

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF SURFACE TRANSPORT (DR. M. THAMBI DURAI) : (a) Yes, Sir. The Companies Bill, 1997 was introduced on 14th August, 1997 in Rajya Sabha to re-enact and consolidate the provisions of Company Law on the basis of recommendations of the Working Group constituted in the year 1996. The Bill stands referred to the Department related Standing Committee on Home Affairs for its deliberations and submission of its recommendations to the Parliament.

(b) and (c) The main object of the Companies Bill, 1997 is to provide effective protection to investors, creditors and public at large for good corporate governance and at the same time leave the management free to employ its energies in the pursuit of Company's objectives.

The Bill provides for a three-fold classification of companies as under:

- (1) private companies, which are proposed to be largely self-governing but prohibited from inviting and accepting deposits from the public and not to be deemed as public companies;
- (2) unlisted public companies, which will be subject to minimum Government regulations;
- (3) listed public companies, which will be subject to greater regulation including stricter disclosure norms;

The Companies bill, 1997 recognises the international trend and makes an endeavour to adopt a flexible but balanced approach, namely, greater self-regulation by companies subject to making better disclosure by increasing responsibility of directors and auditors in this regard, more effective enforcement of law, and prompt and deterrent punishments for violation of the provisions of the Act. The Bill also seeks to remove or replace the inadequate and obsolete provisions in the existing Act.

(d) and (e) Yes, Sir. As per clause 130 of the Companies Bill 1997 the fine for non-filing of Annual Return/Balance Sheet is proposed to be raised from Rs.50 to Rs.500 for every day during which the default continues. The scope of the annual returns has been suitably widened and the period for filing annual returns has been reduced from sixty to thirty days. As per clause 55, the fine for mis-statements in prospectus issued for public issue of shares shall be imprisonment for a term which may extend to two years or with fine which may extend to one lakh rupees.

[English]

#### **"Danger to Hamalayas"**

2439. SHRI NARESH PUGLIA :

SHRIMATI JAYABEN BHARATKUMAR THAKKAR :

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state :

(a) whether the attention of the Government has been drawn to the news-item captioned "Stop exploiting Himalayas" Bahuguna" appearing in the Statesman, dated September 16, 1998;

(b) if so, the facts of the matter reported therein;

(c) whether the construction of Tehri Dam is posing danger to the Hamalayas and incidents of land slides near Himalayas are of grave concern for the Government; and

(d) if so, the steps proposed to be taken by the Government to save the Himalayas from further exploitation?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI BABU LAL MARANDI) : (a) and (b) Yes, Sir. The news item mentions about disturbances in Himalayas due to development activities and suggests some remedial measures. Taking into account the fragile nature of Himalayas, developmental activities are undertaken with due consideration to the possible adverse impact on ecology of the area.

(c) According to the information available with this Ministry, there is no evidence to indicate that Tehri Hydro Electric Project under execution is posing any danger to the Himalayas. A study conducted on the stability of Tehri Dam Reservoir rim slopes has found these slopes to be safe. Landslides in Himalayas generally occur due to its young geology, steep slopes and heavy rains.

(d) Government have taken various measures to contain damage to Himalayas. State Government have been advised to ban felling of trees about 1000 metres height. The Border Roads Organisation is constantly upgrading its road construction techniques to minimise damage on account of use of explosives. Schemes promoting cultivation of fuel and fodder, non timber forest produce, joint forest management are being undertaken. Afforestation and protection of ecologically critical areas have been initiated. Developmental projects including power, irrigation, flood control, roads and mining require Environmental Impact Assessment (EIA).

#### **Cases pending in MRTP Commission**

2440. SHRI DINSHAW PATEL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) the status of pending cases in the MRTP Commission, till date separately;

(b) whether any review has been made about the status of pending cases with regard to metropolitan cities and State-wise registration and settlement by MRTP Commission during the last three years;

(c) if so, the details thereof; and

(d) the steps taken/proposed to be taken to reorganise and strengthen the MRTP Commission?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF SURFACE TRANSPORT (DR. M. THAMBI DURAI) : (a) There were 4478 enquiries/cases pending in the MRTP Commission as on 30th November, 1998. The break-up of the enquiries/cases is as under :

Unfair Trade Practioes Enquiries	-	1379
Restrictive Trade Practice Enquiries	-	1398
Monopolistic Trade Practice Enquiries	-	8
Compensation Applications	-	1693