PARLIAMENT OF INDIA
RAJYA SABHA

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON COMMERCE

Forty – Ninth
REPORT
ON
FOREIGN TRADE (DEVELOPMENT & REGULATION) AMENDMENT BILL, 2001

(PRESENTED TO THE RAJYA SABHA ON THE 8th MARCH, 2002)
(LAID ON THE TABLE OF THE LOK SABHA ON THE 8th MARCH, 2002)

RAJYA SABHA SECRETARIAT
NEW DELHI
MARCH, 2002/ PHALGUNA, 1923 (SAKA)

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COMPOSITION OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON COMMERCE
(Constituted on 1st January, 2001)

1. Shri Sikander Bakht - Chairman

RAJYA SABHA

2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri Dilip Singh Judev  
5. Shri Lekhraj Bachani  
6. Shri Sanjay Nirupam  
7. Sardar Balwinder Singh Bhunder  
8. Shri Nilotpal Basu  
9. Shri Prem Chand Gupta  
10. Shri J. Chitharanjan  
11. Dr. Swami Sakshi Ji Maharaj  
12. Shri V.P. Duraisamy  
13. Shri M.J. Varkey Mattathil  
14. Dr. Arun Kumar Sarma  
15. Shri N.K. Premachandran  

**LOK SABHA**  
16. Begum Noor Bano  
17. Shri Surender Singh Barwala  
18. Shri Girdhari Lal Bhargava  
19. Shri Ashok Kumar Singh Chandel  
20. Shri Nand Kumar Singh Chauhan  
21. Shri P.S. Gadhavi  
22. Shri Pusp Jain  
23. Shri Ramesh C. Jigajinagi  
24. Shri N.N. Krishnadas  
25. Dr. M. Jagannath  
26. Shri A.F. Golam Osmani  
27. Shri Atmaram Bhai Patel  
28. Shri Deepak Patel  
29. Shri Dinsha Patel  
30. Shri Bhaskarrao Patil  
31. Shri Danve Raosahib Patil  
32. Shri C.P. Radhakrishnan  
33. Shri H.G. Ramulu  
34. Shri Y. V. Rao  
35. Shri Pradeep Rawat  
36. Shri Vijay Sankeshwar  

37. Shri Shashi Kumar  
38. Kunwar Akhilesh Singh  
39. Shri Radha Mohan Singh  
40. Shri Kirit Somaiya  
41. Shri M.K. Subba  
42. Shri Tarit Baran Topdar  
43. Shri Ramakant Yadav  

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**COMPOSITION OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON COMMERCE**  
(Constituted on 1st January, 2002)
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<td>1.</td>
<td>Shri Sikander Bakht - Chairman</td>
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<td>2.</td>
<td>Shri Ananta Sethi</td>
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<td>Shri Banarsi Das Gupta</td>
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<td>Shri K.M. Khan</td>
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<td>Shri Dilip Singh Judev</td>
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<td>6.</td>
<td>Shri C.O. Poulose</td>
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<td>Shri J. Chitharanjan</td>
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<td>Shri Sukhbir Singh</td>
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<td>9.</td>
<td>Shri Ghanshyam Chandra Kharwar</td>
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<td>Shri Korambayil Ahammed Haji</td>
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<td>Shri N.K. Premachandran</td>
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<td>Shri Dilip Ray</td>
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<td>Shri Radha Mohan Singh</td>
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<td>Shri Deepak C. Patel</td>
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<td>Shri Nand Kumar Singh Chauhan</td>
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<td>Shri Pradeep Rawat</td>
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<td>Shri Pusp Jain</td>
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<td>Shri C.P. Radhakrishnan</td>
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<td>21.</td>
<td>Shri Atmaram Bhai Patel</td>
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<td>22.</td>
<td>Shri Gurcharan Singh Galib</td>
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<td>Shri M.K. Subba</td>
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<td>24.</td>
<td>Shri V.S. Sivakumar</td>
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<td>Shri Balbir Singh</td>
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<td>26.</td>
<td>Shri H.G. Ramulu</td>
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<td>Shri Dinha Patel</td>
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<td>Shri N.N. Krishnadas</td>
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<td>Shri Tarit Baran Topdar</td>
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<td>30.</td>
<td>Dr. D.V.G. Shankar Rao</td>
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<td>Shri Y. V. Rao</td>
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<td>Shri Rizwan Zahir Khan</td>
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<td>Shri Saroj Tufani</td>
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<td>34.</td>
<td>Shri Ramakant Yadav</td>
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<td>Shri Shivaji Vithalrao Kamble</td>
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<td>36.</td>
<td>Shri Jai Bhadra Singh</td>
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<td>Shri Mahendra Baitha</td>
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<td>38.</td>
<td>Shri Ramchandra Paswan</td>
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<td>39.</td>
<td>Smt. Kanti Singh</td>
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<td>40.</td>
<td>Shri Joachim Baxla</td>
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**SECRETARIAT**

Shri Satish Kumar, Additional Secretary  
Shri Surinder Kumar Watts, Deputy Secretary  
Shri M.K. Khan, Under Secretary
I, the Chairman of the Department-related Parliamentary Standing Committee on Commerce, having been authorised by the Committee to present the Report on its behalf, present this Forty-ninth report of the Committee.

2. In pursuance of the rules relating to Department-related Parliamentary Standing Committees, the Chairman, Rajya Sabha, in consultation with the Speaker, Lok Sabha, referred the Foreign Trade (Development and Regulation) Amendment Bill, 2001, as introduced in the Rajya Sabha on the 24th April, 2001 and pending in that House, to the Committee for examination and report.

3. The Committee, at its sitting held on the 21st May, 2001, considered the information on the subject received from the Department of Commerce and also heard a presentation by the Director General of Foreign Trade and decided that a press communiqué, inviting memoranda from various individuals, organisations and institutions, interested in the subject matter of the Bill, may be issued. Accordingly, the press communiqué was issued on the 22nd May, 2001 (Appendix-I). Besides, the State Governments/Union Territory Administrations were also requested to send their views on the subject.

4. Twenty memoranda containing the views, comments and suggestions on various provisions and aspects of the Bill were received by the Committee from different individuals, organisations and associations. Besides, nine States and three Union Territory Administrations sent their views, for considerations by the Committee (Appendix-II).

5. At its sittings held on the 31st May, 1st, 26th and 27th June, 2001, the Committee heard the views of the representatives of Federation of Indian Export Organisations (FIEO); Associated Chamber of Commerce and Industry (ASSOCHAM); Delhi Exporters Association; Confederation of Indian Industries (CII); PHD Chamber of Commerce and Industry; Federation of Indian Micro and Small and Medium Enterprises; Society of Indian Automobile Manufacturers and Association for UPS and Power Conditioning Systems Manufacturers, on various provisions of the Bill (Appendix III).

6. The Committee, at its sitting held on the 19th November, 2001 undertook clause-by-clause consideration of the Bill.

7. The Committee, at its sitting held on the 18th February 2002 considered and adopted the draft Report.

8. Though World Trade Organisation (WTO) stands for liberal trade, yet it provides for corrective/remedial measures which a member country can resort to in an urgent situation, to protect its domestic production from foreign competition. Under Article XXIX of GATT 1994, the Member countries are free to suspend any obligation incurred by them if imports of product(s) into their territory cause or threaten to cause serious injury to the domestic producers of the like or directly competitive articles. Such restrictions should normally be applied on Most Favoured Nation (MFN) basis to imports from all sources. The Agreement on Safeguards permits restrictions on imports, in the form of either increase in tariffs or imposition of Quantitative Restrictions (QRs) or a combination of the two, with a more liberal dispensation for such imports from the developing countries. The Bill seeks to amend Foreign Trade (Development and Regulation) Act, 1992, to enable the Union Government to take corrective steps, through imposing quantitative restrictions on imports, by way of emergency action, in accordance with the Agreement on Safeguards. It also seeks to empower the Union Government to make rules to provide for the manner in which articles liable for import restrictions may be identified; for the manner in which the causes of serious injury or causes of threat of serious injury in relation to such articles may be determined and for the manner in which import restrictions may be imposed. The Agreement on Safeguards contains a provision for application of safeguard measures for eight years. However, a special arrangement has been made for the developing countries to extend this measure up to ten years. The provisions of Agreement on Safeguards are temporary in nature in as much as application of safeguard measures is subject to the condition that the affected domestic industry has taken steps towards adjustment.

9.1 The Committee suggest a change in clause 2 of the Bill. This clause empowers the Central Government to impose quantitative restrictions, by insertion of a new Chapter III A in the Principal Act. Sub-Clause 4 of this clause defines some terms and phrases used in the Bill. Sub-Clause 4(a) states that “developing country” means a country notified by the Central Government in the official Gazette. The Committee was informed that presently the developing countries were listed in the
Customs Tariff Act. For the sake of uniformity, the same list may be adopted for the purpose of this Bill also. The notification on the developing countries would be issued at the time of framing rules. The Members were of the view that such definition should be based on certain considerations of national requirement. The Committee, therefore, recommend that the term ‘developing country’ may be defined as under:

“developing country” means a country as may be notified by the Central Government in the Official Gazette for the purposes of this section.

9.2 Similarly, sub-clause 4(c) of clause 2 defines the term “serious injury”. The Committee was informed that definition of the serious injury included in the Bill was as per the provisions of the WTO Agreement on Safeguards. The determination of serious injury to the domestic industry was to be carried out, taking into consideration all the relevant factors of an objective and quantifiable nature, having a bearing on the situation of that industry. The rate and amount of increase in imports of the concerned product(s) in absolute and relative term, share of the domestic market taken by increased imports, changes in the level of sales, productivity, capacity utilization, profit and losses and employment had to be taken into consideration for deciding serious injury. These criteria would be laid down and incorporated in the statutory rules to be promulgated after passing of the Bill. The Committee recommend that definition of the ‘serious injury’ should be broad based, precise and clear so as to avoid damage to the domestic industry.

Clause 1, the Enacting Formula and the Title

10. Clause 1, Enacting Formula and the Title of the Bill were adopted with some changes which were of consequential or drafting nature, namely, ‘2001 and ‘Fifty-second’ to be substituted by ‘2002’ and ‘Fifty-third, respectively.

11. The Committee recommend that the Bill, as reported by it, be passed.

SIKANDER BAKHT
Chairman,
Departmentrelated Parliamentary
Standing Committee on Commerce

NEW DELHI
February 28, 2002

BILLAS INTRODUCED IN THE RAJYA SABHA
24 APR 2001
Bill No. XXXVI of 2001

1. THE FOREIGN TRADE (DEVELOPMENT AND REGULATION) AMENDMENT BILL, 2001

A BILL
to amend the Foreign Trade (Development and Regulation) Act, 1992.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—
1. (1) This Act may be called the Foreign Trade (Development and Regulation) Amendment Act, 2001

(2) It shall come into force on such date as the Central Government may, by notification, appoint.

22 of 1992

2. In the Foreign Trade (Development and Regulation) Act, 1992 (hereinafter referred to as the principal Act), after Chapter III, the following Chapter shall be inserted, namely:-

'CHAPTER IIIA
Quantitative Restrictions

9A. (1) If the Central Government, after conducting such enquiry as it deems fit, is satisfied that any article is imported into India in such increased quantities and under such conditions so as to cause or threaten to cause serious injury to domestic industry, then, it may, by notification in the Official Gazette, impose such quantitative restrictions on the import of such articles as it may deem fit:

Provided that no such quantitative restrictions shall be imposed on an article originating from a developing country so long as the share of imports of that article from that country does not exceed three per cent. Or where that article originates from more than one developing countries, then, so long as the aggregate of the imports from all such countries taken together does not exceed nine per cent. of the total imports of that article into India.

(2) The quantitative restrictions imposed under this section shall, unless revoked earlier, cease to have effect on the expiry of four years from the date of such imposition:

Provided that if the Central Government is of the opinion that the domestic industry has taken measures to adjust to such injury or threat thereof and it is necessary that the quantitative restrictions should continue to be imposed to prevent such injury or threat and to facilitate the adjustments, it may extend the period of such imposition:

Provided further that in no case the quantitative restrictions shall continue to be imposed beyond a period of ten years from the date on which such restrictions were first imposed.
(3) The Central Government may, by rules provide for the manner in which articles, the import of which shall be subject to quantitative restrictions under this section, may be identified and the manner in which the causes of serious injury or causes of threat of serious injury in relation to such articles may be determined.

(4) For the purposes of this section,-

(a) "developing country' means a country notified by the Central Government in the Official Gazette for the purposes of this section;

(b) "domestic industry' means the producers—

(i) as a whole of the like article or a directly competitive article in India; or

(ii) whose collective output of the like articles or a directly competitive article in India constitutes a major share of the total production of the said article in India;

(c) "serious injury" means an injury causing significant overall impairment in the position of a domestic industry;

(d) "threat of serious injury" means a clear and imminent danger of serious injury.'.

Amendment of Section 19

3. In section 19 of the principal Act,—

(i) in sub-section (2), after clause (e), the following clause shall be inserted, namely:-

"(ea) the manner in which articles, the import of which shall be subject to quantitative restrictions, may be identified and the manner in which the causes of serious injury or causes of threat of serious injury in relation to such articles may be determined under subsection (3) of section 9A;";

(ii) in sub-section (3),—

(A) for the words "Every rule and every Order made", the words "Every notification issued, every rule and every Order made" shall be substituted;

(B) for the words "the rule" wherever they occur, the words "the
The Foreign Trade (Development and Regulation) Act, 1992 was enacted to provide for the development and regulation of foreign trade in the overall context of the new trade policy aimed at increasing productivity and competitiveness and achieving a strong export performance. As part of the new liberalized economic policy and with a view to fulfilling international obligations, India continues to remove quantitative restrictions on imports.

2. The Agreement on Safeguards enables member countries to impose quantitative restrictions by way of emergency action, if imports of such articles are in such increased quantities as to cause or threaten to cause serious injury to domestic producers of like or directly competitive articles, with a more liberal dispensation for such imports from the developing countries.

3. It is, therefore, considered necessary to amend the Foreign Trade (Development and Regulation) Act to enable the Government to impose such quantitative restrictions on imports in accordance with the Agreement on Safeguards. It is also necessary to empower the Union Government to make rules to provide for the manner in which articles liable for import restrictions may be identified and for the manner in which the causes of serious injury or causes of threat of serious injury in relation to such articles may be determined and for the manner in which import restrictions may be imposed.

4. The Bill seeks to achieve these objectives.

New DELHI

MURASOLI MARAN.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill seeks to amend section 19 of the principal Act empowering the Central Government to make rules for the purposes of the Act. Such rules may provide, inter alia, the manner in which the articles, import for which shall be subject to quantitative restrictions may be identified and the manner in which the causes of serious injury in relation to such articles may be determined under sub-section (3) of section 9A.

2. The matters in respect of which rules may be made by the Central Government are matters of administrative detail or procedure. The delegation of legislative power is, therefore, of a normal character.

APPENDICES

Appendix-I

(Vide para 3 of the report)
Press Communique

The Foreign Trade (Development and Regulation) Amendment Bill, 2001, introduced in the Rajya Sabha on the 24th April, 2001, has been referred to the Department-related Parliamentary Standing Committee on Commerce, with Shri Sikander Bakht, Member, Rajya Sabha, as its Chairman, for examination and report.

2. In pursuance of the new liberalized economic policy and with a view to fulfilling international obligations, India continues to remove quantitative restrictions on imports.

3. The Agreement on Safeguards enables member-countries to impose quantitative restrictions by way of emergency action, if imports of such articles are in such increased quantities as to cause or threaten to cause serious injury to domestic producers of like or directly competitive articles, with a more liberal dispensation for such imports from the developing countries.
producers of like or directly competitive articles, with a more liberal dispensation for such imports from the developing
countries. The present Bill, therefore, seeks to amend Foreign Trade (Development and Regulation) Act, 1992, to enable the
Union Government to take corrective steps through imposing quantitative restrictions on imports by way of emergency
action, in accordance with the Agreement on Safeguards.

3.1 The proposed Bill further seeks to empower the Union Government to make rules to provide for the manner in which
articles liable for import restrictions may be identified and for the manner in which the causes of serious injury or causes of
threat of serious injury in relation to such articles may be determined and for the manner in which import restrictions may be
imposed.

4. The Standing Committee, at its sitting held on the 21st May, 2001, decided to invite views/suggestions on the
provisions of the Bill from State Governments/Union Territory Administrations and individuals, institutions and
organisations, engaged in import/export of articles and/or interested in / having knowledge of the subject-matter of the Bill,
and to hear oral evidence. The individuals, institutions and organisations may send copies of memoranda containing their
suggestions on the Bill, latest by the 15th June, 2001, indicating whether they would also be interested in giving oral evidence
before the Committee, to Shri Surinder Kumar Watts, Deputy Secretary, Rajya Sabha Secretariat, Room No. 007, Ground
Floor, Parliament House Annexe, New Delhi. Copies of the Bill, which was published in the Gazette of India (Extraordinary)
Part-II dated 24th April, 2001, can be had on a request made in writing to the above mentioned officer.

5. The text of the Bill is also available on the official website of the Rajya Sabha Secretariat at http://rajyasabha.nic.in

NEW DELHI

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APPENDIX-II
(Vide para 5 of the Report)

LIST OF INDIVIDUALS/ORGANISATIONS WHO TENDERED ORAL EVIDENCE

<table>
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<tr>
<th>Sr. No.</th>
<th>Name of Witnesses</th>
<th>Date of hearing</th>
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<tr>
<td>1.</td>
<td>Representatives of the Directorate General of Foreign Trade</td>
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<td></td>
<td>Shri N.L. Lakhanpal, Director General of Foreign Trade</td>
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<td>Dr. V.S. Sheshadri, Joint Secretary, (TPD), Department of Commerce</td>
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<td>Shri L.B. Singhal, Joint Director General of Foreign Trade</td>
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<td>Shri O.P. Hisaria, Deputy Director General of Foreign Trade</td>
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<td>Confederation of Indian Industry</td>
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<td>Shri K.K. Jain, President</td>
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<td>Shri Ashok Kumar, Deputy Director General</td>
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<td>Shri Anand P. Seth, Joint Director</td>
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<td>31.5.2001</td>
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<td>3.</td>
<td>Representatives of Associations/Organisations</td>
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<td>The Associated Chambers of Commerce and Industry of India</td>
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<td>Shri Vineet Virmani</td>
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<td>Dr. Disha Banerjee</td>
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<td>4.</td>
<td>Delhi Exporters Association</td>
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Shri S.P. Aggarwal  
Shri V.C. Jain  
Shri Subodh Jain  
Shri V.S. Goel  1.6.2001  
Shri S. Rakyan  
Shri Anil Verma  
Shri Takht Ram Ji

5. Confederation of Indian Industries (CII)

Mr. Dadi E. Mistri, Member Small Scale Council  
Mr. S. Sen, Deputy Director General  26.6.2001  
Mr. N.B. Mathur, Advisor  
Shri T.S. Vishwanath, Consultant, Int. Trade

6. PHD Chamber of Commerce and Industry

Mr. K.N. Memani, Chairman, Foreign Trade & Investment Promotion Committee, PHDCCI  
Mr. Pradeep Bhagat, Co-chairman, Foreign Trade & Investment Promotion Committee, PHDCCI  
Mr. Sri Nath, Member, PHDCCI  26.6.2001  
Dr. B.P. Dhaka, Secretary General (Designate), PHDCCI  
Ms. Shabnam Pareek, Additional Secretary, PHDCCI

7. Federation of Indian Micro and Small & Medium Enterprises

Shri Neeraj Kedia, Chairman, Agro Food Committee  27.6.2001  
Shri Anil Bhardwaj, Secretary-General

8. Society of Indian Automobile Manufacturers

Mr. Hanumantha Charya, Corporate Economist, Hero Honda Motors  
Mr. Pankaj Gupta, Director, SIAM  27.6.2001  
Mr. Sugato Sen, Executive Officer, SIAM

9. Association for UPS and Power Conditioning System Manufacturers

Mr. Sanjay Agrawal, President  
Mr. Ashok Mazumdar, Executive Director  27.6.2001

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**APPENDIX-III**

*(Vide para 4 of the Report)*

**LIST OF ORGANISATIONS / INDIVIDUALS FROM WHOM MEMORANDA WERE RECEIVED**

1. Confederation of Export Units, East Patel Nagar, New Delhi-110008.

2. The Associated Chambers of Commerce and Industry

3. Shri Sushil Gupta, Mittal Tower “C” 16th Floor, Nariman Point,
Mumbai-21.

4. Shri H.M.G. Murthy,
4, Parijat Society Diwalipura,
Baroda - 390 015.

5. Shri Ashik Mazumdar, Executive Director
Association of UPS & Power Conditioning Systems Manufacturer
D-10/2, Okhla Industrial Area, Phase-II, New Delhi-20

6. Shri Ravi Mehra, Vasant Building,
Juhu, Mumbai.

7. Shri S.P. Paramasivaiah,
B.Sc., LL.B.,D.J.
Advocate & Hon. Arbitrator SOMPURA,
Koratagere Taluk, Tumkur District Karnataka.India
Pin-572 121.

8. Shri M.A. Dar, Mandir Bagh, Srinagar (J&K) 190001

9. Shri Shankar T. Bhide, Yashwantrao Chavan,
Pratishthan, Pune, Pune Office.

10. Shri Imran Ansari, Handloom Carpet Industries
Manufactures & Exporters of Handloom,
Woollen Carpets. Novmahal, Golconda Fort,
Hyderabad-500008.

11. Shri Bikas Kr Singh, Asstt. Secretary,
Federation of Indian Chamber of Commerce and Industry,
Federation House, Tansen Marg,
New Delhi-110 001.

12. Dr. Jayati Ghosh,
Poorvanchal, JNU,
New Delhi.

13. Shri L.N. Batra, Secretary General, AIDA
All India Distillers’ Association, 805,
Siddharth 99, Nehru Place,
New Delhi-110019.

14. Shri S. Balaraman, Parliament of India Activist,
No.7, Nallikeswarar Koil,
North St. Chennai-600001.

15. PHD Chamber of Commerce and Industry PHD House,
Opp Asian Games Village, New Delhi-110016.
Ph: 6863801.

16. Shri Pankaj Kumar Yadav,
Vill. Malghara, P.O. Chandadil,  

17. Dr. I.R. Bhattacharjee

18. Shri M. Viswakumari, Additional Secretary, Government of Kerala, Industries (E) Department, Thiruvananthapuram.

19. Shri H.L. Malik,  
Jt. Director of Industries (PC),  
Office of the Commissioner of Industries, Government of National Capital Territory of Delhi, C.P.O. Building, Kashmere Gate, Delhi.


21. Shri Anwarul Hoda

22. Shri B.S. Patil, Principal Secretary to Government of Karnataka, Secretariat-2, Room No.347, 3rd Floor, 3rd Stage, Multi-Storeyed Building, Dr. Ambedkar Road, Bangalore-560001.

23. Shri Anoop Mishra, IAS  
Secretary, Industrial Development Department, Government of U.P., Secretariat Annexe, Lucknow 226001 U.P.)

24. Shri Krishan Kumar, Advocate Supreme Court, New Delhi

25. Shri J.P. Dange, Secretary (Trade, Commerce & Mining) Government of Maharashtra, Mantralaya, Mumbai.

26. Shri K.C. Badu, Additional Secretary to Government of Orissa

27. Shri Sonika Singh, General Manager (DIC) Daman, Administration of Daman & Diu, Department of Industries, District Industries Centre, Daman.


29. Shri P.M. Emmanuel, Under Secretary, Government of Pondicherry.
MINUTES
*VI
SIXTH MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 11.00 a.m. on Monday, the 21st May, 2001, in Committee Room ‘C’, Ground Floor, Parliament House Annexe, New Delhi.

PRESENT
1. Shri Sikander Bakht — Chairman
2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri Dilip Singh Judev
5. Shri Lekhraj Bachani
6. Shri Sanjay Nirupam
7. Sardar Balwinder Singh Bhunder
8. Shri Prem Chand Gupta
9. Sjri J. Chitharanjan
10. Shri N.K. Premachandran

LOK SABHA
11. Shri Girdhari Lal Bhargava
12. Shri P.S. Gadhavi
13. Shri Pusp Jain
14. Shri A.F. Golam Osmani
15. Shri Deepak Patel
16. Shri Dinsha Patel
17. Shri Shashi Kumar
18. Shri Kirit Somaiya
19. Shri Tarit Baran Topdar

WITNESSES
Representatives of the Directorate General of Foreign Trade

Shri N.L. Lakhanpal, Director General of Foreign Trade
2. The Committee heard a presentation by the Director General, Foreign Trade on various provisions of the Foreign Trade (Development and Regulation) Amendment Bill, 2001. Members sought some clarifications, which were replied to by the DGFT. A verbatim record of the proceedings of the meeting was kept.

3. The Committee, thereafter, decided that a press release may be issued by the Secretariat, inviting views/suggestions on the provisions of the Bill from State Governments/union Territory Administrations and individuals, institutions and organisations, engaged in import/export of articles and / or interested in/having knowledge of the subject-matter of the Bill, by the 15th June, 2001.

4. The Chairman requested members to suggest names of witnesses who may be invited before the Committee for oral evidence, as well the material on the Bill, which may be obtained from the Ministry.

5. The Committee decided to meet again on Thursday, the 31st May, and Friday, the 1st June, 2001.

6. The Committee adjourned at 12.45 p.m.

VII

SEVENTH MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 3.00 p.m. on Thursday, the 31st May, 2001, in Committee Room ‘A’, Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

1. Shri Sikander Bakht — Chairman

RAJYA SABHA

2. Shri Ananta Sethi
3. Shri Lekhraj Bachani
4. Shri Sanjay Nirupam
5. Sardar Balwinder Singh Bhunder
6. Shri Prem Chand Gupta
7. Shri J. Chitharanjan
8. Dr. Swami Sakshi Ji Maharaj
9. Dr. Arun Kumar Sarma
LOK SABHA

10. Shri G.L. Bhargava
11. Shri P.S. Gadhavi
12. Shri Ramesh C. Jigajinagi
13. Dr. M. Jagannath
14. Shri Atmaram Bhai Patel
15. Shri Deepak Patel
16. Shri Dinsha Patel
17. Shri Danve Raosahib Patil
18. Shri Y.V. Rao
19. Shri Shashi Kumar

WITNESSES

Confederation of Indian Industry

Shri K.K. Jain, President
Shri Ashok Kumar, Deputy Director General
Shri Anand P. Seth, Joint Director
SECRETARIAT

Shri Satish Kumar, Additional Secretary
Shri Surinder Kumar Watts, Deputy Secretary
Shri D.K. Mishra, Committee Officer
Shri Virender Singh Griwan, Research Officer

The Committee heard the views of the above-mentioned witnesses on the Foreign Trade (Development and Regulation) Amendment Bill, 2001. Members raised some queries, which were replied to by the witnesses.

A verbatim record of the proceedings was kept.

3. The Committee adjourned at 3.40 p.m. to meet again on Friday, the 1st June, 2001.

VIII

EIGHTH MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 11.00 a.m. on Friday, the 1st June, 2001, in Committee Room ‘A’, Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

1. Shri Sikander Bakht — Chairman

Rajya Sabha

2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri Lekhraj Bachani
5. Shri Sanjay Nirupam
6. Sardar Balwinder Singh Bhunder
7. Shri Nilotpal Basu
8. Shri Prem Chand Gupta
9. Shri J. Chitharanjan
10. Dr. Swami Sakshi Ji Maharaj
11. Shri M.J. Varkey Mattathil
12. Shri N.K. Premachandran

LOK SABHA

13. Shri Nand Kumar Singh Chauhan
14. Shri Ramesh C. Jigajinagi
15. Dr. M. Jagannath
16. Shri Atmaram Bhai Patel
17. Shri Deepak Patel
18. Shri Dinsha Patel
19. Shri Y.V. Rao
20. Kunwar Akhilesh Singh
21. Shri Kirit Somaiya
22. Shri Tarit Baran Topdar

WITNESSES

Representatives of Associations/Organisations

(I) The Associated Chambers of Commerce and Industry of India

Shri Vineet Virmani
Dr. Disha Banerjee

(II) Delhi Exporters Association

- Shri S.P. Aggarwal
- Shri V.C. Jain
- Shri Subodh Jain
- Shri V.S. Goel
- Shri S. Rakyan
- Shri Anil Verma
- Shri Takht Ram Ji

SECRETARIAT

Shri Satish Kumar, Additional Secretary
Shri Surinder Kumar Watts, Deputy Secretary
Shri D.K. Mishra, Committee Officer
Shri Virender Singh Griwan, Research Officer

2. The Committee heard the views of the above-mentioned witnesses on the Foreign Trade (Development and Regulation) Amendment Bill, 2001. Members raised some queries, which were replied to by the witnesses. A verbatim record of the proceedings was kept.

3. The Committee adjourned at 12.48 p.m.
IX
NINTH MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 3.00 p.m. on Tuesday, the 26th June, 2001, in Committee Room ‘D’, Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

- Shri Sikander Bakht — Chairman

Rajya Sabha

2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri Lekhraj Bachani
5. Shri Prem Chand Gupta
6. Shri J. Chitharanjan
7. Shri V.P. Duraisamy
8. Shri M.J. Varkey Mattathil
9. Dr. Arun Kumar Sarma
10. Shri N.K. Premachandran

LOK SABHA

11. Shri Girdhari Lal Bhargava
12. Shri P.S. Gadhavi
13. Shri Ramesh C. Jigajinagi
14. Shri Dinsha Patel
15. Shri Kiril Somaiya
16. Shri Tarit Baran Topdar
17. Shri Ramakant Yadav

WITNESSES

Representatives of Associations/Organisations

I. Confederation of Indian Industries (CII)

Mr. Dadi E. Mistri, Member Small Scale Council
Mr. S. Sen, Deputy Director General
Mr. N.B. Mathur, Advisor
Shri T.S. Vishwanath, Consultant, Int. Trade

II. PHD Chamber of Commerce and Industry

Mr. K.N. Memani, Chairman, Foreign Trade & Investment Promotion Committee, PHDCCI
Mr. Pradeep Bhagat, Co-chairman, Foreign Trade & Investment Promotion Committee, PHDCCI
2. The Committee heard the views of the above-mentioned witnesses on the Foreign Trade (Development and Regulation) Amendment Bill, 2001. Members raised some queries, which were replied to by the witnesses.

A verbatim record of proceedings of the meeting was kept.

3. The Committee adjourned at 4.45 p.m.

X

TENTH MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 11.00 a.m. on Wednesday, the 27th June, 2001, in Committee Room ‘D’, Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

1. Shri Sikander Bakht — Chairman

Rajya Sabha

2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri Lekhraj Bachani
5. Shri Sanjay Nirupam
6. Shri Nilotpal Basu
7. Shri Prem Chand Gupta
8. Shri V.P. Duraisamy
9. Shri N.K. Premachandran

LOK SABHA

10. Shri Girdhari Lal Bhargava
11. Shri P.S. Gadhavi
12. Shri Ramesh C. Jigajinagi
13. Shri A.F. Golam Osmani
14. Shri Dinsha Patel
15. Shri Tarit Baran Topdar
16. Shri Ramakant Yadav

WITNESSES
Representatives of Associations/Organisations

I. Federation of Indian Micro and Small & Medium Enterprises
   Shri Neeraj Kedia, Chairman, Agro Food Committee
   Shri Anil Bhardwaj, Secretary-General

II. Society of Indian Automobile Manufacturers
    Mr. Hanumantha Charya, Corporate Economist, Hero Honda Motors
    Mr. Pankaj Gupta, Director, SIAM
    Mr. Sugato Sen, Executive Officer, SIAM

III. Association for UPS and Power Conditioning System Manufacturers
     Mr. Sanjay Agrawal, President
     Mr. Ashok Mazumdar, Executive Director

SECRETARIAT

Shri Surinder Kumar Watts, Deputy Secretary
Shri Virender Singh Griwan, Research Officer

2. The Committee heard the views of the above-mentioned witnesses on the Foreign Trade (Development and Regulation) Amendment Bill, 2001. Members raised some queries, which were replied to by the witnesses.
   A verbatim record of proceedings of the meeting was kept.

3. The Committee adjourned at 12.50 p.m.

*XII

TWELFTH MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 3.00 p.m. on Monday, the 19th November, 2001, in Room ‘63’, First Floor, Parliament House, New Delhi.

PRESENT

1. Shri Sikander Bakht — Chairman

Rajya Sabha

2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri Lekhraj Bachani
5. Shri Prem Chand Gupta
6. Shri M.J. Varkey Mattathil
7. Shri N.K. Premachandran

LOK SABHA
3. The Committee then took up Clause-by-Clause consideration of the Foreign Trade (Development and Regulation) Amendment Bill, 2001.

* Minutes of the 11th meeting of the Committee pertain to other matters.

XXX Relates to other matters.

4. Clause 2
Sub clause 4(a):
Page 2: line 21, the words 'as may be' were inserted before 'notified'.

Clause 3
The clause was adopted without any change.

5. The Committee adjourned at 3.30 p.m.

*III

THIRD MEETING

The Department-related Parliamentary Standing Committee on Commerce met at 3.00 p.m. on Monday, the 28th February, 2002, in Room No. ‘63’, First Floor, Parliament House, New Delhi.

PRESENT

1. Shri Sikander Bakht — Chairman

Rajya Sabha
2. Shri Ananta Sethi
3. Shri K.M. Khan
4. Shri C.O. Poulose
5. Shri J. Chitharanjan

LOK SABHA
6. Shri Girdhari Lal Bhargava

4. "Clause 1, the Enacting Formula and the Title

2.1 "Clause 1, the Enacting Formula and the Title were adopted with some changes which were of consequential or drafting nature, namely", "2001" and "Fifty-second" to be substituted by "2002" and "Fifty-third", respectively.

3. The Committee then took up for consideration the draft Report on the Bill and adopted the same for presenting/laying in both the Houses.

4. The Committee authorized the Chairman and, in his absence, Shri K.M. Khan to present the Report in the Rajya Sabha. It also authorised him to nominate two Members from among Members of the Lok Sabha to lay a copy of the Report on the Table of the Lok Sabha.

5. The Committee adjourned at 3.45 p.m.

* Consequent upon reconstitution of the Committee, fresh numbers given to Minutes.