

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:2435
ANSWERED ON:10.03.2000
INTELLECTUAL PROPERTY
T.T.V. DHINAKARAN

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

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(a) whether the Government propose to enact effective anti-competition law to ensure equitable competition and fair trade practices and to avoid undesirable monopoly in exercise of intellectual property and patent rights;

(b) if so, the time by which the Government propose to appoint a committee of experts to study the technicalities involved in drafting a Bill; (

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN SINGH)

(a) to (d) India has a general legislation namely, Monopoly and Restrictive Trade Practices Act, 1969 covering aspects of monopoly and restrictive trade practices. The Government has recently constituted a committee of experts with a view to examine this Act and to shift the focus of the law from curbing monopolies to promoting competition and to suggest a modern competition law in line with international developments to suit Indian conditions. The committee is expected to submit its report shortly.

Apart from this, the Patents Act, 1970 contains a provision, under Section 140, to cover aspects relating to avoidance of certain restrictive conditions in contractual licences. The Patents (Second Amendment) Bill, 1999 also proposes to modify Sections 85, 95 and 140 to strengthen measures against anti-competitive practices.