

5. PLACE OF FOREIGN CONTROLLED ENTERPRISES IN INDIAN MANUFACTURING

Overall and Sectoral Shares

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Introduction:

Even though it is generally admitted that foreign controlled enterprises (FCEs) hold an important place in the industrial economy of India, there has been a paucity of the precise estimates of their shares, particularly at the disaggregated level. This situation has hampered rigorous analyses of patterns of their operation and their impact on the economy. This paper makes an attempt to estimate the shares of FCEs in the large private corporate sector at the overall level as well as in individual branches of manufacturing.

The plan of this paper is as follows. Section 2 discusses the issues involved in identification of FCEs and adopts a definition of FCEs for the purposes of the study. Section 3 reviews the existing estimates of economic significance of FCEs in the country and provides fresh estimates for the overall industrial sector. Section 4 presents shares of the FCEs in 54 three digit manufacturing industries. Section 5 concludes the paper.

Foreign Controlled Enterprises: Definition:

Before proceeding to an examination of the place of FCEs in the Indian economy it is necessary to define them. By FCEs we refer to those enterprises in which foreign entities have 'direct' investment. Direct investment is distinguished from the other form of foreign investment viz., portfolio investment in terms of managerial control. The investor(s) in the case of direct investment unlike the portfolio investment share ownership as well as exercise control over the management of the (investee) enterprise. Most of the enterprises involving foreign investments are joint stock companies. The issue of defining an FCE or FDI, therefore, boils down to defining a minimum proportion of share capital that could be adequate for exercising control. Different countries have varying cut off points of minimum proportion of equity holding for distinguishing FDIs from portfolio investments. These range between ten per cent as in the case of the US, to 50 per cent. These percentages are essentially the rules of thumb because in real life the degree of control depends upon a number of factors such as the pattern of distribution of local shares, nature of agreements, degree of technological dependence etc. Hence, minimum proportion of equity necessary for securing control may vary from company to company.

In India three sets of definitions of foreign enterprises are used. Under the Companies Act, 1956, 'foreign companies' are defined as companies which are incorporated outside the country but have a place of business in India (often referred to as foreign branches). The Act also defines a foreign subsidiary as a company in which more than 50 per cent of the equity capital is held by a single foreign company. The second definition is the one used by the Reserve Bank of India (RBI) for its studies on finances of joint stock companies. The Bank defines an Indian company as a 'foreign controlled rupee company' (FCRC) if 25 per cent or more of its equity is held abroad by a single company and its nominees or 40 per cent is held in one country. Finally, for regulatory purposes all Indian companies with more than 40 per cent direct foreign equity have to register themselves

under the Foreign Exchange Regulation Act 1973 and are called FERA companies. The multiplicity of the definition has made it difficult to have a precise estimate of the magnitude of foreign controlled enterprise in India. For example in 1972-73, leaving aside banking, financial and transport companies, and non-profit organisations, the RBI identified 537 companies as FCRCs and another 197 as foreign branches (RBI, 1975). In the next year the number of companies registered under FERA, including branches was 877 while according to the Department of Company Affairs, which follows the Companies Act definition, there were about 500 foreign companies (branches) and 183 foreign subsidiaries operating in the country.¹

A widely held joint stock company can be controlled with a block of as little as five to ten per cent equity holding.² In the absence of information on pattern of share distribution, however, use of such percentage may be misleading. The 25 per cent cut off point used by the RBI seems to be a quite reasonable criterion.

Besides the RBI, the Monopolies and Restrictive Trade Practices Act, 1969 vide recent Amendment 1984, treats a company to be 'interconnected' (or controlled) with another company if 25 per cent or more of its capital is held by the latter. Furthermore, in case of the foreign share holder two other factors reinforce actual control in addition to ownership. *First*, the foreign share holder is also the technology supplier. The technology suppliers generally retain a number of privileges and rights with them through restrictive clauses in the technical collaboration agreements. The RBI survey (1985) provides evidence that roughly 64.8 per cent of the total collaborations studies included some restrictive clauses. *Second*, the foreign share holders have been found to obtain disproportionate powers through specific clauses inserted in the articles or memoranda of association such as power to appoint and remove Managing Director/Chairman/Chief Executive as long as they have a minimum of 10-25 per cent equity share holding.³ In the light of all these facts one is convinced that 25 per cent direct equity participation is a reasonably good rule of thumb for defining an FCE. Hence, it shall be used to identify FCEs in this study.

The FCEs in India, therefore, comprise two types of business entities: those incorporated abroad and have a place of business in India - popularly referred to as foreign branches (FBs) - and those incorporated in India under the Indian Companies Act but with 25 per cent or more of equity capital held abroad popularly called foreign controlled rupee companies (FCRCs). The former category of FCEs has steadily lost its significance. In 1964 about 46 per cent of India's foreign investment liabilities were in the form of branches,

1. FERA and the Department of Company Affairs lists include companies in services sectors like shipping, airline, banking, liaison offices, consultancy firms, and non profit organisations which are not included in the RBI lists.

2. The International Monetary Fund in its Balance of Payments Manual in fact prescribes a minimum 10 per cent equity holding for treating the investment as FDI. Also see Capital Review No. 14 (1981) p. 124.

3. See prospectuses of companies, Chaudhuri (1979), and Goyal (1979).

by 1980 this proportion had come down to 6.5 per cent. This development has been an outcome of the Foreign Exchange Regulation Act 1973 which required FBs to convert themselves into rupee companies. Now, FBs are permitted to operate only in service sectors such as banking, transport, communication etc., and their role in manufacturing sector is insignificant.

Importance of Foreign Controlled Enterprises: Over-all Manufacturing Existing Estimates

The absolute volume of FDI by itself does not reveal the importance of FCEs in the economy. For this one needs to have an idea of their share in relevant macro aggregate such as assets or sales. A few attempts have been made in the past to estimate the importance of FCEs in the Indian economy. The authors of these estimates have argued that the importance of the foreign capital should be judged with respect to the sectors where they operate and not in relation to the economy as a whole (Bettelheim, 1968, p. 58; Chandra, 1977). Hence almost all of them have estimated the relative importance of FCEs in organised private corporate sector. Table 1 provides a summary view of these estimates. The estimates vary within the range of 25 per cent to 50 per cent for different periods. It is difficult to deduce trends from these estimates as they relate to different variables such as capital invested, paid-up capital, sales, profits and to different samples such as private corporate sector, organised sector, stock exchange quoted companies etc.

Bettelheim (1968) and Kidron (1965) depended mainly on their judgements for arriving at their estimates of the share of FCEs in the absence of systematic data bases. Kurien (1966) attempted to provide a time series of the share of FCEs in private corporate sector for the period 1948-1960 and found it to be increasing from 35.8 in 1948 to 40.4 per cent in 1960. However, he appears to have divided the net worth of foreign companies by total paid-up capital of the corporate sector resulting in over-estimation. Similarly, Chaudhuri (1978) divided paid-up capital of FCEs by that of companies quoted at the stock exchanges instead of the entire private corporate sector. That probably explained the high percentage (42 per cent) which he got. Most comprehensive estimates for a time series from 1957-58 to 1972-73 were made by Chandra (1977) on the basis of the RBI's company finances studies. His time series showed an increasing trend in the share of FCEs in sales in the RBI sample of companies in the private corporate sector from 26.1 per cent in 1957-58 to 29.8 per cent in 1972-73. The share of FCEs in profits of private corporate sector derived by Chandra was much higher than their share in sales and exhibited an increasing trend. In 1972-73 FCEs enjoyed almost half of total profits of private corporate sector in the RBI sample.

Table - 1
Summary of Estimates of Foreign Share in Indian Industries

Estimates by	Reference period	Estimated share of FCEs in %	Denominator
(1)	(2)	(3)	(4)
Bettelheim (1968)	1953	50	Capital invested in big industries (organised)
Kurien (1966)	1948	35.8	Private corporate sector
Kidron (1965)	1960	40.4	Organised or large scale private in modern sector as a whole
	1961	25	
Chaudhuri (1978)	1971	42.2	PUC of stock exchange quoted cos.
Chandra (1977)	1957-58 to	26.1	Sales of non-government large companies (RBI sample)
	1972-73	29.8	

Fresh Estimates of Foreign Shares

We have attempted to update the estimates of foreign shares available in the existing studies upto 1980-81. Four sets of estimates of foreign shares have been provided in Table 2 of which three are for two points of time i.e., 1972-73 and 1980-81. Though Chandra's estimates are available for the year 1972-73 we have recomputed them for the sample as in 1980-81 so as to facilitate intertemporal comparisons. Though the basic source of data for these computations is the same as of Chandra i.e., the RBI company finances studies, two differences in the coverage make these sets of estimates to be mutually incomparable. For one, our sample had to exclude small public limited companies for which RBI had not published data for some years. Secondly, the coverage of RBI's survey on Finances of Foreign Branches (FBs) and Foreign Controlled Rupee Companies (FCRCs) for the period 1975-76 to 1980-81 does not appear to be comparable to that in 1972-73. The surveys for the period upto 1972-73 covered select FBs and FCRCs which accounted for nearly 90 per cent of the paid up capital of the respective populations. The recent surveys, however, do not indicate the extent of the coverage. The coverage in the case of FBs appears to be particularly deficient as it covered only eight branches in 1980-81. Hence for the first set of estimates presented in Table 2, we excluded FBs from the sample. It reflects share of FCRCs in sales or assets of medium and large public and private limited companies in 1972-73 and 1980-81. The second set of estimates includes the FBs as covered by the RBI surveys. In the third set, we have attempted to correct the coverage of Fbs, and FCRCs (for the year 1979-80) by using additional data from the Department of Company Affairs (DCA). The DCA publishes assets of FBs and (majority owned) foreign subsidiaries (FSUs). To the asset figures of

Table - 2
Estimates of Share of FCEs at Overall Industrial Level

Sample and variable	Percentage share of FCEs	
	1972-73	1980-81
(1)	(2)	(3)
1. FCRCs in Medium & Large (M&L) Non-government companies:		
a. in Sales	27.17	24.08
b. in Assets	27.13	22.97
c. in Profits Before Tax	45.72	34.75
2. FCRCs and FBs in M&L Non- government Companies and FBs		
a. in sales	33.84	24.38
b. in Assets	30.85	23.14
c. in Profit Before Tax	49.56	36.48
3. Corrected coverage of FCRCs and FBs in M&L companies and Foreign Branches		
b. Assets	30.85	25.08*
4. FCRCs in sales of medium and large non-government Public limited companies in manufacturing sector	NA	31.41

Notes: * The numerator for this estimate consisted of assets in 1979-80 of non-banking FBs and Foreign Subsidiaries (taken from Department of Company Affairs) and Assets of minority FCRCs projected for the stock of FDI in the year on the basis of FDI to FCRC assets ratio in 1972-73 (with adjustments for change in debt equity proportion over the period and assuming on average a 15 per cent reduction in foreign equity holdings as a result of FERA). The denominator is assets of medium and large non-government companies and non-banking foreign branches (DCA) in 1979-80.

non-banking FBs and FSUs and published by DCA, we added the assets of minority owned FCRCs projected on the basis of FCE in 1979-80 using FDI to assets relationship in case of FCRCs for the year 1972-73 and making adjustments for changes in debt-equity ratio and the proportion of foreign equity held. Dividing the total foreign controlled assets thus obtained by the assets of medium and large, public and private limited companies and non-banking FBs in 1979-80 one gets the figure of 25.08 per cent. The fourth set gives the share of FCRCs in the sales of the medium and large public limited companies in manufacturing (refer to the Appendix for more details on data and methodology pertaining to the last set).

A look at these alternative estimates indicates that a) the foreign share in sales or assets of larger private corporate sector ranged somewhere near 23 per cent in 1980-81 depending upon the coverage; b) as also noted by Chandra (1977), their share in profits is much higher than in either sales or assets; c) whichever sample and variable is used, the overtime trend suggests a decline in foreign shares over the period 1972-73 to 1980-81; and d) foreign share in manufacturing is higher than the overall industrial sector, because of higher concentration of FCEs in manufacturing.

The phenomenon of declining foreign share over the 1970s as apparent in the Table, is worth noting especially in the light of the increasing trend observed by Chandra (1977) for the preceding period i.e., 1957-58 to 1972-73. Besides the restrictive government policy towards foreign collaboration during the 1970s, certain nationalisations such as those in oil and coal mining sectors and few disinvestments triggered off by the FERA might explain the declining foreign shares in the period. FCEs do, however, continue to be a significant and more profitable segment of the large private corporate sector in India particularly in manufacturing.

Shares of FCEs in Individual Manufacturing Industries

The analysis of the previous section showed that FCEs constitute a significant and more prosperous segment of the Indian industry. It should be emphasised, however, that MNEs mainly operate in those branches of industry where they enjoy competitive edge over the existing or potential local competitors. Therefore, the industrial distribution of shares of FCEs would be uneven. Hence, the estimates of their share in the overall organised sector may not reveal their true importance. For this one has to analyse their importance in individual branches of industry.

There have not been many estimates of FCE's share at sectoral level in the Indian industry. Kurien (1966) computed shares of FCRCs in exports and imports of individual sectors at 2-digit level of disaggregation for the years 1956 and 1958 revealing a near domination of exports of tea, tobacco, jute (yarns and manufacture); and imports of mineral oils, chemicals including drugs, electrical goods, machinery and transport equipments by FCEs. Kidron (1965) attempted to examine the importance of FCEs in different industries. However, his exercise could not yield precise estimates of FCE's shares because of lack of a systematic data base. On the basis of information collected from a variety of sources on capacities authorised or installed, he judged qualitatively whether the industry was or was going to be dominated by FCEs. Kelkar (1977) presented, shares of FCEs in total sales of public limited companies included in RBI sample in seven industries where they were dominant in 1972-73, these sectors were: aluminium, chemicals, engineering, rubber products, mineral oil and tea plantations. Lall & Mohammad (1983) computed proportion of dividends remitted abroad in total dividends paid by the firms on the basis of finances of medium and large public limited companies published by RBI, for broad industry groups. The proportion of dividends remitted however, might not necessarily reflect the share of FCEs in industry because of (i) differing profitability of FCEs and local firms, (ii) restriction

on foreign equity holding to 40 per cent in India, and (iii) dividend remittances on portfolio investments.

Foreign Shares in Individual Industries

An attempt was made to compute shares of FCEs in sales in 54 branches of manufacturing industry (disaggregated at three digit level) for a six year period from 1975-76 to 1980-81 on the basis of a sample of 1334 medium and large public limited companies in the private sector compiled by the Reserve Bank of India (refer to Appendix for details of methodology and sources). Table 3 presents the estimates of shares of FCEs in sales in 54 manufacturing industries for the years 1975-76 and 1980-81. Two limitations of these estimates have to be borne in mind while analysing them. One, these are based on a sample of 1334 medium and large non-government public limited manufacturing companies. They may not reveal the true market position of FCEs in some industries where the public sector, private limited companies or the non-corporate sector firms have considerable operations. Two, the sample size in RBI company finances studies which we have used for computations, is decided at the beginning of the quinquennial series and is kept same for the entire series. Hence, the changes in the shares over the period 1975-76 to 1980-81 apparent in the Table are outcomes of the relative rates of growth of the selected firms, and do not reflect the effect of new entry/divestments.

The shares presented in the Table vary widely across the industries almost between zero and hundred range. For ease in analysis, foreign share will be considered to be low in the range of 0 to 33; medium, in the range of 34-66; and high, if it is over 66 per cent. If this admittedly arbitrary classification is followed then eleven industries find a place in high foreign share category in 1980-81; these include processed food products, cigarettes, leather and leather products, aluminium, automotive components, dry batteries, metal products (other than machinery and machine tools), plastic raw materials, medicines and pharmaceuticals, toilet preparations and other chemical products, and safety matches. However, foreign shares in case of leather products and safety matches are misleading since these industries are now reserved for the small scale sector. FCEs which had established themselves viz., Bata and WIMCO (Swedish Match) respectively before the reservation, compete mostly with the local small scale firms. In the case of aluminium, plastic raw materials, and medicines and pharmaceuticals also, the FCE's share is over estimated because the public sector has significant presence in each one of them.

The fifteen industries where foreign shares are in medium range include non-ferrous basic metals other than aluminium, transport equipments other than vehicles, electric lamps, electrical machinery and appliances, machine tools, other non-electrical machinery, steel tubes and pipes, steel wire ropes, fertilizers, basic industrial chemicals, paints and varnishes, asbestos cement and asbestos cement products, sheet and specialty glass, automobile tyres and tubes, industrial and medical gases. Again these shares may be over estimates particularly in the case of non-ferrous basic metals (other than

**Share of Foreign Controlled Enterprises in Indian Manufacturing, 1975-76
and 1980-81, (Medium & Large Non-government Public Limited Companies)**

Code	Industry	No. of Companies FCE's share in sales:			
		Total	Foreign	1975-76 Percentages	1980-81
	(1)	(2)	(3)	(4)	(5)
310	Grain and pulses mills	8	0	-	-
320	Edible oil mills	13	1	15.41	18.11
331	Sugar mills	57	0	-	-
332	Other processed foods	31	9	82.84	80.52
341	Cigarettes	6	2	85.14	78.23
342	Tobacco products, n.e.s.	2	0	-	-
351-4	Cotton textiles	238	3	6.78	5.73
355	Jute textiles	31	0	-	-
356-8	Silk & rayon textiles	13	0	-	-
359	Woolen textiles	9	0	-	-
360	Other textile products	14	1	13.68	19.23
370	Breweries & Distilleries	19	1	3.96	3.04
380	Leather products	3	1	98.21	97.94
390	Miscellaneous	25	1	0.39	0.33
410	Iron & steel mills	1	0	-	-
420	Aluminium manufacture	3	2	90.96	89.86
430	Other non-ferrous metals	8	4	45.46	36.13
441	Motor vehicles	13	3	16.96	19.45
442	Automotive components	32	12	65.99	66.07
443-4	Other transport equip.	14	2	43.95	52.21
445	Electric cables	15	3	36.45	32.01
446	Dry batteries	7	4	83.11	89.32
447	Electric lamps	7	3	62.05	63.57
448	Electrical machinery & eqpt n.e.s.	86	26	89.03	53.30
449	Machine tools	12	3	38.56	35.08
450	Textile machinery	13	2	9.52	7.26
451	Non-electrical machinery n.e.s.	126	52	44.80	45.31
452	Steel tubes & pipes	14	4	51.89	51.16
453	Steel wire ropes	13	2	37.67	36.83
454	Steel forgings	29	2	6.04	5.05
455	Foundries & engg. works shops	43	4	8.52	7.54
456-7	Metal products, n.e.s.	40	12	74.27	69.64
461	Chemical fertilizers	13	3	46.80	37.46
462	Dyes & dyestuffs	10	3	30.32	30.57
463	Man-made fibres	13	3	18.60	17.83

(Contd...)

	(1)	(2)	(3)	(4)	(5)
464	Elastic raw materials	12	5	71.50	71.78
465	Basic Industrial chems.	43	13	55.45	53.85
466	Medicines & pharm	52	24	72.84	71.07
467	Paints & varnishes	15	5	55.01	52.13
468	Tolletarl & other chems	47	20	70.73	72.11
470	Safety matches	1	1	100.00	100.00
521	Cement	15	2	6.37	5.24
522	Asbestos & asbestos prods.	4	2	46.18	43.78
531-2	Ceramics & str. clay prods.	19	1	3.08	3.92
541	Tyres/tubes	6	3	69.40	60.13
542	Other rubber products	14	2	12.49	13.55
551	Paper	25	1	3.55	3.95
552	Products of paper & board	16	1	5.33	6.76
553	Wood products & furniture	15	1	3.15	3.14
561	Glass containers	6	1	19.18	8.08
562	Other glass products	6	3	52.34	50.78
580	Plastic products	15	2	24.31	18.01
630	Industrial & medical glass	11	1	66.92	63.13
590	Miscellaneous	32	8	26.99	32.30
	MANUFACTURING	1334	262	32.78	31.41

Note: n.e.s. Indicates not elsewhere specified.

Source: Author's computations.

aluminium), machinery (electrical and non-electrical), and machine tools due to the presence of public sector. Among the industries where foreign share is less than one third, FCEs have significant presence (over 10 per cent share) in nine industries viz., edible oils, automobiles, electric cables, dyes and dyestuff, man-made fibres, rubber products other than tyres, plastic products, and other textile products including ginning and pressing. FCEs held marginal (less than 10 per cent) shares in twelve industries like cotton textiles, breweries and distilleries, textile machinery, steel forgings, foundaries, cement, ceramics and structural clay products, paper, products of paper and board, wood products and glass containers. They had absolutely no representation in the rest of the seven industries viz., grains and pulses mills, sugar, tobacco other than cigarettes, textiles: jute, silk and rayon, woolen; and iron and steel.

It may be pointed out that even the three-digit industry classification in some industrial classes is quite aggregative and does not represent the true market position, for instance, the electrical and non-electrical machinery industries comprise of several highly specialised and heterogenous sub-branches of equipment. An analysis based on a more detailed classification may, thus reveal that FCEs are concentrated in some of them; for instance, in heavy diesel engines, pumps and compressors, cigarette making machinery, rubber machinery, ball bearings, lifts, water treatment plants, industrial valves, abrasives etc. within the non-electrical machinery sector.

Foreign shares, as presented in the Table, have a tendency to decline over the period 1975-76 to 1980-81 in most cases. Most significant decline is evident in industries such as cigarettes, non-ferrous metal manufactures (other than aluminium), fertilisers, automobile tyres and tubes, glass containers, and in plastic products. The industries where foreign shares have increased are motor vehicles, automotive components, transport equipment other than vehicles, dry batteries, toiletries and other chemicals, electric lamps, rubber products (other than tyres and tubes), and paper and paper products. These changes, however, do not reflect the influence of new investments, nor of divestments, as pointed out above.

The importance of FCEs has undergone a considerable change in a number of industries since the early sixties to which Kidron's (1965) analysis relates. Kidron had observed a tendency on the government's part to curb the market power of FCEs wherever they appeared to exercise 'unchallenged control' by pushing public or local private sector firms into competition. Thus, giant public sector firms have entered high technology fields such as non-ferrous basic metals, fertilisers, heavy organic chemicals, petrochemicals, basic drugs, heavy electrical and non-electrical machinery. Local private firms have made inroads into the market shares of FCEs in edible and hydrogenated oils, automobile tyres and tubes, industrial and medical gases, various branches of industrial machinery and equipment. The trend of erosion of importance of FCEs in traditional industries like jute, cotton textiles, paper, cement, sugar etc. which had set in the fifties and sixties is more or less complete by now. The FCEs however, continue to hold high shares of markets in a number of industries producing consumer goods sold under brand names such as processed foods, cigarettes, toiletries, leather goods. This could be because of the brand loyalty among the consumer which they enjoy. A more detailed analysis of the determinants of variation in these foreign shares across industries is beyond the scope of this paper. We have elsewhere attempted an analysis of determinants of foreign shares across 49 of these 54 industries in the framework of the new theories internationalization of firms (see Kumar, 1987b, 1987c). That analysis suggests that FDI in India has concentrated in industries characterised by high degree of product differentiation (advertising), complex technology, and those intensive in use of human skills. The import substitution programme of the Indian government appears to have encouraged the erstwhile exporters to the country to set up local production facilities. Therefore, FDI is also found concentrated in import competing sectors.

Conclusion

This paper examined the place of FCEs in Indian industry in terms of their shares in industry sales, assets and profits. At the outset issues involved in defining an FCE were examined to adopt a definition for the study. Previous estimates of share of FCEs in sales and assets of organised private corporate sector have ranged between 25 to 50 per cent depending upon the sample used and the reference period. According to our computations their share in sales or assets of organised private corporate sector was nearly 23 per cent in 1980-81. Their share shows a declining tendency over the period 1972-73 to 1980-81. The shares of FCEs in 54 individual industries were also computed. They were found to be varying widely across industries.

APPENDIX

Data and Methodology

For computing shares of FCEs we have made use of the RBI's data base on Finances of Medium and Large Public Limited Companies 1975/76-1980/81. The original data base includes financial statistics in respect of each of the non-government, non-financial companies with paid-up capital of Rs. 10 million or above and a sample from the smaller companies each with a paid-up capital of Rs. 0.5 million or more. In all it covered 1720 companies accounting for 86 per cent of paid-up capital of all public limited companies in the private sector. Out of these 1720 companies, 1334 were in the manufacturing sector. We confined ourselves to these companies for the purpose of the present exercise. Each of these companies had been assigned a three-digit industry classification code on the basis of the manufacturing activity accounting for at least one half of its turnover. In all, there were 62 such industry groups. However, some regrouping was found to be necessary which yielded 54 industries. In each industry companies with at least 25 per cent foreign equity were considered as foreign controlled for the purposes of computing their share in the net sales of all companies included in the sample.

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