

यात्रा में किसी ऐसे ही स्टेशन का नाम दर्ज करके इष्टमीडिएट स्टेशन्स की यात्रा करेंगे जहाँ पर इस प्रकार की सुविधायें उपलब्ध नहीं रहती हैं। यदि ऐसे स्टेशन पर भी वे जाते हैं तो उनकी यह यात्रा कैरिज के माध्यम से नहीं होनी चाहिए बल्कि वे इन्स्पेक्शन के लिए ट्रेन्स से जायें और इन्स्पेक्शन करके दूसरी ट्रेन्स से चले आयें।

आपने कहा है कि लकड़ी के ही सलून्स हैं लेकिन ऐसी बात नहीं है, स्टील के सलून्स भी बने हुए हैं जिसको रिजर्व्ड एकोमोडेशन कहा जाता है और जो की रेलवे के लिए स्वर्ग है। (व्यवधान)

प्रो० मधु दंडवते : यह कार्यवाही के लिए माननीय सदस्य का सुझाव है और इस पर जरूर ध्यान दिया जायेगा।

Enquiry against Foreign Companies under M.R.T.P. Act

*728. SHRI K. KUNHAMBU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any of the foreign firms are facing enquiry under the Monopolies and Restrictive Trade Practices Act; and

(b) if so, which are the firms and action taken against them?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). A statement indicating the names of the foreign firms and the action taken against them is being placed on the Table of the House. The statement includes not only foreign companies which operate in India through their branches, but also those which operate through their Indian subsidiaries. These cases relate to restrictive and monopolistic trade practices which are being looked into by the Monopoly and Restrictive Trade Practices Commission.

Statement

S. No.	Name of the Company	Section	Stage of enquiry before M.R.T.P. Commission.
1.	Indian Aluminium Co. Ltd., Calcutta.	10(a)(iv)	The enquiry is in the pleadings stage.
2.	Philips India Ltd., Calcutta	10(a)(iv)	Do.
3.	Western India Match Co. Ltd., Bombay.	10(a)(i) 10(a)(iv)	The enquiry is in the final stage of pleadings.
4.	Ciba Geigy of India Ltd., Bombay.	10(a)(iii)	Do.
5.	Alkali & Chemicals Corporation of India Limited, Calcutta	10(a)(iv) 10(a)(i)	The enquiry is in the pleadings stage.
6.	Ashok Leyland Ltd., Madras	10(a)(iii) 10(a)(iv)	The enquiry is in the final stage of pleadings.
7.	Avery India Ltd., Calcutta	10(b)	The enquiry is in the pleadings stage.

1	2	3	4
8.	Britania Biscuit Co. Ltd., Calcutta.	10(s)(iv)	The enquiry is in the pleadings stage
9.	Chloride India Ltd., Calcutta	Do.	Do.
10.	Dunlop (India) Ltd., Calcutta	10(a)(i)	Do.
11.	General Electric Co. of India Ltd., Calcutta.	10(a)(iii)	Do.
12.	Gramophone Co. of India Ltd., Calcutta.	10(a)(iii)	The enquiry is in the final stage of pleadings.
13.	Guest Keen Williams Ltd., Calcutta.	10(a)(iv)	The enquiry is in the pleadings stage.
14.	India Foils Pvt. Ltd., Calcutta	10(a)(iv)	The enquiry is in the pleadings stage.
15.	Indian Oxygen Ltd., Calcutta	10(a)(iv)	The enquiry is in the final stage of pleadings.
16.	India Tyre & Rubber Co. (India) Pvt. Ltd., Bombay.	10(a)(i)	The enquiry is in the pleadings stage.
17.	Reckitt & Coleman of India Ltd., Calcutta.	10(a)(iv)	Do.
18.	Firestone Tyre & Rubber Co. of India Pvt. Ltd., Bombay.	10(a)(i)	Do.
19.	Goodyear India Ltd., Calcutta	10(a)(i)	Do.
20.	International General Electric Co. (India) Pvt. Ltd., Bombay.	10(a)(iv)	The enquiry is in the pleadings stage.
21.	Tri-Sure India Pvt. Ltd., Bombay.	10(a)(iv)	The enquiry is in the final stage of pleadings.
22.	Union Carbide India Ltd., Calcutta.	10(a)(iv)	The enquiry is the pleadings stage.
23.	Motor Industries Co. Ltd., Bangalore.	10(a)(iii)	The enquiry is in the final stage of pleadings.
24.	Polydor of India Ltd., Bombay	Do.	Do.
25.	Siemens India Ltd., Bombay	Do.	The enquiry is in the pleadings stage.
26.	Heatly and Gresham Ltd.	Do.	Do.
27.	Mazda Lamp Co. Ltd., New Delhi.	Do.	Do.
28.	Glaxo Laboratories (India) Ltd., Bombay.	Do.	Do.
29.	Asbestos Cement Ltd., New Delhi.	10(a)(iv)	Do.
30.	Colgate Palmolive (India) Pvt. Ltd.,	}	Reference was made to the Commission under Section 31 of the Act. The enquiries in these cases had been stayed by an order of the Delhi High Court.
31.	Coca-Cola Export Corporation		
32.	Cadbury Fry (India) Ltd.		

SHRI K. KUNHAMBUR: May I know from the hon. Minister, how many of the companies listed in his statement are facing charges of Restrictive Trade Practices and what are those Restrictive Trade Practices?

SHRI SHANTI BHUSHAN: The statement which I have laid on the Table of the House contains the names of 32 companies. It has also been mentioned that most of the proceedings which are pending before the Commission relate to Restrictive Trade Practices except Serial Nos. 7, 30, 31 and 32, which relate to Monopolistic Trade Practices. These proceedings are pending. If the hon. Member wants to know the nature of the Restrictive Trade Practices, which is the subject of the enquiry before the Commission, I require notice for that. In that case, the information will be laid on the Table of the House.

SHRI K. KUNHAMBUR: How many of them are multi-national companies and what steps Government are taking to dilute the equity capital to bring in line with the provisions of the Foreign Exchange Regulations Act, 1973.

SHRI SHANTI BHUSHAN: So far as the dilution of the foreign equity is concerned, that is a matter which is looked after by the Ministry of Finance. The Foreign Exchange Regulations Act is administered by the Ministry of Finance.

श्री श्रीम प्रकाश त्यागी : अध्यक्ष महोदय, मैं मंत्री महोदय से यह जानना चाहता हूँ कि क्या उन्हें यह मालूम है कि विदेशी कम्पनियाँ भारतवर्ष से मुनाफे के रूप में बहुत बड़ा धन अपने देशों को ले जा रही हैं और इस से विदेशी मुद्रा की बहुत बड़ी हानि होती है ? तो क्या सरकार का विचार इन विदेशी कम्पनियों का भारतीयकरण करने का है ? यदि है, तो इस दिशा में क्या प्रगति हुई है और कब तक आप उन का भारतीयकरण करेंगे ?

SHRI SHANTI BHUSHAN: I submit that this does not arise out of the question. I require notice for this.

SHRI N. SREEKANTAN NAIR: In the list of 32 companies, 29 companies except the last three, come under one category, that is in the pleading stage. It seems that the Monopoly and Restrictive Trade Practices Commission is dancing to the tune of their music and takes unison steps. May I know, why all these cases are in the same stage and not even one company has been convicted?

SHRI SHANTI BHUSHAN: The list contains only those companies, against whom the proceedings are still pending. That was on account of the fact that the question asked was, whether any of the foreign firms were facing enquiries. So far as those cases where the enquiry has been concluded and the final orders have been passed are concerned, I have got a list with me; twenty companies are there. Those were cases of restrictive trade practices and 'cease and desist' orders were passed. What happens is this. If the practice is found to be a restricted trade practice against the interest of the public, then the Commission passes a 'cease and desist' order, which requires those companies to discontinue that practice. In all such cases where such orders were made and complied with by those companies, there is no information that those orders have been contravened by these companies.

श्री कंवर लाल गुप्त : अध्यक्ष महोदय, मंत्री महोदय ने जो 32 कम्पनियों के नाम दिये हैं, उन में से 3 कम्पनियाँ ऐसी हैं, जो मोनोपली कम्पनियों में आती हैं मैं मंत्री महोदय से यह पूछना चाहता हूँ कि मोनोपली खत्म हो, उस के लिए सरकार क्या कार्यवाही कर रही है ? मैं खास तौर से यह कहना चाहता हूँ कि आप ने कोका कोला का इम्पोर्ट तो बन्द कर दिया लेकिन उस के लिए कोई अल्टरनेटिव ड्रिंक का इन्तजाम नहीं किया है

तो मैं यह जानना चाहता हूँ कि ये जो 3 मोनो-पली कम्पनियाँ हैं, उन के बजाए आप कोई आल्टरनेटिव इन्तजाम करेंगे जिस से उन की मोनोपली भी खत्म हो जाए और लोगों को पब्लिक सेक्टर में या ग्रीर कहीं वे चीजें भी मिलने लगे ?

MR. SPEAKER: It does not arise out of this question.

SHRI KANWAR LAL GUPTA: Three companies listed at 30, 31 and 32 are monopoly companies. My question is when the Government will abolish the monopoly companies and whether the Government is prepared to manufacture the concerned items in the public sector. This is because if you abolish the monopoly companies, you must provide alternative arrangements for manufacturing those items. What steps is the Government taking in this direction?

MR. SPEAKER: It does not arise out of the main question.

AN HON. MEMBER: No cold drink. Water is enough.

SHRI KANWAR LAL GUPTA: My question is very relevant. Serial Nos. 30, 31, and 32 are monopoly houses. So I want to know what steps are the government taking to end the monopoly and what steps are the government taking to provide an alternative drink either through the public sector or some other agency.

MR. SPEAKER: It is for the Commerce Minister and not for this Minister to say what substitute he will provide. If he wants he can answer, but I do not think it arises.

SHRI KANWAR LAL GUPTA: After all they come under monopoly.
(Interruptions)

SHRI JYOTIRMOY BOSU: Since Cadbury Fry, Colgate Palmolive, Ponds and Coca Cola export corporation are companies which have obtained injunc-

tion from the courts, will the Minister kindly tell us whether it is or it is not a fact that a technical defect in the references made by the Ministry was found and as such the foreign companies has taken advantage of it? Also, in the context of the same, will the government withdraw the references and issue fresh references removing the technical defect so that the foreign companies cannot misuse the courts and even if they go to the court they do not get relief as they have done in the previous references.

SHRI SHANTI BHUSHAN: So far as the monopolistic and restrictive trade practices are concerned, there are two ways in which a matter can reach the Commission. Either the Commission may start proceedings *suo motu* or the Government can make a reference of the monopolistic trade practice to the commission. In these three cases which are included in the statement, government has made a reference to the commission. The point raised by these companies in respect of which they have filed writ petitions before the Delhi High Court was that before the government made such a reference to the commission, the principles of natural justice have to be complied with and that they should have been given a hearing and opportunity to show cause before such a reference was made to the commission. That point is still pending consideration by the Delhi High Court. The Delhi High Court has stayed the proceeding so long as the writ petitions are pending.

So far as the other suggestion given by the hon. Member, it will be considered.

DR. HENRY AUSTIN: May I know from the hon. Minister whether any of these foreign companies—most of them happen to be multi-nationals—now facing inquiry under the Monopolistic and Restrictive Trade Practices Act have been allowed expansion.

during the pendency of these inquiries and whether they have also been allowed repatriation of profits and capital.

SHRI SHANTI BHUSHAN: So far as repatriation of profits is concerned, that again is not a matter which concerns this Ministry. But so far as expansion programmes are concerned, I will require notice of the question in which case I will collect the information and give.

DR. HENRY AUSTIN: This is a very relevant question.

MR. SPEAKER: He says he wants notice.

SHRI SHYAMNANDAN MISHRA: May we know how long these proceedings have been under way and how many of these cases, out of 32, have been referred to the Commission by the present government and how many were referred to by the previous government.

Secondly, would the government also be pleased to tell us whether these very companies have made further proposals for expansion, take-overs and mergers and whether these cases also have been referred to the Commission?

SHRI SHANTI BHUSHAN: I will require notice of the question. In that case the information in respect of these 32 companies can be collected and made available.

SHRI SHYAMNANDAN MISHRA: We must know how long proceedings have been under way before the commission.

SHRI SHANTI BHUSHAN: In each case it will be different. Therefore, if the hon. Member wants this information....

SHRI SHYAMNANDAN MISHRA: The longest period.

SHRI SHANTI BHUSHAN: I will collect that information and give.

SHRI JAGANNATH RAO: From the long list it is clear that many cases are only in the initial stage, that is, the pleading stage. May I know the reason for this long delay? Is it because the MRTP Commission is overworked or is that they are giving long adjournments to these firms? Most of these—29, 31 and 32—are at a preliminary stage.

SHRI SHANTI BHUSHAN: List of those cases in which proceedings have already been concluded and final orders passed has not been given. That is a separate list.

SHRI JYOTIRMOY BOSU: Kindly make an observation. We want the two lists to be laid on the Table of the House.

SHRI SHANTI BHUSHAN: I shall lay them on the Table of the House.

SHRI A. BALAPAJANOR: He requires notice for the two questions put by Dr. Henry Austin and Shri Shyamnandan Mishra. I feel the first question is—which are the companies on which Acts have been made? Companies are enlarging from the listed number. I want to know categorically whether these companies which are listed here on which action has been taken are expanding or by-passing by another method?

I feel no notice is required for this.

SHRI SHANTI BHUSHAN: So far as part (a) of the question is concerned, the question relates to the enquiries under the Monopolies and Restrictive Trade Practices Act. Those enquiries are going on.

So far as part (b) of the question is concerned i.e. about action taken, action will be taken only after the enquiries are concluded.

A Statement will be laid on the Table of the House in regard to those cases in which enquiries have been concluded.