

**GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 1295  
ANSWERED ON THURSDAY, THE 12<sup>TH</sup> DECEMBER, 2013  
[AGRAHAYANA 21, 1935 (SAKA)]**

**EXEMPTION FROM COMPETITION ACT**

**QUESTION**

**1295. SHRI DHARMENDRA YADAV:  
SHRI ADHALRAO PATIL SHIVAJI:  
SHRI ANANDRAO ADSUL:  
SHRI GAJANAN D. BABAR:**

**Will the Minister of CORPORATE AFFAIRS कारपोरेट कार्य मंत्री  
be pleased to state:**

- (a) whether the Government has turned down the request of the Reserve Bank of India (RBI) for a blanket exemption from the Competition Act for forced mergers of distressed banks initiated by RBI;**
- (b) if so, the details thereof and the reasons therefor;**
- (c) whether the Central Bank had sought exemption under Section 5 and 6 of the Competition Act, which requires prior approval from the Government before a merger;**
- (d) if so, the details thereof and the response of the Government thereto;**
- (e) whether the RBI had invoked the section in the forced merger of Global Trust Bank with Oriental Bank of Commerce and other mergers; and**
- (f) if so, the details thereof and the reaction of the Government in this regard?**

**ANSWER**

**THE MINISTER OF STATE  
(INDEPENDENT CHARGE)  
IN THE MINISTRY OF CORPORATE AFFAIRS**

**(SHRI SACHIN PILOT)**

**कारपोरेट कार्य मंत्रालय में राज्य मंत्री (स्वतंत्र प्रभार)**

**(श्री सचिन पायलट)**

**(a) to (d) The Government, vide notification dated 08.01.2013 has already exempted a banking company in respect of which a notification under section 45 of the Banking Regulation Act, 1949 has been issued for its amalgamation with any other banking institution, from the provisions of section 5 and 6 of the Competition Act, 2002. These provisions deal with jurisdiction of Competition Commission to regulate acquisition, amalgamation and mergers.**

**(e) & (f) The amalgamation of Global Trust Bank with Oriental Bank of Commerce took place with effect from 14<sup>th</sup> August, 2004 when section 5 and 6 of the Competition Act dealing with acquisition, amalgamation and mergers were not in force. These sections have come into force only from 01<sup>st</sup> June, 2011.**

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