

Name of the company	Instrument	As on 31.10.2011 (Rs. in crore)
ITC Ltd.	Equity	3366.02
VST Ltd.	Equity	0.14
Dharampal Satyapal Ltd.	Non Convertible Debentures	50.00

(c) The investments made in tobacco companies as per the investment regulations inforce at the time of investments, in tune with commercial considerations.

(d) Does not arise.

#### **Amendment in Take Over Code by SEBI**

2209. SHRIMATI GUNDU SUDHARANI:

SHRI JAI PRAKASH NARAYAN SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether many Industrial Association have expressed that there are some lacunae in the recent amendment to Take Over Code by SEBI in relation to disclosure of encumbered shares;

(b) whether the said modifications have been carried out by SEBI without wide ranging discussions with Industrial Bodies and Associations including SEBI Board;

(c) if so, the details thereof and whether this issue was discussed in detail in SEBI Board;

(d) if so, the details thereof and if not, the reasons therefor;

(e) the representations received from various quarters in this regard; and

(f) the action being taken by Government/SEBI to ensure greater transparency while enacting such laws?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) The Ministry of Finance had received a representation from the All India Association of Industries (AIAI), regarding the disclosure of encumbered shares by promoters of listed companies addressed to several officials of the Ministry. This representation was referred to the Securities and Exchange Board of India (SEBI). The representation was, however, received after SEBI notified the Substantial Acquisition of Shares and Takeover Regulations, 2011 (New Takeover Regulations) on September 23, 2011.

(b) to (d) SEBI had constituted the Takeover Regulations Advisory Committee (TRAC) to examine and review the Takeover Regulations of 1997 and to suggest suitable amendments therein.

The Committee submitted its report to SEBI on July 19, 2010.

Wide ranging discussions were held by SEBI before carrying out the modifications and the following was *inter-alia* done in the process:—

The report was uploaded on the SEBI website for public comments.

The Report was also sent to other stakeholders such as major industry associations including FICCI, CII, ASSOCHAM and other regulators for comments.

The public comments received were examined by SEBI in the light of the TRAC Report.

The recommendations in the TRAC report alongwith the feedback received were placed before the SEBI Board on July 28, 2011 for its consideration.

The Board after considering all the relevant inputs placed before it approved the new Takeover code giving due weightage to the recommendations of TRAC and the comments received thereon.

Thereafter, SEBI notified the new Substantial Acquisition of Shares and Takeovers Regulations, 2011 on September 23, 2011 and the new regulations came into effect on October 22, 2011.

(e) Two representations were received in the Ministry of Finance. One was from an Hon'ble Member of Parliament and the other was from AIAI, though the Association had sent copies of the same representation to many officials in the Ministry.

(f) As a general practice, SEBI formulates Rules/Regulations through a consultative process that usually includes discussions with various stake holders like representative bodies. Public comments on the draft Rules/Regulations etc. are also normally invited before submitting proposals to the Board of SEBI for its decision. Through this process, SEBI is able to promote transparency in decision making.

#### **Reversion to old pension scheme**

2210. SHRIMATI KUSUM RAI:  
SHRI PRABHAT JHA:

Will the Minister of FINANCE be pleased to state:

(a) whether under New Pension Scheme (NPS) Government will be able to pay comfortable amount as pension at par with the old pension scheme to employees of Central Government;

(b) if so, the details thereof;

(c) if not, the difference in pension under NPS and old pension scheme;

(d) the details of methodology to be adopted to calculate pension under NPS out of 40 per cent of total accumulated amount reinvested after retirement; and