अपना दिमाग एप्लाइ करके जो रिसर्च करता है वह रिसर्च प्राइवेट इन्डस्ट्री के लोग चोरी करके और उस साइंटिस्ट को कर्माश्रित्य लोम दूसरे जो होते हैं वह उसको ब्लैकमेलिज करते हैं और बीच में ऐसे जो लोग हैं वह आर.एण्ड डी. अपनी जो है उसका उपयोग न करके विदेशों से भी आर.एण्ड डी. की चोरी करके इण्डिया-नाइजेशन का नाम देते हैं। हमारे यहां साइंटिस्टों ने खुदकुशी भी कर ली है। जिसको जितना प्राप्ताहून मिलना चाहिए वह नहीं मिलता है इसलिए हमारे साइंटिस्ट विदेशों में चले जाते हैं। अमरीका में कितने इंडियन हैं टाप पर, कभी आपने सोचा है? वह इंडियन वहां जो रिसर्च करते हैं वहां आर.एण्ड डी. में काम करते हैं, वही हम करते हैं कि हाई टैक्नालाजी

हमने इम्पोर्ट किया है तो इसका मतलब क्या है ? ऐसे इंडियंस जो दुनिया भर में फैले हुए हैं उनकी वापस बुलाइए। हमारे साइडिस्ट को आप प्रोत्साहन दीजिए और देखिए कि क्या रोजल्ट आपको देते हैं। हमारे गांव का लोहार आज भी इतना कारीगर है कि आप उसको राँ मैटीरियल दे दीजिए, वह मशीन बनाकर आपको दे देगा जो आप जापान, दक्षिण कोरिया या दूसरे देशों से आज इम्पोर्ट करते हैं। इस देश में जो राँ मैटीरियल पड़ा है उसका उपयोग करने का आपको ध्यान नहीं है। इसी तरह से मोनोपली हाउसेज के पीछे आप लगे हैं, उनको खुश करने में लगे हैं हो सकता है चुनाव में वह आपको मदद करते होंगे इसलिए आपने उनको सपोर्ट करने के लिए इस एम० आर० टी० पी० ऐक्ट में अमेंडमेंट करने का यह बिल पेश किया है। हमारे साइडिस्ट आज डिस-अपॉइंट हो रहे हैं, मैं उनको सपोर्ट करने की बात आपसे कहता हूँ।

श्रीमन्, इसी तरह से लिबरलाइजेशन की बात प्रधान मंत्री जी भी कहते हैं। लिबरलाइजेशन का मतलब है मोर इम्पोर्ट आफ कॅपिटल, इन्विपमेंट एण्ड मोर राँ मैटीरियल। इसका क्या हिसाब होता है। हमारा जो इम्पोर्ट और एक्सपोर्ट का गैप होता है वह पिछले 5-7 सालों में बढ़ रहा है। आपकी लिबरलाइजेशन पालिसी हमारे इम्पोर्ट और एक्सपोर्ट के गैप को और बढ़ा रही है। इससे ट्रेड डेफिसिट और भी बढ़ेगा। मोनोपली पर जो कंट्रोल होना चाहिए वह नहीं रहेगा। अभी मेहता जी कह रहे थे कि पिछले कई सालों से बिग हाउसेज के करोड़ों का इन्वेस्टमेंट बढ़ रहा है और मोनोपली हाउसेज का इन्वेस्टमेंट कंटीनुअस क्यों बढ़ रहा है ? आपका एम० आर० टी० पी० ऐक्ट उनको बढ़ाने के लिए है या कंट्रोल करने के लिए है ? मैं समझता हूँ कि आपका यह ऐक्ट मोनोपली को कंट्रोल करने के काम नहीं आया, उनको बढ़ाने में जबर काम

आता होगा। तो एम० आर० टी० पी० ऐक्ट से स्माल स्केल और मीडियम स्केल इंडस्ट्रीज को क्या लाभ हुआ है ? आपको स्माल स्केल और मीडियम स्केल इंडस्ट्रीज के लिए सोचना चाहिए। एक बड़ी इंडस्ट्री जो 10 प्रोडक्ट बनाती हो, उनमें से एक में इम्पोर्टेज टेक्नालाजी है और 9 में नहीं है तो इसका क्या हिसाब कितना आपने रखा है ? इसको भी आप सोचिए।

प्रधान मंत्री जी जो लिबरलाइजेशन की बात करते हैं, उसके बारे में प्लानिंग कमिशन ने कहा है कि एम० आर० टी० पी० ऐक्ट को स्कैप कर देना चाहिए। अभी मिस्टर बेबी ने भी इस बारे में कहा था। इसका मतलब यह है कि आपके जो प्लानिंग करने वाले लोग हैं वे एम० आर० टी० पी० को बीच में हर्डल समझते हैं और एम० आर० टी० पी० और प्लानिंग कमिशन अगर एक साथ नहीं चलेंगे तो प्लानिंग कमिशन का जो एम है इंडिजनस टेक्नालाजी का, अल्टरनेटिव टेक्नालाजी का, रिसर्च का, ये उद्देश्य सिद्ध नहीं होंगे। इसलिए प्लानिंग कमिशन कहता है कि एम० आर० टी० पी० को गोली मारो, वह इसमें कामयाब नहीं हो रहा है।

सहोदय, जब प्लानिंग कमिशन की बात निकाली है तो मैं एम० आर० टी० पी० के बारे में भी कुछ कहना चाहता हूँ क्योंकि इसके बारे में किसी ने नहीं कहा। एम० आर० टी० पी० कमिशन का जो उद्देश्य था उसमें वह कामयाब नहीं रहा, इसलिए एम० आर० टी० पी० ऐक्ट में जो अमेंडमेंट आपने 1984 के बाद किए हैं, उनमें वह कामयाब नहीं रहा आम जनता के लिए कहा गया था कि सस्ता न्याय मिले, जिसमें खर्च कम भी और जो कंज्यूमर है उसका इंटररेस्ट भी प्रोटेक्ट हो सके, यह उद्देश्य भी एम० आर० टी० पी० ऐक्ट से पूरा नहीं हुआ है। सुप्रीम कोर्ट और हाई कोर्ट में 10-12 सालों से जो कैंसेज पेंडिंग हैं उनका फैसला ही हो रहा है। 1984 के बाद

[श्री शंकर सिंह बाघेला]

जो कंजमर्स एसोसिएशन है उन्होंने जो केस किए जैसे कि पियरलैस कम्पनी कलकत्ता को 1985 से केस पेंडिंग है और आज 1988 पूरा होने को है। आपके पास कोई व्यवस्था नहीं है कि 10-12 साल के पेंडिंग केसेज को निपटा सके। 1984 के बाद के केसेज को आप कब तक लटकाएंगे। जो केसेज ग्राहकों ने फाइल किए हैं उनका फैसला उनके मर जाने के बाद होगा ? एम० आर० टी० पी० कमीशन भी दूसरे कोर्टों की तरह हो गया है, सुप्रीम कोर्ट और हाई कोर्ट की तरह हो गया है। इसलिए कामन मैन के हिसाब से आपका एम० आर० टी० पी० कमीशन के को काम करना चाहिए। उसमें भी यह It has so far passed only "Cease and desist" orders. इतने तक सीमित नहीं रहना चाहिए। आपको तो इस एम० आर० टी० पी० कमीशन की कार्रवाई को इतने तक सीमित नहीं रखना चाहिए, सीज्ड एंड डेजिस्ट आर्डर तक नहीं बल्कि उसकी पूरी कार्रवाई हो। उसका पूरा लाभ जिसने कम्प्लेंट को हो उसको भी मिले और जिसने कम्प्लेंट न भी को हो उसको भी मिलना चाहिए क्योंकि इंडीविजुअल आदमी की कपेसिटी नहीं होती कि वह पैसा खर्च करके वकील करे और जिस चीज में उसने पछतावा प्राप्त किया हो उसमें पैसा खर्च करे। दूसरे जो बड़े-सान व्यापारी हैं, एम० आर० टी० पी० कमीशन ग्राहकों के लिए एडवाटिज करे कि इसमें यह गड़बड़ है। यह भी एक कार्रवाई हो और बलेम्स के लिए कोई नोटिस की जरूरत न हो, ऐसा भी एम० आर० टी० पी० कमीशन में करायें। एम० आर० टी० पी० कमीशन में पुराने रिटावर्ड लोगों को खश करने के लिए रखा हुआ है कमीशन में करायें। इसकी जगह आप बिल्कुल यंग, परो-कंज्यूमर, इफेक्टिव और जिसमें कम खर्चा हो ऐसी थिंकिंग वाले यंग लोगों को रखें जिससे इन लोगों को फायदा हो और उसकी बेंच भी पुरेदे में बनायी जाए जिससे हर एक को दिल्ली न आना पड़े, अपने स्टेट में, कैपिटल में काम हो जाये।

अंत में मैं यह कहना चाहता

मैंने माननीय मंत्री जी को एक पत्र लिखा था शायद 11 जुलाई को जिसमें लोक सभा पेंटीशन कमेटी को जो सर्वसम्मत अभिप्राय दिया था एम० आर० टी० पी० एक्ट को गवर्नमेंट, गवर्नमेंट कम्पनीज और कोओपरेटिव सोसाइटीज पर लागू करने के लिए मैं आपका आश्वसन चाहता हूं कि आप एम० आर० टी० पी० एक्ट के नीचे गवर्नमेंट कम्पनीज, पब्लिक अंडरटेकिंग्स और कोओपरेटिव्स जो सिर्फ मुनाफा लेकर कंज्यूमर्स को ब्लैकमेल करता है, प्रोफिट कमाता है ऐसे इंडस्ट्रियूशंस पर एक्ट लागू करेंगे।

I want an assurance regal-ding this.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश)  
मंत्री जी ने कोई जवाब नहीं दिया ?

SHRI KAMAL MORARKA; Sir, this is very serious. You must direct the Minister.

श्री शंकर सिंह बाघेला : अभी तक नहीं जवाब आया। मैंने 11 जुलाई को पत्र लिखा था। मैं चाहता हूं अभी एग्जोरेंस मंत्री महोदय दें। इस पत्र की कापी मेरे पास है।

श्री चतुरानन मिश्र (बिहार) : एम० आर० टी० पी० कमीशन को जॉच के लिए दिया है।

श्री शंकर सिंह बाघेला : मंत्री महोदय अपने जवाब में यह एग्जोरेंस देंगे इस उम्मीद के साथ मैं आपको धन्यवाद करते हुए अपनी बात समाप्त करता हूं और इस एम० आर० टी० पी० के अमेंडमेंट का विरोध करता हूं।

श्री हरी सिंह (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, आज सदन में मोनोपलीज एंड रिस्ट्रिक्टिव ट्रेड प्रेक्टिसेज बिल, 1988 पर चर्चा हो रही है और इस बिल की मंशा और अमेंडमेंट की मंशा अच्छी है इसलिए कि इस की भावना और क्याल यह है कि जो मोनोपलीज डेवेलोपिंग है

रोक लगें। यह एक अच्छी भावना है इसलिए मैं इस संशोधन का समर्थन करता हूँ।

आप जानते हैं हमारे भारत का जो अविधान है उसके डायरेक्टिव प्रिन्सिपल में स्पष्ट तौर से लिखा है राष्ट्र के रिसोर्सेज कामन गुड और कामन वेलफेयर में इस्तेमाल किये जाने चाहिए। मुझे ख़ुशी है आपके सामने यह कहने में कि हमारी सरकार की नीयत बड़ी साफ है और उसका प्रयत्न और कोशिश यह है कि राष्ट्र का जो धन और रिसोर्सेज है वह कामन और आम लोगों के फायदे के लिए, उनके लाभ के लिए इस्तेमाल किये जायें। इस नीति के मातहत सारे देश के अन्दर इंडस्ट्रियलाइजेशन हुआ है। आज तरह-तरह के कारखाने खड़े हुए हैं। हमारी पब्लिक अंडरटेकिंग में भी बहुत सारे कारखाने खड़े हुए हैं जिससे देश का भला हो सके। यह सारी कोशिश की जा रही है। यह कोशिश की जा रही है कि इस देश की जो सारी परिस्थिति है, जो हमारी योजनाएँ हैं उनके जरिये इंडस्ट्रीज को बढ़ावा दिया जाए और स्माल स्केल इंडस्ट्रीज के जरिये लोगों को रोजगार के अवसर दिए जाएँ। हमारी सरकार की तरफ से बेरोजगार नवयुवकों को इंडस्ट्री खोलने के लिए अधिक सहायता भी दी जाती है। यही कारण है कि आज हमारा देश दुनिया के 10 इंडस्ट्रियल देशों में हो गया है। मुझे पूरी उम्मीद है कि हमारे देश का भविष्य बहुत अच्छा है और वह दिन दूर नहीं जब हमारा देश दुनिया के गिने-चुने कुछ देशों में से एक होगा।

इस बिल की जो मंशा है वह बिल्कुल साफ है कि इंडस्ट्रीज को बढ़ावा दिया जाय। सिर्फ बड़े-बड़े उद्योगों की तरफ ही ध्यान देने की जरूरत नहीं है, हमें अपने छोटे उद्योगों की तरफ भी ध्यान देना चाहिए। जो बड़े बड़े कारखाने वाले लोग हैं वे बड़े चतुर होते हैं। अपना धंधा चलाने के लिए कोई न कोई रास्ता निकाल लेते हैं और मुनफा कमाते हैं। मैं इसकी तफसील में नहीं जाना चाहता हूँ, लेकिन यह कहना चाहता हूँ कि हमारे बिल में अच्छी मंशा होते हुए भी पिछले तीन चार सालों में कुछ घरानों की सम्पत्ति अरबों रुपया बढ़ गई है। मैं सब की तफसील नहीं दे रहा हूँ, सिर्फ जो छः बड़े घराने हैं उनके

एसेट्स के बारे में बताना चाहता हूँ कि बिरला की सम्पत्ति 12.30 परसेंट, टाटा की 17.57 परसेंट, जे०के० की 16.35 परसेंट, लारसान और टूबों की 16.79 परसेंट, बजाज की 25.43 परसेंट और आई० टी० सी० की 15.79 परसेंट बढ़ी है। ये घराने बड़ी तेजी से अपनी सम्पत्ति बढ़ाते रहे हैं। अगर हम सचमुच में समाजवादी समाज बनाना चाहते हैं तो कुछ हाथों में सम्पत्ति नहीं जानी चाहिए। उनका मुनाफा रोकने के लिए कारगर कदम उठाये जाने चाहिए और एम० आर० टी० पी० एक्ट को मजबूत करना चाहिए, उसको टीथ लगाने चाहिए। हमें कोटेज इंडस्ट्रीज को बढ़ाना चाहिए और स्माल स्केल इंडस्ट्रीज की तरफ भी ध्यान देना चाहिए। जो बड़े कारखाने वाले हैं वे बड़ी चीजें तो बनाते ही हैं लेकिन व साबुन, हेयर आयल और टूथ पेस्ट जैसी चीजें भी बनाते हैं जो कोटेज इंडस्ट्री में बनाये जा सकते हैं। अपने उनके एडवर्टाइजमेंट्स देखे होंगे। उनके कम्पीटीशन में छोटे उद्योग या बेसिक इंडस्ट्रीज ठहर नहीं सकती हैं। इसलिए आज जबूरत इस बात की है कि छोटे उद्योगों को प्रोटेक्शन दिया जाय। रेडियो और टेलीविजन पर आपने उनके एडवर्टाइजमेंट्स देखे होंगे। स्माल स्केल इंडस्ट्रीज के लोग उनके सामने कहां टिक सकते हैं? यह भी कहा जाता है कि वे नई टेक्नोलॉजी ला रहे हैं, लेकिन यह भी कहा जाता है कि वे इसको चुरा लते हैं और इंडिजिनस है, ऐसा कह देते हैं। वे रिसर्च के लिए रुपया भी खर्च कर सकते हैं, लेकिन उस रुपये को रिसर्च में नहीं लगाया जाता है। यही कारण है कि आज हमारे मुल्क में बेरोजगारी बढ़ रही है। नई टेक्नोलॉजी के नाम पर लेबर को काम नहीं मिलता है। फैक्ट्रियां बंद पड़ी हुई हैं, उनको सिक घोषित कर दिया जाता है। वे जानबूझकर इसको सिक घोषित कर देते हैं। इसलिए मेरा कहना यह है कि इन कारखानों को बिना कम्पेंसेशन दिये अपने हाथ में ले लेना चाहिए और उनको पूरी तरह से मजदूरों के हथ में दे देना चाहिए। सरकार अपनी तरफ से उनको



[श्री हरि सिंह]

टेक्निकल नो हाऊ दे, एडमिनिस्ट्रेशन दे, लेकिन सारी प्रोपर्टी मजदूरों की होनी चाहिए। मजदूरों के हाथ में यह सब होना तो उलबन्दी भी नहीं हो सकेगी। एडवर्टाइजमेंट में वे लोग प्राइज और इनमें घोषित कर देते हैं और उसको देते नहीं हैं। उनकी चीजों को सेफ्टी भी नहीं होती है। ऊंचे भाव पर वे बेचे जाते हैं। सारी कम्प्यूनिटी को कार्गो कर देते हैं। उदाहरण के लिए जब उन्हें पता होता है कि बाजार में वनस्पति की कमी होने वाली है तो वे उसके दाम बढ़ा देते हैं और मौसम की बेगरीज का फायदा उठाकर मुनाफा कमाते हैं। इसलिए इस शोषण को रोकने की जरूरत है और ये जो 20 बड़े हाउसेज हैं उनकी सम्पत्ति पर घड़िले से छाने मारे जाने चाहिए और इनको देखा जाना चाहिए। किस तरीके इसे दूर करना है। तो मैं कहना चाहता हूँ कि अगर आप बड़े-बड़े अफसरों के यहां, बड़े-बड़े सरमापेदारों के यहां, पूंजीपतियों के यहां रेड करेंगे तो उससे एक साल के लिये पूरे मुल्क का बजट पूरा हो जायेगा और आपको नये बजट को लाने की जरूरत नहीं होगी। मैं फिर कहना चाहता हूँ कि यह बिल बहुत अच्छा है, इसको आप मंजूर बनाइये। इन्होंने अलफाज के साथ मैं इस बिल का समर्थन करता हूँ।

**श्री ईश बल यादव (उत्तर प्रदेश) :** माननीय उपसभाध्यक्ष जी, आपने मुझे जो बोलने का अवसर दिया इसके लिये मैं आपका हार्दिक आभार प्रकट करता हूँ। साथ ही मैं आपके ही माध्यम से पता पक्ष के श्री हरोविह जो को मो प्रस्ताव देना चाहूंगा क्योंकि उन्होंने हम लोगों की भावनाओं को इस पदन में प्रकट किया है और हम लोगों की दो भावनाएँ नहीं इस देश के करोड़ों लोगों की जो भावनाएँ हैं उनको उन्होंने यहां प्रकट की है। मान्यवर, यह एक विचार तथा अवरोधक आचारिक व्यवहार (मंशोधन) विधेयक, 1969 की धारा 22(ए) में संशोधन करने के लिये माननीय उद्योग मंत्री जी ने बिल पेश किया है। मैं नहीं समझ पा रहा हूँ कि इसका समर्थन किया जाये या इसका विरोध किया जाये। सरकार ने जो कानून बनाया है उसका उद्देश्य जो है, इस एम० प्रार० पी० पी०

एक्ट का उद्देश्य है कि देश में पूंजीवाद न बढ़े, देश का धन सीमित हाथों में एकत्रित न हो। आज से उन्नीस वर्ष पहले यह कानून बनाया गया था। मान्यवर माननीय उद्योग मंत्री जी से मैं निवेदन करूंगा और यह बात आप की जानकारी में भी होगी और इन उन्नीस वर्षों के आप आंकड़े देख लें कि देश के बीस परिवारों, टाटा, बिरला, सिद्धानिधा और दूसरे लोगों के हाथ में सारा धन एकत्र हो गया है। जब से आपने यह कानून बनाया है तब से लेकर आज तक बीस गुना, तीस गुना और पचास गुना इनकी सम्पत्ति, इनकी पूंजी बढ़ी है। बढ़ी है कि नहीं? यह बान सही है कि इनकी पूंजी बेतहशा पानी की तरह बढ़ी है। आप चाहे पुराने एम० प्रार० पी० एक्ट को कायम रखें चाहे उसमें संशोधन करें मुझे कोई विशेष अंतर नजर नहीं आता। मान्यवर, इस देश में एक पैगल एकानामी, समानान्तर अर्थव्यवस्था चल रही है। चालीस हजार करोड़ का कालाधन है जो कि समानान्तर अर्थव्यवस्था चला रहा है। क्या माननीय मंत्री जी और इनकी सरकार ने कभी इस पर विचार किया कि इस काले धन की समाप्ति के लिये क्या उपाय किये जायें, इस काले धन पर कैसे रोक लगाई जाय। इसमें आज आप की सरकार फेल है। मैं तो यहां तक कहूंगा कि यह सरकार, पूरी की पूरी सरकार पूंजीवादियों के बगल में है, उनके हाथ में है। आज जो पूंजीपति चाहेगा सरकार को वैसा ही करना पड़ेगा, वैसा ही चलना पड़ेगा। सरकार को उसी तरह के कानून बनाने पड़ेंगे तब यह वे चाहेंगे। अगर ऐसा न होता तो मान्यवर, इस देश की अर्थव्यवस्था इतनी लुजपुंज न होती। पता नहीं, अगर करें, माननीय उद्योग मंत्री जी का गांव से संबंध है या नहीं। मैं तो गांव का रहने वाल हूँ। 80 प्रतिशत प्रदमी गांवों में रहते हैं। आजकल जड़े का मौसम है। गांव के दस फीसदी आदमी ऐसे हैं जिनको दिन में एक वक्त का खाना भी नहीं मिल पाता है। अगर जलकर उन परिवारों के लोग बैठते हैं अलाब के पास, वही उनकी हीटर है और यही उनके एयर कंडीशनर हैं। इसी तरह 10 फीसदी ऐसे आदमी हैं बावों में जिनके पास लिहाफ नहीं है,

रखाई नहीं है। पुआल और गन्ने के पत्ते ही उनके लिहफ और रखाइयाँ हैं। क्या किया है आपने इन चालीस वर्षों के अंदर। चहे आपका एम०आर० टी०पी० ऐक्ट हो, चहे इसमें आप कोई भी संशोधन लयें और चहे आप पूँजी-पतियों को खत्म करने के लिये कितने ही नारे दें और चहे जितनी भी समाज-वदी समाज की रचना की ब्राह्मण करें 5.00 P.M. कोई भी व्यवस्था आप नहीं कर सके हैं।

देश की अर्थव्यवस्था को पुँज पुँज अपने कर दिया है।... (समय की घंटी) मैं माननीय मंत्री जी से कहना चाहूँगा कि यह जो कल धन देश के अंदर बढ़ रहा है, इस कलेवन को रोकें और कलाधन जो देश में पानी की तरह से तैर रहा है, सारी अर्थव्यवस्था को जिसने निष्फल कर दिया है उसको आप पकड़ने की कोशिश करें क्योंकि अगर आप इसके लिए प्रयत्न नहीं करें तो इस देश का जनतंत्र ही नहीं रह पड़ेगा और चंद मुट्ठीभर पूँजीपति जिनकी संख्या 15 या 20 है वे पूरे देश की अर्थव्यवस्था को चौपट कर देंगे। मैं माननीय मंत्री जी से कहना चाहूँगा कि शुरू से ही अपने भूल की है, इस सरकार ने भूल की है। मैं आप की नीयत पर शक नहीं कर रहा हूँ। आपने शुरू से ही देश के अंदर कलेवन तथा बड़े उद्योगों को, बड़े कारखानों को प्रोत्साहन दिया। विदेशों से अपने ऋण लिये और इन्हीं बड़े उद्योग धंधों तथा कारखानों ने देश की अर्थव्यवस्था को निष्फल बना दिया। अपने गांवों की ओर कभी ध्यान नहीं दिया, गरीबों की ओर कभी ध्यान नहीं दिया, किसान के बारे में कभी नहीं सोच और इसीलिए आज देश के अंदर बेकारी बढ़ गयी है। ये कल कारखाने जो हैं ये आदमियों को बेकार बनाते हैं। सौ आदमियों का काम एक मशीन पर एक आदमी कर देता है, 99 आदमी गांवों में बेकार पड़े हुए हैं। अगर आप बेकारी को खत्म करना चाहते हैं, गरीबी को खत्म करना चाहते हैं जैसे कि आपने समाज-वदी समाज की रचना की बार-बार दुहराई दी है, ऐलन किया है, तो मान्यवर आप बड़े कल कारखानों पर रोक लगाओ, माननीय श्री सिद्ध जी भी यही कह

रहे थे। लेकिन मुझे आशंका है कि आप नहीं लगा पाएंगे क्योंकि आप तो पूँजी-पतियों के चंगुल में फंसे हुए हैं। अभी आपके चुनाव आ रहे हैं और आपको करोड़ों-अबों रुपयों की आवश्यकता है, बरना आप साहस कीजिए और देश के अंदर जो कल कारखाने हैं, इनके ऊपर पाबंदी लगाइये, इसमें श्रमिकों को हिस्सा-दारी दीजिए, छोटे और कुटीर उद्योगों को गांवों में फैलाइये। छोटे और कुटीर उद्योग जब फैला देंगे तो गांवों में रहने वाला आदमी जो बेकार पड़ा है, नौजवान बेकार पड़ा है उसको काम मिल जायेगा और सामान भी सस्ता मिलने लगेगा क्योंकि पूँजीपतियों पर आपका कंट्रोल नहीं है, नियंत्रण नहीं है वे तो मनमाने ढंग से अपने उत्पादन का मूल्य खुद ही निश्चित कर देते हैं और आप बेबस रहते हैं। किसान के गेहूँ और धान का मूल्य तो आप निर्धारित कर देते हैं लेकिन पूँजीपतियों के कारखाने में जो सामान पैदा हो रहा है, उसका मूल्य निर्धारित करने में आप असमर्थ रहते हैं... (समय की घंटी) मान्यवर, समाप्त कर रहा हूँ। दो मिनट लूँगा ज्यादा नहीं लूँगा।

मान्यवर, अगर आप मूल्य निर्धारित करना चाहते हैं तो उस पूँजीपति को राय और मशविरे से ही तथा उसके फायदे को दृष्टिगत रखते हुए करते हैं। आपके पास कोई दूसरा तरीका नहीं रहता है। इसलिए मैं कह रहा था कि छोटे उद्योग धंधों को अगर देश के अंदर लगाएंगे तो इससे बेकारों को काम मिलेगा, सामान सस्ता मिलेगा और गरीबी दूर होगी। केवल एक ही नुस्खा है बेकारी और गरीबी दूर करने का कि छोटे उद्योग धंधे, कुटीर उद्योग धंधे लग इये। अगर महात्मा गांधी जी की अर्थनीति और उनके दर्शन के शतांश पर भी आपने सत्ता में बैठकर विचार नहीं किया। महात्मा गांधी जी ने कहा था कि इस देश को आगे ले जाने के लिए गांवों को बड़ाओ, किसानों को बड़ाओ, कुटीर उद्योगों और छोटे उद्योगों को बढ़ावा दो इससे देश की अर्थव्यवस्था सुधर जायेगी, आपने इस पर ध्यान नहीं दिया।

[श्री ईश दत्त यादव]

देश के अंदर बड़े कारखाने लगाने के, पूंजीपतियों को बढ़ाने के, 20 परिवारों को आगे ले जाने के अलावा आपके पास न समय रहा, न आपके पास विवेक रहा, न आपके पास कोई कानून रहा। आपके सारे कानून इन पूंजीपतियों के आगे फेल हो गये हैं। इसलिए मैं आपसे निवेदन करना चाहता हूँ कि आपको तो बहुत है और आप जो संशोधन ले आये हैं यह पास हो ही जायेगा लेकिन आप विपक्ष के विचारों पर भी देश के करोड़ों लोगों की आवाज पर भी ध्यान दीजिए तब आप देश की अर्थव्यवस्था में सुधार कर सकेंगे। इन्हीं शब्दों के साथ मान्यवर, कमल मोरारका जी ने जो यह प्रस्ताव रखा है। मैं उनसे सहमत हूँ कि लोक सभा और राज्य सभा, दोनों सदनों की एक संयुक्त प्रवर समिति बनाई जाए और इस संशोधन को उस प्रवर समिति के सुपुर्द करें। केवल इस संशोधन को ही नहीं, बल्कि एम०आर०टी०पी० एक्ट पूरे का पूरा ओवरहाल करवाइये और थोड़ा इस पर कड़ाई करिए। केवल कानून पास कर देने से कोई लाभ नहीं होने वाला है और जब तक आप इस काले घन पर नियंत्रण नहीं करेंगे, आपके सारे कानून बेकार रहेंगे और देश की अर्थव्यवस्था गर्त में चली जाएगी।

इन्हीं शब्दों के साथ मैं आपका आभार प्रकट करता हूँ।

श्री चतुरानन मिश्र : उपसभाध्यक्ष जी, एम०आर०टी०पी० एक्ट में जो संशोधन लाया गया है, वह देखने में जैसा निर्दोष लगता है, वैसा निर्दोष नहीं है और इस संशोधन के लाने का जो उद्देश्य बताया गया है, वह उद्देश्य एम०आर०टी०पी० एक्ट के, उस उद्देश्य के बिल्कुल विपरीत है क्योंकि एम०आर०टी०पी० एक्ट जो है वह मानोपली को रोकने के लिए है, बढ़ावा देने के लिए नहीं है। लेकिन यह अमेंडमेंट जो है, यह मानोपली को बढ़ावा देने के लिए है, यानी इस बार वह देसी टैक्ना-

लोजी के इस्तेमाल के नाम पर बढ़ावा देना चाहते हैं। पिछले कई वर्षों में इन्होंने अनेक-अनेक कारणों से बढ़ावा दिया है, बहुत से कारण बता करके इन्होंने उसको बढ़ावा दिया है।

उसके जो भयानक परिणाम हुए हैं, उसके बारे में कई माननीय सदस्यों ने चर्चा की है कि कसे घन केंद्रीय हो रहे हैं। अगर सरकार का उद्देश्य यह होत कि जो देसी टैक्नालोजी है, उसका इस्तेमाल किया जाए, तब सरकार यह कानून बनाती कि अगर देश में कोई टेक्नोलोजी उपलब्ध है, तो विदेशों से वह नहीं मंगवाई जाए। यह कानून सरकार नहीं बनाना चाहती। अगर ऐसा कानून बना दे, तो इस दिशा में काफी प्रगति हो सकती है। लेकिन सरकार यह कानून नहीं बनाना चाहती।

मैं आपको एक उदाहरण देता हूँ। टाटा साहब की टिस्को कंपनी है, माननीय मंत्री जी को मालूम होगा कि वह सेकण्ड हैंड ब्लास्ट फरनेस करीब 150 करोड़ उसमें लागत लगा कर विदेश से मंगवा रहा है। और माननीय मंत्री जी के ही अधीनस्थ हैवी इंजीनियरिंग कारपोरेशन जो बिहार में है, वह बना सकता है ब्लास्ट फरनेस, लेकिन उसको बनाने के बारे में नहीं कहा गया और न मंत्री महोदय ने उसको रोका। इसलिए सरकार किसी न किसी बहाने मानोपली हाऊसेज को बढ़ावा देना चाहती है।

अगर सरकार चाहती कि देसी टैक्नालोजी का इस्तेमाल ज्यादा हो, तो कुछ इंसेंटिव देती, ताकि मायम पूंजीपति, छोटे पूंजीपति भी हमारी इस टैक्न लोजी का इस्तेमाल कर सकें।

आखिर मानोपली हाऊसेज विदेशी टैक्नालोजी का इस्तेमाल क्यों करते हैं? क्योंकि विदेश वाले सिर्फ टैक्नालोजी ही नहीं देते हैं, इसके साथ वह घन देते हैं, इसके साथ वह अच्छा मैनेजमेंट देते

हैं। मल्टीनेशनल कम्पनीज के साथ जब समझौता होता है, तो वह सारी सुविधायें उनको प्रदान करते हैं और उस नाम पर उनका विकास होता है। अब प्रश्न यह उठ सकता है कि क्या यह जो धन का केंद्रीयकरण होगा, यह हमारे देश के हित में होगा या अहित में होगा? अगर यह देश के हित में हो जाए, तब तो हम लोग विचार कर सकते हैं कि इसको बढ़ाया जाए।

मैं माननीय मंत्री जी से कहूंगा कि इसके बारे में सदन को कुछ तथ्य दें। ईमानदारी इस बात में है कि वह तथ्य दें।

हम टायर उद्योग की बात करते हैं। माननीय मंत्री जी ने पार्लियामेंट को कहा है कि टायर उद्योग में तीन चर घटाने हैं जो मिल कर के जब चाहते हैं, टायर का दाम बढ़ा देते हैं, और जैसे चाहते हैं, वैसे बाजार में उसकी आपूर्ति करते हैं क्योंकि वहां उनको कोई रोकने वाला नहीं है।

यही बात इस्स के बारे में, दवाइयों के बारे में, जो जीवनदायिनी चीज गरीब और धनी लोगों के लिए भी है, उसका भी जब-तब मानोपली हाऊसेज और मल्टी-नेशनल कम्पनीज दोनों मिल करके उसका दाम बढ़ा देते हैं। कई बार सदन को हमारे माननीय मंत्री जी ने कहा है कि हां, उन्होंने बहुत ज्यादा दाम लोगों से वसूल लिया और हम उसको रिएलाइज करेंगे।

इसलिए उपभोक्ता के जितने भी समान हैं, टूथ-ब्रश से लेकर चीनी, खाद्य तेल, जिनका भी आप देखिये जहां जहां प्राइवेट सेक्टर और मानोपली हाऊसेज का बोझाला है। वह यही काम कर रहे हैं कि दामों को बढ़ा रहे हैं और सारे समाज को लूट रहे हैं।

इसलिए मैं माननीय मंत्री जी का ध्यान आकर्षित करूंगा—माननीय मंत्री जी और मैं भी, दोनों आदमी इसी

संविधान की कसम लेकर इस सदन में उपस्थित हुए हैं संविधान के आर्टिकल 39 में है, आर्टिकल 39—बी की में पढ़ता हूं :

"that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;"

मैं मंत्री महोदय से पूछना चाहता हूं कि मोनोपली हाऊसेज को इतनी सुविधा देने के बाद उसने कामनगुड के लिए क्या काम किया है? देश की राष्ट्रीय संपत्ति को बढ़ाने के लिए उसने क्या काम किया है? यह जरा मंत्री महोदय हमको बता दें तब हम फिर इस बात पर पुनर्विचार करने को तैयार होंगे। दूसरा है सैक्शन "सी"

"that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."

क्या कमन डेट्रीमेंट के लिये संपत्ति का यह केन्द्रीयकरण नहीं है? अब हम कहन चेंगे कि सम्पत्ति का केन्द्रीयकरण और मुनफा खोरी कामन इंटरेस्ट के खिलाफ में होता है या नहीं? आपने पिछले वर्षों में मोनोपली हाऊसेज को बहुत सी सुविधाएं दी हैं आप एक भी बात बता दीजिए जहां मूल्यों की कमी हुई है। हुई टेक्नोलोजी भी आई है। विदेशी पूंजी भी आई है, लेकिन किस सामन की प्राइस में कमी हुई है, यह आप बता दें तो हम समझें? हम लोगों को बता दें कि विदेशी मुद्रा अर्जन करने में यह एम०एर०टी०पी० कंपनियां क्या कर रही हैं। कई बार प्रधान मंत्री ने इस बात को कहा है कि हमारे एक्सपोर्ट व्यापार में जो बड़े घटाने हैं उनकी नगण्य भूमिका है और हमको एक्सपोर्ट की बहुत ज्यादा जरूरत है, हमको विदेशी मुद्रा की बहुत ज्यादा जरूरत है और उसके बिल्कुल विपरीत ये मोनोपली हाऊसेज काम कर रहे हैं।

## [श्री चतुरानन मिश्र]

तब भी आप इनको बढ़ावा देते हैं ? आप यह नहीं कहते कि तुम देगदोही का काम कर रहे हो। यह कहने के बजाय अभी आप फिर इनको कंसेशन देना चाहते हैं। मैं जानता चहुँगा कि आपने पिछले दिनों में जो सुविधाएं दी हैं वह फिजिलर दी हैं? क्या उन्होंने क्वलिटी अच्छी की है, क्या उन्होंने अपने पैसे से इन्वेस्टमेंट बढ़ाया है, या फिर हमारी ही वित्तीय संस्थाओं से रुपया लेकर हमको दिखलाया है ? मैं जानता चहुँगा कि पिछले दिनों में आपने जो सुविधाएं दी हैं (ससे सिकनेस आफ इंडस्ट्रीज कितना कम हुआ है ? ओनस्टी इस बात में है कि आप बात इये कि सिकनेस पहले से क्या घट गया है ? हम जानता चहुँगे हमारे देश में भयंकर बेरोजगारी है, क्या बेरोजगारी को दूर करने में ये मोनोपली हाउसेज सहायक हुए हैं ? आप सब प्रश्नों का उत्तर देंगे सिर्फ एक "नहीं" में और यही सबसे अत्यन्त खतरनाक बात इसके अंदर है और इसीलिए मैं इसका विरोध करता हूँ। उन समाधाक्ष महोदय, मोनोपली हाउसेज हमारी इकोनोमी को डिस्टोर्ट करने के लिए है। इस देश का घन विदेशों में जमा करते हैं जिसको ले करके पिछले दो वर्षों से हमारे सदन के अंदर काफी हंगामा मचा हुआ है। सरकार भले ही उसको छिपाने की कोशिश करे, लेकिन सरकार ने स्वीकार किया है कि हमारे इन्हीं मोनोपली हाउसेज ने विदेशों में घन जमा किया है, भले ही आप जांच करके उनको पकड़ कर नहीं ले सकें और यह भी आपने इस हाउस में स्वीकार किया है कि उतनी रकम हजार करोड़ से ज्यादा में है। दूसरा इनका यह काम होता है, उन समाधाक्ष महोदय, ये मोनोपली हाउसेज गरीबों के इस्तेमाल की चीजों में ज्यादा पैसा नहीं लगते हैं, लखड़ी गुड्ज में या मैमी लखड़ी गुड्ज में लगाते हैं। इनके हाथ में जो उद्योग था प्राइवेट सेक्टर में जिससे इनका बढ़ावा हुआ टेक्स्टाइल से, जूट से, शुगर से, इन सारे के सारे उद्योगों को इन्होंने सिक बना दिया और दूसरी

दिशा में कैपिटल का डिवर्शन कर दिया और आज सरकार अलम है कि वह टेक्स्टाइल का या जूट मिल का या शुगर मिल का रेनोवेशन कर सके। इसमें सरकार विलकुल अपने को असमर्थ पा रही है। मुझे यह भी समझ में नहीं आता है कि अगर आपने यह अमॉडमेंट पास कर दिया तो जो लघु और मध्यम उद्योगों के लिए जो उद्योग आरक्षित हैं उसमें भी क्या यह देसी तकनीकी के नाम से घुस जायेंगे क्योंकि पिछले दिनों में यह देखा गया है कि ये बड़ी-बड़ी कंपनियां छोटी-छोटी कंपनियां खोल करके और तब उन उद्योगों में घुस आती है। मैं मंत्री महोदय से जानता चहुँगा कि क्या ऐसा भी इसके अंदर होगा ? कई मनीय सदस्यों ने चित प्रकट की कि जो ओपन जनरल लइसेंस में पड़ने वाले उद्योग या फारेन कोलैबोरेशन हुए हैं उसमें जो नई तकनीक फारेन की है या नई विदेशी तकनीक लेकर उसी को ये अपनी देसी दिखल करके नए उद्योग तो नहीं खोलेंगे जिससे पूरे राष्ट्र को घाटा होगा ? यह हम जानता चहुँगे कि इसके बारे में मंत्री महोदय क्या कर रहे हैं ? एक बात और हम जानता चहुँगे, कई माननीय सदस्यों ने कहा कि "हंडरेड परसेंट इंडियन टेक्नोलजी" है, इसको जांच कैसे होगी ? दूसरी बात हमको ऐसा भी लगता है जैसे कई मनीय सदस्यों ने कहा कि अगर कई तरह की चीजों का उत्पादन एक कम्पनी करती है जिसमें एक जगह में फारेन टेक्नोलोजी हो तो दूसरे नये उद्योग में उन्हें देसी तकनीक लगाकर नया कारखाना खोलने की इजाजत होगी या नहीं ? और उसकी जरूरत होगी तो लाएंगे तो वे फिर यह दोनों का सम्मिश्रण होगा ? इसके बारे में भी मंत्री महोदय बताने की कृपा करेंगे।

अखिर में मैं यह कहना चाहूंगा मंत्री महोदय से, कि अगर आप मोनोपली हाउसेज को इसी ढंग से बढ़ावा देते रहे, जैसे पिछले दिनों में आपने दिया है उसके परिणाम जो हुए हैं, उससे आपने कभी देश को या सदन को अवगत नहीं

कराया। हमको लग रहा है कि कांग्रेस का जो समाजवाद है, आप कहते हैं कि हम समाजवाद में विश्वास करते हैं वह कुछ वैसा हो जायेगा, जैसे उपाध्यक्ष जी, आपने दक्ष प्रजापति की कहानी सुनी होगी कि उसने शिवजी की बात को नहीं माना, शिवजी को उन्होंने इन्वाइट नहीं किया तो उसके बदले ऐसे हुआ कि उसकी गर्दन काटकर के बकरा की गर्दन जोड़ी गई। यह अंगोघन कर कांग्रेस अपने समाजवाद पर एकाधिकार का मुद्दा जोड़ रहा है, नया दक्ष प्रजापति बना रहा है। उसका क्या परिणाम है। है, आप जानते ही हैं। नहीं तो आप परहेज कीजिए इन सारी चीजों से और जो जर्नाल में है, जो संविधान में है, जिसकी कसम खाकर आप भी यहां आए हैं और हम भी आए हैं, उसके निर्देश के मुताबिक काम करें। यह मैं इस संशोधन के बारे में कहना चाहता हूँ।

उत्तमाङ्गल महोदय, मैं इसका इसलिए विरोध कर रहा हूँ क्योंकि इससे धन का एकीकरण और भी बढ़ेगा, केन्द्रीकरण और भी बढ़ेगा, जो राष्ट्र के विरोध में जाएगा और आम जनता के खिलाफ जाएगा।

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Prof. Sourendra Bhattacharjee; Last speaker.

PROF. SOURENDRA BHATTACHARJEE (West Bengal): Thank you Mr. Vice-Chairman, Sir, On the Bill that is before us regarding further amendment of the MRTP Act, many speakers have suggested that Perhaps it would have been better had it been the last amendment thereby repealing the MRTP Act as a whole. I was just going through the Act wondering what it proposed to do and now through amendment what is proposed to be done. But I must hasten to add that the Act was meant to achieve a very laudable objective meaning restricting monopoly and, at the same time prevent restrictive practices. In practice, not only from 1969 to 1988 but even before that, 1947 to 1969 also,

concentration of wealth had been increasing at a compounding rate. It was first given out by the Mahalanobis Committee during the Prime Minister ship of Pandit Jawaharlal Nehru whose centenary celebrations are now on. After that during the term of successive Prime Ministers, the process continued unabated. Then, an Act was framed, if we consider it from the point of view of experience it was in order to mislead the people regarding first socialistic patterned thinking of the ruling class and then their socialistic thinking after 1975, after the amendment of the Constitution during Emergency when our State was described to be a socialist State as it is still now. The original Act was to provide that the operation of the economic system does not result in the concentration of economic power to the common detriment or the control of the monopoly or the prohibition of monopolistic and restrictive trade practices and for matters connected therewith or incidental thereto. The provisions are foolproof but we know the wealth concentrated in the hands of 20 business houses of India, not only by seven amendments, but including this one, the eighth, notwithstanding this original Act, this thing has been done during all these years. My only request to the Industry Minister would be, would be kindly give a statement to this House during his answer on the Bill, that what had been the State of concentration of wealth in this country since the MRTP Act was enacted. This is number one. Number two is the present amendment. In our country, we are used to having foreign automobiles, stamped with indigenous markings. Therefore, to avoid foreign technology with indigenous markings is a very difficult thing. Who will check it up? Those persons, who had during all these years overseen this MRTP Act, be it the MRTP Commission or any other agency, it is again to be supervised by them that it was indigenous technology. Another thing I do not know is how it does fit in with the existing provisions of the Act. Section 21 of the Act has



[Prof. Sourendra Bhattacharjee]

been referred to. It is not clear whether that clause has been amended. Only a new section has been inserted -22 (aa). Will that mean elimination of other clauses relevant to this amendment? I think, this point has to be gone into by the Industry Minister. But I would like from him also a statement, a statement regarding the greater and greater concentration of wealth, no doubt. But another part of it, the greater and greater industrial sickness that is now all preva-sive in the country. The number of sick units has reached the figure of 1,50,000. In the other House, only yesterday, the Industry Minister told, as reported in the press, that he cannot arrange the opening of so many closed industries in one particular State, at one stroke. My submission would be, let the Industry Minister tell us what his Government did regarding removing industrial sickness not only in one particular State but in all the States of the country because no State is immune from this malaise notwithstanding the very effective implementation of highly propagated MRTTP Act.

So, let the Industry Minister enlighten us on that point and at the same time, would he kindly tell us how monopoly and restrictive practices does not attract the indigenous technology. I has a particular definition. You also made that definition. Now, you have given a blanket exemption. Is it consistent with the existing Act which has not been repealed? Therefore, my suggestion before the House is let the MRTTP be ended once and for all. It is a great hoax on the fate of the country and OVER the people as a whole. While talking of it, the Government exposes itself to the anathema of the people as a whole so it has to put an end to it.

THE VICE-CHAIRMAN (SRRI H. HANITMANTHAPPA) : Mr. Minister.

SHRI J. VENGAL RAO: Sir, this amendment is for a limited purpose.

If you go through the Statement of Objects and Reasons, you find that section 22A of the Monopolies and Restrictive Trade Practices Act, 1969, empowers the Central Government to direct, by notification, that all or any of the provisions of section 21 relating to substantial expansion of undertakings or section 22 relating to establishment of new undertakings shall not apply to certain categories of proposals specified therein. It is proposed to amend section 22A so as to empower the Central Government also to issue such a direction in relation to proposals based totally on indigenously developed technology. This will be a liberalisation measure for the utilisation of technology, developed in the public or private sector or in national laboratories, for commercial purposes.

Sir, this amendment is only for the encouragement of the indigenous technology. Hon. Members who participated in the discussion covered almost all the aspects from Pepsi-Cola to black money. They discussed the MRTTP Act as well as other Acts. I cannot answer all those things. I will confine myself to this amendment.

Some hon. Members expressed their apprehension about the misuse of the provision. I have taken note of their points and I will answer them. If we look at the Preamble Act, it can be seen that what is to be ensured is that concentration of economic power does not lead to any common detriment. The various provisions of the Act are there to ensure that the growth of large industrial houses does not lead to any common detriment. Section 28 of the Act lays down matters required to be considered by the Central Government before according approval under Chapter IV of the Act. Applications for setting up new unit expansion of existing ones, amalgamations and take-over, merger, etc. are dealt with keeping in view the provisions of the MRTTP Act.

As far as amendments are concerned, I would like to say that economic legislation has to be dynamic in nature and has to keep pace with the changing needs of the economy.

[The Deputy Chairman in the Chair.]

Madam Deputy Chairman, this Act was passed in 1969. And only seven times it has been amended. We have to amend the Act in accordance with the needs of the time. Then only we can achieve progress. Then only we can industrialise the country. The mere fact that amendments have been brought cannot be said to have diluted the spirit of the Act. As I said in my introductory remarks, amendment of Section 22A is to encourage commercial exploitation of technology developed in our country so that technological self-reliance can be successfully pursued. We have to ensure that our country develops technology by itself. For that we have to encourage commercialisation of technology developed indigenously. Such encouragement could be in different ways. The relaxation under consideration is one such way. Research and development costs are high. It also involves a great amount of risk which many would not be willing to undertake as it also requires large-scale investment. Generally only relatively larger companies of the country are in a position to take risks and to make such investments. Such companies, therefore, have to be encouraged to undertake research which will enable this country to be technologically strong and independent of foreign technology.

SHRI KAMAL MORAKA: Now the cat is out of the bag.

SHRI J. VENGAL RAO: However, the facility does not ensure grant of blanket exemption. The MRTTP companies desiring to avail themselves of this dispensation would have to comply with certain terms and conditions that would be specified in the exemption notification. The terms and con-

ditions would be effective safeguards against possible abuse or misuse of the facility. I assure the Members that they need not have any apprehensions on this account.

Shri Karnal Morarka spoke about the amendments made to the MRTTP Act in the past. He seems to have the feeling that amendments have been made with a view to liberalising the provisions of the MRTTP Act. Without going into the details of all the amendments made in the past, I would only like to add that in a changing economic scenario it becomes necessary from time to time to bring changes in a legislation. It is also wrong to say that all amendments made were only towards relaxation of the provisions of the MRTTP Act. Shri Morarka also spoke about exempting Government undertakings from the unfair trade practices provisions in the Act. Today's Bill does not even relate to that issue. We have to consider the provisions of the Bill before the House, not the entire MRTTP Act. He merely suggested...

SHRI KAMAL MORARKA; on a point of order, Madam. The Minister said it twice. In the beginning of his speech he said Members have referred to various points not only on this amendment but on the whole Act. Again he is repeating Shri Morarka has talked of the Act. While speaking on an amendment to the Act, can I not speak about the Act at all? This shows total arrogance of power.

THE DEPUTY CHAIRMAN; He is only referring to it.

SHRI KAMAL MORARKA; No. He is taking objection. He says Mr. Morarka referred to exemption of Government undertakings whereas that is not the subject-matter of the amendment we have to discuss only this amendment, not the whole Act.

SHRI SHANKER SINH VAGHELA: The Minister was not in the House. He seems to be reading out a readymade reply which has no connection



with the debate. He was not in the House.

SHRI J. VENGAL RAO Mr. Morarka suggested that the Bill be referred to a Select Committee. The Bill is a simple one and there is no need for its consideration by a Select Committee. This Bill was already passed by the Lok Sabha. I am grateful...

SHRI KAMAL MORARKA; *Again* on a point of order, Madam. If a Bill is passed by Lok Sabha, does it mean that this House has no right to refer it to a Select Committee? Should I get the Rules Book and read out?

THE DEPUTY CHAIRMAN; He is not objecting to it. His contention is that there is no need.

SHRI KAMAL MORARKA: This is contempt of the House. There is a limit to our tolerating such arrogance.

SHRI M. A. BABY; This cannot be tolerated. This is nothing but contempt of the House... (*Interruptions*) ...This is nothing less than contempt of this House... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Let me tell you, he is only stating the fact that this has been passed by the Lok Sabha... (*Interruptions*)...

SHRI J. VENGAL RAO: Madam,...

SHRI KAMAL MORARKA: Madam. I want your protection. You are the Deputy Chairman and you are the custodian of this House. Is it proper for the Minister to say that there is no need now because the Lok Sabha has passed it. (*Interruption*) ...

SHRI J. VENGAL RAO; I did not say like that ... (*Interruptions*) ...

SHRI V. NARAYANSAMY (Pondicherry): Madam. I want to hear the Minister. But I do not know why there are so many interruptions... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Let me hear the Minister properly. I am not able to hear anything because of these Interruptions.

SHRI J. VENGAL RAO; Madam, while introducing the Bill, I had said that the Bill had been passed by the Lok Sabha and was under the consideration of this House. I have said that it is before the House and under the consideration of the House.

I am grateful to Prof. Chandresh Thakur for the support that he has extended to this Bill. He also touched upon various other aspects of industrial development and he has made some suggestions also. I have taken note of them.

Shri Baby also spoke of various amendments made in the past. I have dealt with this point earlier. He reels that amendment about indigenous technology with totally sabotage the MRTP Act. I see no reason for such, an apprehension.

Mr. Chimanbhai Mehta wondered whether the liberalisation would benefit the industry or only the industrialists. I can assure him that our policies are for the development of industries and, under the provisions of section 22A of the MRTP Act, the Government can impose conditions while issuing a notification. So, we can impose such a condition to ensure that the liberalisation process is not abused.

Mr. Vaghela spoke about giving encouragement to the scientists in the country. That is exactly what the proposed amendment is intended to do. The proposal is meant to encourage the development of indigenous R&D and its commercialisation. He also spoke about the MRTP Commission and the cases pending in the courts for a long time. While some cases may be pending in the High Courts and other courts, the MRTP Commission has decided many cases and has done a commendable work.

Some other speakers also voiced their apprehensions about the impact that this amendment will have

on the small-scale industries. Let me say that the policies that are there to support the small-scale industries are not being abandoned. Encouragement to the development and commercialisation of indigenous research is not going to hurt the small-scale industries, I have already said that suitable conditions will be incorporated in the notification to ensure that the provision is not abused by the monopoly houses.

With these words, Madam, I conclude and I am confident that, keeping in view the objectives of the proposed amendment, the House will pass this Bill unanimously.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969, as passed by the Lok Sabha, be taken into consideration."

(Interruptions) Do you want division? If you lose, then?

AN HON. MEMBER: We have nothing to lose. We will continue to sit this side, (Interruptions).

THE DEPUTY CHAIRMAN: Mr. Morarka, do you want to say something?

SHRI KAMAL MORARKA : Not now. Later I want to place something on record. I have a submission to make.

THE DEPUTY CHAIRMAN: What is your submission? Make it now. (Interruptions) During the third reading? Make it now. Why waste time? They 'will announce for the Division in the meantime. Why waste time? (Interruptions) Anyway, the bell will be ringing. Members will be coming. It is better you make your submission. (InterruptionsJS;)

SHRI KAMAL MORARKA: At the third reading. (Interruptions)

THE DEPUTY CHAIRMAN: Under

is ringing. You can go out and listen to it. (Interruptions)

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Once in a while you have to give shock! (Interruptions)

SHRI M. A. BABY (Kerala): Delaying. .. (Interruptions).

THE DEPUTY CHAIRMAN: No delay. Mr. Baby, you are a new Member perhaps. You do not know that it takes some time for the bell to ring so that Members whoever they are can come in time. You are still too young to know all about these things! We are all very old Members.

SHRI M. A. BABY: Madam, despite being young, I have seen many divisions in this House.

SHRI PARVATHANENI UPENDRA: You are too old to forget all these things! (Interruptions)

THE DEPUTY CHAIRMAN: The question is

"That the Bill further to amend the Monopolies and Restrictive Trade Practices Act, 1969, as passed by the Lok Sabha, be taken into consideration."

The House divided.

THE DEPUTY CHAIRMAN:

Ayes	24
Noes	19

AYES—24

Ansari, Shri Mohammed Amin  
Bekal Utsahi, Shri  
Bhardwaj, Shri Hansraj  
Desai, Shri Jagesh  
Hanumanthappa, Shri H.  
Hari Singh, Shri  
Jacob, Shri M. M.  
Kesri, Shri Sitaram  
Khan, Dr. Akrar Ahmed  
Krdwai, Dr. Mohd. Hashim

Malaviya, Shri Radhakishan  
Mishra, Dr. Jagannath  
Mishra, Shri Shiv Pratap  
Narayanasamy, Shri V.  
Pandey, Dr. Ratnakar  
Patel, Shri Vithalbhai M.  
Reddy, Shri T. Chandrashekhar  
Sahu, Shri Rajni Ranjan  
Satya Bahin, Shrimati  
Shri Bir Bahadur Singh  
Singh, Shri B- K. Dorendra  
Singh, Thakur Kamakhya Prasad  
Singh, Shri Surender  
Verma, Shri Kapil

NOES—19

Baby, Shri M- A.  
Bbatacharjee, Prof. Sourendra  
Javali, Shri J. P.  
Jethmalani, Shri Ram  
Kalvala, Shri Prabhakar Rao  
Lakshman, Prof. C.  
Morarka, Shri Karnal  
Naik, Shri L. Narsingh  
Naik, Shri R- S-  
Poddar, Dr. R. K.  
(Quasem, Shri Mostafa Bin  
Rao Shri Moturu Hanumantha  
Rao, Shri Yalla Sesi Bhushana  
Reddy, Dr. G. Vijaya Mohan  
Reddy, Dr. Narreddy Thulasi  
Sivaji, Dr. Yelamanchili  
Upendra, Shri Parvathaneni  
Vaghela, Shri Shanker Sinh  
Yadav, Shri Ish Dutt

*The motion was adopted.*

THE DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2 and 3 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the BHI.*

SHRI J. VENGAL RAO: Madam, I beg to move:

"That the Bill be passed." *The question was proposed.*

PROF. c. LAKSHMANNA (Andhra Pradesh): Madam Deputy Chairman, I stand to oppose a part of the Bill. The Bill consists of two parts: Amendment to Section 22A and Amendment to Section 67 of the Act. I do not oppose the amendment to Section 67 of the Act. However, I am opposed to the amendment to Section 22A. In this connection, Madam, I would like to put three specific questions to the Minister. Firstly, he says, as part of the Act, "totally On technology developed in India". What does he mean by "totally"? Madam, you are aware of the indigenous technology. I would like to mention to the Minister—he is very familiar with it—that there is IDPL in Hyderabad. Technology is developed there. But hardly that benefit goes to the IDPL as such. At a very important moment, the persons who have been responsible for developing that technology, they left that organisation. As a result, the entire technology now moves into the hands of the private sector and umpteen number of factories have come up around the IDPL in Hyderabad. Now, I would like to know whether this will not be case with regard to even the totally indigenous technology developed in India because it depends upon the definition of "totally", it depends upon the technology that has been developed in India. Therefore, I would like to know what is the definition of "totally on technology developed in India". Secondly, who are the persons of which is the body or the agency which will determine whether a particular technology for which a concession is being extended under the Act is totally technology that has been developed in India or not? What is that agency? That has not been defined.

Now, Madam, I come to the second part of my question. Madam, by this Act, the national laboratories will become bee-hives of undersirable activities because the technology has to be developed either in the private sector or the public sector or the national laboratories. Madam, there will be so much of pressure on the scientists working in the national laboratories that these will become beehives, as I was mentioning of pressure tactics. Further, Madam, I would like to bring to your kind notice that we spend only 1.1 per cent of the GNP, if I remember correctly, on R & D. Only 1.1 per cent and if you go to the private industry, they do not even spend 1.1 per cent, it is less than .5 per cent. Therefore the

amount that has been spent on indigenous technology and R&D in this country is so low that the entire clause becomes meaningless. But nonetheless the clause has come, the amendment has come. Therefore I would like to know what specific safeguards will be taken by the Government of India with regard to making the national laboratories and the public sector R&D departments not to

become beehives of pressurised tactics, this is the second part of the first question.

The second question I would like to ask is that we have been having several amendments, let us not, talk about other amendments. I will talk about this particular amendment. When once this particular amendment is passed, I would like to ask the Minister to specifically tell me as to how many industries will be left under the MRTP now. He may not exhaust all the industries. If he gives by way of illustration even a few industries that can be left after applying the principle of totally developed technology in India as a provision for concession to these houses, I think that will be a good question.

Thirdly, the final question. I would like to ask the Minister how does he

make a distinction between a technology which has been developed elsewhere and which has been transferred to India at the final stage into a multinational industrial private sector R&D and if that is shown as the finally developed technology in India, what precautions will be there for not allowing the benefit of this provision of this Act to other multi-national industries in this country? These are the three questions.

SHRI J. VENGAL RAO: Madam, the hon. Member has raised one important question, how to prevent the abuse of this concession. Mr. Sesi Bhushana Rao of his party has spoken about it in his speech. I have noted it. In the Lok Sabha I gave an assurance that before giving a notification we will refer it to an experts' committee i.e., it is totally indigenous and then only we will issue a notification. Otherwise we will not issue any notification. We will take care of it.

PROF. C- LAKSHMANNA: This experts' Committee, is it a standing committee or will it be constituted every time?

SHRI J. VENGAL RAO: Just now I noted all your points. I am considering them and I assure you I will look into them. (Interruptions)

THE DEPUTY CHAIRMAN: No, no not now.

SHRI KAMAL MORARKA: Mr. Bhardwaj is sitting, I will request you to kindly give me a minute, because he was not here when that happened.

THE DEPUTY CHAIRMAN: What happened?

SHRI KAMAL MORARKA: That relates to Parliamentary procedure.

THE DEPUTY CHAIRMAN: Talk to him in the lobby.

SHRI J. VENGAL RAO: Hon. Member, Prof. Lakshmanna, asked how

[Shri J. Vengal Rao]

many companies are still there under the MRTP. There are 1752.

PROF. C. LAKSHMANNA; I asked, how many industries will be left once this particular provision is given effect to.

SHRI J. VENGAL RAO: There will be 1752 companies under the MRTP. Act.

PROF. C. LAKSHMANNA; Industries, not ampanies.

SHRI KAMAL MORARKA: You please understand what he is asking. I would also like to know that. After this amendment and after taking this amendment with your previous two notifications, after that will there be any industries still left under the purview of the MRTP Act. 1969? If so, he would like to have

an illustrative list. You cannot give it now but please supply it later.

SHRI J. VENGAL RAO; There ate more than thousand industries. I will supply the list to you.

SHRI KAMAL MORARKA; Not the companies, industries.

THE DEPUTY CHAIRMAN; The question is:

"That the Bill be passed." The

*motion was adopted.*

THE DEPUTY CHAIRMAN; The House now adjourns till 11 A.M. tomorrow ,

The House then adjuroned  
at flftysix minutes past five  
of the clock till eleven of the  
clock on Thursday, the 1st  
December, 1988.