10

COMMITTEE ON GOVERNMENT ASSURANCES (2014-2015)

SIXTEENTH LOK SABHA

TENTH REPORT

REQUESTS FOR DROPPING OF ASSURANCES (NOT ACCEDED TO)

Presented to Lok Sabha on 30 April, 2015



LOK SABHA SECRETARIAT NEW DELHI

April, 2015/Vaisakha, 1937 (Saka)

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$\hbox{COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*} \\ (2014-2015)$

Dr. Ramesh Pokhriyal "Nishank" — Chairperson

MEMBERS

- 2. Shri Rajendra Agrawal
- 3. Shri E. Ahamed
- 4. Shri Anto Antony
- 5. Prof. (Dr.) Sugata Bose
- 6. Shri Naranbhai Bhikhabhai Kachhadia
- 7. Shri Bahadur Singh Koli
- 8. Shri Prahlad Singh Patel
- 9. Shri A.T. Nana Patil
- 10. Shri C.R. Patil
- 11. Shri Sunil Kumar Singh
- 12. Shri Tasleem Uddin
- 13. Shri K.C. Venugopal
- 14. Shri S.R. Vijayakumar
- 15. Shri Tariq Anwar**

SECRETARIAT

- 1. Shri R.S. Kambo Joint Secretary
- 2. Shri U.B.S. Negi Director
- 3. Shri T.S. Rangarajan Additional Director
- 4. Shri Kulvinder Singh Committee Officer

^{*} The Committee was constituted w.e.f. 01 September, 2014 vide Para No. 633 of Lok Sabha Bulletin Part-II, dated 02 September, 2014.

^{**} Nominated to the Committee *vide* Para No. 1281 of Lok Sabha Bulletin Part-II, dated 05 February, 2015.

INTRODUCTION

- I, the Chairperson of the Committee on Government Assurances, having been authorized by the Committee to submit the Report on their behalf, present this Tenth Report of the Committee on Government Assurances.
- 2. The Committee (2014-2015) at their sitting held on 22 December, 2014 *inter-alia* considered Memoranda Nos. 52 to 65 containing requests received from the various Ministries/Departments for dropping of pending assurances and decided to pursue 04 assurances.
- 3. At their sitting held on 29 April, 2015, the Committee (2014-2015) considered and adopted their Tenth Report.
- 4. The Minutes of the aforesaid sittings of the Committee form part of this report.

NEW DELHI; DR. RAMESH POKHRIYAL "NISHANK"

29 April, 2015

7 Vaisakha, 1937 (Saka)

Committee on Government Assurances.

REPORT

While replying to Questions in the House or during discussions on Bills, Resolutions, Motions, etc., Ministers sometimes give assurances, undertakings or promises either to consider a matter, take action or furnish information to the House at some later date. An assurance is required to be implemented by the Ministry concerned within a period of three months. Where a Ministry is unable to implement the assurances within the prescribed period of three months, they are required to seek extension of time. In case, the Ministry finds it difficult in implementing the assurances on one ground or the other, they are required to request the Committee on Government assurances to drop the assurances and such requests are considered by the Committee on merits and decisions taken to drop an assurance or otherwise.

2. The Committee on Government Assurances (2014-15) considered the following requests received from Ministries/Departments for dropping of assurances at their sitting held on 22 December, 2014:—

Sl. No.	SQ/USQ No. & Date	Ministry	Subject
1.	USQ No. 692 dated 04.08.2011	Railways	GRP Railway Station. (Appendix-I)
2.	USQ No. 133 dated 01.08.2011	Defence	BPJ and Ballistic Helmets for Soldiers. (Appendix-II)
3.	USQ No. 185 dated 18.02.2009	Finance	Satyam Scam. (Appendix-III)
4.	USQ No. 643 dated 07.08.2013	Youth Affairs and Sports	Regulatory Framework for Non-corporate Business Entities. (Appendix-IV)

- 3. The details of the assurances arising out of the replies and the reason(s) advanced by the Ministries/Departments for dropping of the assurances are given in Appendices-I to IV.
- 4. The Minutes of the sitting of the Committee, where under the requests for dropping of the assurances, were considered, are given in Annexure II to Annexure-V.
- 5. After having considered the requests of the Ministries/Departments, the Committee are not convinced with the reasons furnished for dropping the assurances. The Committee desire that the Government should take note of the

observations/recommendations of the Committee, as contained in Annexure II to Annexure-V and take appropriate action, for the implementation of the assurances expeditiously.

New Delhi; 29 April, 2015 9 Vaisakha, 1937 (Saka) DR. RAMESH POKHRIYAL "NISHANK" Chairperson,
Committee on Government Assurances.

APPENDIX I

MEMORANDUM No. 52

Subject: Request for dropping of assurance given in reply to Unstarred Question No. 692 dated 04.08.2011, regarding "GRP Railway Station".

On 04 August, 2011 Shri Jeetendra Singh Bundela, M.P., addressed an Unstarred Question No. 692 to the Minister of Railways. The text of the question alongwith the reply of the Minister are as given in the Annexure.

- 2. The reply to the question was treated as an assurance by the Committee and required to be implemented by the Ministry of Railways within three months from the date of the reply but the assurance is yet to be implemented. The Ministry has sought further extension upto 04.05.2014.
- 3. The Ministry of Railways *vide* O.M. No. 2010/Sec. (Spl.)/120/6 dated 27 February, 2013 have requested to drop the assurance on the following grounds:—

"That the Government Railway Police (GRP) is a wing of State Police which functions under the control of respective State Governments. A proposal for setting up of GRP/Chowki at railway station, Harpalpur has already been initiated by SP/Railways, Jabalpur for approval of State Government concerned. On receipt of due approval and concurrence, further necessary action will be initiated by concerned GRP authorities. As the issue pertains to State Government concerned, it is therefore, requested that Committee on Government Assurances may please be approached for closure of above assurance."

4. In view of the above, the Ministry, with the approval of Minister of State in the Ministry of Railways, have requested to drop the above assurance.

The Committee may consider.

Dated: 19/12/2014

New Delhi:

GOVERNMENT OF INDIA MINISTRY OF RAILWAYS LOK SABHA UNSTARRED QUESTION NO. 692

ANSWERED ON 04.08.2011

GRP Railway Station

692. SHRI JEETENDRA SINGH BUNDELA:

Will the Minister of RAILWAYS be pleased to state:

- (a) the number of railway stations in the country with no Government Railway Police (GRP) stations/posts;
- (b) whether the Railways propose to open GRP station in such railway stations including Khajuraho and Harpalpur stations under North Central Railway; and
 - (c) if so, the details thereof?

ANSWER

THE MINISTER OF THE STATE IN THE MINISTRY OF RAILWAYS (SHRI K.H. MUNIYAPPA): (a) There are 7083 railway stations over Indian Railways. GRP Thanas/Chowkies are functioning from 1051 railway stations. However, each Thana/Chowki has a number of stations in its jurisdiction.

(b) and (c) Government Railway Police (GRP) functions under the control of respective State Governments and railways bear 50% of the cost. For creation of any GRP unit, proposal is initiated by State Government. On receipt of a proposal Railway consider it on merit. At present there is no proposal for creation of GRP Thana/Chowki at Khajuraho Railway Station. However, Railway Protection Force (RPF) Out Post is already functional at Khajuraho Railway Station. Railway Administration of North Central Railway has sanctioned space for GRP Chowki at Harpalpur Station. Superintendent of Railway Police, Jabalpur is making efforts to obtain sanction of State Government for establishing GRP Chowki at Harpalpur.

MEMORANDUM NO. 59

Subject: Request for dropping of assurance given in reply to Unstarred Question No. 133 dated 1 August, 2011 regarding "BPJ and Ballistic Helmets for Soldiers".

On 1 August, 2011 Sardar Sukhdev Singh Libra, M.P., addressed an Unstarred Question No. 133 to the Minister of Defence. The text of the question along with the reply of the Minister are as given in the Annexure.

- 2. The reply to the question was treated as an assurance by the Committee and required to be implemented by the Ministry of Defence within three months from the date of the reply. The assurance is yet to be implemented. The Ministry have sought extension of time upto 31 August, 2012 to fulfil the assurance.
- 3. The Ministry of Defence *vide* O.M. No. 2/30/2011/D(GSIV) dated 22 March, 2012 had requested to drop the assurance on the following grounds:—

"That Defence Acquisition is a complex decision-making process that endeavours to balance the competing requirement of expeditious procurement, development of indigenous defence industry and conformity to highest standards of transparency, probity and public accountability. Acquisition Schemes involve formulation of qualitative requirement, acceptance of necessary (AoN), solicitation of offers, evaluation of technical offer by Technical Evaluation Committee (TEC), field evaluation, staff evaluation, negotiation by contract negotiation committee, approval of competent authority (CFA), award of contract and contract administration and post contract management. Thus to conclude a contract from its inception it has to undergo several procedural stages and there is no certainty that any procurement proposal can be concluded in a definite time frame.

The latest status of procurement in the present case is as below:—

- I. Bullet Proof Jacket
 - (i) RFP issued on 3.3.2011.
 - (ii) RFP withdrawn on 8.12.2011 to incorporate amendments to QR, etc.
 - (iii) Current status—General Staff Qualitative Requirement (GSQR) under ratification.
- II. Ballistic Helmet
 - (i) RFP issued on 29.8.2011.
 - (ii) Techno-commercial bids received on 16.1.2012.
 - (iii) Current status—Technical evaluation under progress.

- 4. The above request to the Ministry was not acceded to by the Committee at their sitting held on 20 July, 2012. The Committee accordingly presented its 24th Report (15th Lok Sabha) on 04 September, 2012 *inter-alia* recommending that the subject of the assurance is important for the soldiers of the country and they be apprised of the steps taken so far for the purchase of Bullet Proof Jackets & Ballistic Helmets.
- 5. However, the Ministry of Defence *vide* their O.M. No. 2/30/2011/D(GSIV) dated 22 August, 2014 have again requested to drop the assurance on the following ground:

"The procurement case have progressed to the Trial stage for Bullet Proof Jacket and the GS Evaluation stage for Ballistic Helmet. In view of these facts, adequate assurance may be derived about the substantial progress in both cases."

6. In view of the above, the Ministry, with the approval of the Raksha Rajya Mantri, have again requested to drop the above assurance.

The Committee may reconsider.

New Delhi;

Dated: 19/12/2014

GOVERNMENT OF INDIA MINISTRY OF DEFENCE LOK SABHA UNSTARRED QUESTION NO. 133

ANSWERED ON 1.08.2011

BPJ and Ballistic Helmets for Soldiers

133. SARDAR SUKHDEV SINGH LIBRA:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government has decided to provide modular Bullet Proof Jackets (BPJ) and Ballistic Helmets with internal communication system to the soldiers of the Indian Army; and
 - (b) the time by which the Army is likely to be equipped with such items?

ANSWER

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY): (a) and (b) Yes, Madam. Proposals for purchase of Bullet Proof Jackets and Ballistic Helmets are at different stages of procurement in financial year, 2011-2012.

APPENDIX III

MEMORANDUM NO. 62

Subject: Request for dropping of assurance given in reply to Unstarred Question No. 185 dated 18.02.2009, regarding "Satyam Scam."

On 18 February, 2009 Shri Asaduddin Owaisi, M.P. addressed an Unstarred Question No. 185 to the Minister of Finance. The text of the question along with the reply of the Minister are as given in the Annexure.

- 2. The reply to the question was treated as an assurance by the Committee and required to be implemented by the Ministry of Finance within three months from the date of the reply but the assurance is yet to be implemented.
- 3. The Ministry of Finance *vide* O.M. No. 4/16/09-PM dated 14 February, 2012 had requested to drop the assurance on the following ground:—

"That the assurance given to Lok Sabha was regarding investigation into the financial irregularities of Satyam Computer Services Ltd. It is informed that in view of the pendency of multiple proceedings against M/s. Satyam Computers Services Limited for the same year and across different years before different authorities/courts, completion of which may take years, the quantification of the loss by way of direct taxes cannot be determined in the foreseeable future. As and when the direction of the judicial enquiry becomes available, the Government will take appropriate follow up action in this regard as per directions of the Court."

- 4. The above request of the Ministry was not acceded to by the Committee at their sitting held on 20 July, 2012. The Committee accordingly presented its 24th Report (15th Lok Sabha) on 04 September, 2012 *inter-alia* recommending that the information sought in the assurance be collected and laid on the Table of the House.
- 5. However, the Ministry of Finance *vide* O.M. No. 4/16/2009-PM dated 3rd December, 2013 have again requested to drop the assurance on the following grounds:—

"The matter was taken up with Central Board of Direct Taxes (CBDT), Department of Revenue (DoR) to provide the relevant information for the fulfilment of the aforesaid assurance. CBDT *vide* their O.M. dated 4 November, 2013 has stated the following:

In view of pendency of multiple proceedings for the same year and across different years, before different authorities/courts, completion of which may take years, and the ensuring stay on all such proceedings ordered by the Hon'ble High Court, the quantification of the final loss by way of direct taxes

cannot be determined in the foreseeable future and suggested reconsideration of the decision of the Committee on Government Assurances as the assurance cannot be fulfilled. In view of the above, status remains the same as existing when the first request was made to the Hon'ble Committee. It is reiterated that as and when the direction of judicial enquiry becomes available, the Government will take appropriate follow up action this regard as per the directions of the Court in this matter. Accordingly, taking into consideration of the present status of the Satyam Scam as mentioned above and also suggestion of the Department of Revenue, it is kindly requested that the Hon'ble Committee on Government Assurance may reconsider its decision and direct the deletion of the assurance. This issue with the approval of MoS (E&FS)."

6. In view of the above, the Ministry, with the approval of Minister of Finance, have again requested to drop the above assurance.

The Committee may reconsider.

New Delhi;

Dated: 19.12.2014

GOVERNMENT OF INDIA MINISTRY OF FINANCE LOK SABHA UNSTARRED QUESTION NO. 185 ANSWERED ON 18.02.2009

Satyam Scam

185. DR. K. DHANARAJU : SHRI ASADUDDIN OWAISI :

Will the Minister of FINANCE be pleased to state:

- (a) whether the Government has instituted an inquiry into the Satyam Scam;
- (b) if so, the progress made therein so far;
- (c) the total loss suffered by the Government by way of direct and indirect taxes;
- (d) whether the Income Tax Department, Enforcement Directorate and Directorate of Revenue Intelligence have also inquired into the matter; and
- (e) if so, the outcome thereof and the further steps taken or being taken by the Government in this regard?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PAWAN KUMAR BANSAL): (a) Yes, Sir.

- (b) Various agencies including Serious Fraud Investigation Office, Securities and Exchange Board of India, Andhra Pradesh State CID, etc. are investigating into possible violation of various Acts, Rules and Regulations administered by the respective agencies. In particular, SEBI is investigating possible violations of SEBI Act, 1992, SEBI (Prohibition of Fraudulent & Unfair Trade Practices) Regulations, 2003 and SEBI (Prohibition of Insider Trading) Regulations, 1992 among others. SEBI has also ordered inspection of the documents available with the Auditors. Besides, books, records and documents of the company are being examined. SEBI has completed examining and recording statements of both Raju brothers (promoters).
- (c) and (d) Information is being collected and will be laid on the Table of the House.
 - (e) The outcome of the investigations will be known only once they are completed.

APPENDIX IV

MEMORANDUM NO. 65

Subject: Request for dropping of assurance given in reply to Unstarred Question No. 643 dated 07 August, 2013, regarding "Regulatory Framework for Non-Corporate Business Entities."

On 07 August, 2013, Shri P.R. Natarajan, M.P., addressed an Unstarred Question No. 643 to the Minister of Law & Justice (Department of Legal Affairs). The text of the question alongwith the reply of the Minister are as given in the Annexure. The assurance was later on transferred to Ministry of Youth Affairs & Sports.

- 2. The reply to the question was treated as an assurance by the Committee and was required to be implemented by the Ministry of Youth Affairs & Sports within three months from the date of the reply. The assurance is yet to be implemented.
- 3. The Ministry of Youth Affairs & Sports *vide* O.M. No. H-11016/1/2013-SP. I dated 4 August, 2014 have requested to drop the assurance on the following grounds:—

"That the Government had formulated a draft Bill namely National Sports Development Bill to ensure good governance & transparency in the functioning of National Sports Federation. Since some of the issues need detailed deliberations and consultation among various Ministries/Departments of Government of India and other stakeholders, it is not possible to indicate a definite time-frame for enactment of the above mentioned Bill."

4. In view of the above, the Ministry, with the approval of the Minister of State (Independent Charge) for Youth Affairs & Sports, have requested to drop the above assurance.

The Committee may consider.

New Delhi;

Dated: 19.12.2014

GOVERNMENT OF INDIA MINISTRY OF LAW AND JUSTICE LOK SABHA UNSTARRED QUESTION NO. 643 ANSWERED ON 07.08.2013

Regulatory Framework for Non-Corporate Business Entities

643. SHRI P.R. NATARAJAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether regulatory framework is availale with the Government for the non-corporate business entities including sports bodies like the Board of Control for Cricket in India (BCCI);
 - (b) if so, the details thereof;
 - (c) if not, the reasons therefor;
 - (d) whether the Government proposes to enact a legislation in this regard; and
 - (e) if so, the details thereof?

ANSWER

THE MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL): (a) to (c) The Ministry of Youth Affairs & Sports has informed that the Government has framed a National Sports Development Code of India, 2011 (NSDC) to bring in transparency and accountability in the functioning of various National Sports Federations (NSFs) and for healthy development of sports in the country which does not have any penal provision. The Board of Control for Cricket in India (BCCI) is an autonomous body registered under the Societies Registration Act, 1860 and it does not follow the NSDC. The NSFs are required to comply with the NSDC for getting funds and various concessions from the Government.

(d) and (e) The Ministry of Youth Affairs & Sports is considering bringing a legislation in this regard.

APPENDIX V

MINUTES

SIXTH SITTING

MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES (2014-2015) HELD ON 22 DECEMBER, 2014 IN COMMITTEE ROOM 'E', PARLIAMENT HOUSE ANNEXE, NEW DELHI

The Committee sat from 1500 hours to 1615 hours on Monday, 22 December, 2014.

PRESENT

Dr. Ramesh Pokhriyal 'Nishank' — Chairperson

MEMBERS

- 2. Prof. Sugata Bose
- 3. Shri Naranbhai Bhikhabhai Kachhadia
- 4. Shri Bahadur Singh Koli
- 5. Shri Prahlad Singh Patel

SECRETARIAT

1. Shri R.S. Kambo	_	Joint Secretary
2. Shri U.B.S. Negi	_	Director
3. Shri T.S. Rangarajan	_	Additional Director
4. Shri Kulvinder Singh	_	Committee Officer

2. The Committee then considered 14 Memorandum (Memo No. 52 to 65) containing requests received from various Ministries/Departments for dropping of the pending assurances. After in-depth deliberation of the reasons adduced by the Ministries, the Committee decided to drop 10 assurances as per details given in Annexure-I.* The Committee further decided that 04 assurances required to be pursued further, as per details given in Annexure-II.

The Committee then adjourned.

ANNEXURE II

Statement Showing Assurances not dropped by the Committee on Government Assurance at their sitting held on 22.12.2014

SI. No.	Sl. Memo No. No.	SQ/USQ No. and date	Ministry/ Department	Subject	Observations/Recommendations of the Committee
_	2	3	4	S	9
-i	52	USQ No. 692 dated 04.08.2011	Railways	GRP Railway Station	The Committee note that Government Railway Police (GRP) functions under the control of respective State Government and Railways bear 50% of the cost. A proposal for setting up of GRP/Chowki at Railway Station at Harpalpur has already been initiated by Superintendent of Railway Police/Jabalpur for approval of State Government concerned. On receipt of the due approval and concurrence, further necessary action will be initiated by concerned GRP authorities. According to the Railways, the issue pertains to State Government concerned and therefore, Railways, the issue pertains to State Government concerned and therefore, Railways have requested that the assurance may be closed. However, the Committee are of the view that since 50% of the cost of GRP unit are borne by the Railways, they can not ignore their responsibility for setting up of GRP/Chowki at Harpalpur Railway Station. The Committee, therefore, recommend that the Railways should vigorously pursue the matter with the State Government and impress upon them to furnish their approval and concurrence so that GRP/Chowki at Railway Station at Harpalpur could be set up without further delay. The Committee would like to be apprised of the progress made in this regard.
7	59	USQ No. 133 dated 01.08.2011	Defence	BPJ and Ballistic Helmets for Soldiers	The Committee note that proposals for purchase of Bullet Proof Jackets (BPJs) and Ballistic Helmets to the Indian Army are at different stages of procurement during the financial year 2011-12.

											15			
According to the Ministry, Defence Acquisition is a complex decision-making process and to conclude a contract from its inception it has to	undergo several procedural stages and there is no certainty that any	procurement proposal can be concluded in a definite time-frame. The	Committee were informed that the procurement case have progressed	to the Trial stage for Bullet Proof Jacket and the GS Evaluation stage for	Ballistic Helmet. The Committee are of the view that there can not be	any laxity in procurement of BPJs and Ballistic Helmets which are very	essential for the soldiers. While reiterating its recommendations	contained in its 24th Report (15th Lok Sabha), the Committee expect the	Ministry to make vigorous efforts so that that BPJs and Ballistic Helmets	be purchased for Indian Army without any delay. The Committee would	like to be apprised of the progress made in the matter from time to time.	The Committee note that the Government instituted an inquiry	into the Satyam Scam. Various agencies including Serious Fraud	Investigation Office, Securities and Exchange Board of India, Andhra
												Satyam Scam		
												Finance		
												USQNo. 185	dated	18.02.2009

Pradesh State CID etc. are investigating possible violation of various Acts, Rules and Regulations administered by the respective

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agencies. It was informed that the outcome of the investigation will be known only once they are completed. According to the Ministry, in view of pendency of multiple proceedings before different

authorities/courts, completion of which may take years and the ensuring stay on all such proceedings ordered by the Hon'ble High Court, the quantification of the final loss by way of direct taxes can

not be determined in the foreseeable future. As and when the direction

S Regulatory	Non-corporate governance and transparency in the functioning of National Sports Business Federation. Since some of the issues need detailed deliberations and consultation among various Ministries/Departments of Government of India and other stakeholders, it is not possible to indicate a definite time frame for enactment of the above-mentioned Bill. The Committee desire that deliberations/consultations among Ministries and stakeholders be expedited and the Bill be enacted at the earliest. The Committee would like to be apprised of the initiatives undertaken by
Youth Affairs	
USQ No. 643	07.08.2013
8	
- 4.	

*Not enclosed.

Appendix VI

MINUTES

NINTH SITTING

MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT ASSURANCES (2014-2015) HELD ON 29 APRIL, 2015 IN COMMITTEE ROOM 'A', PARLIAMENT HOUSE ANNEXE, NEW DELHI

The Committee sat from 1500 hours to 1700 hours on Wednesday, 29 April, 2015.

PRESENT

Dr. Ramesh Pokhriyal 'Nishank' — Chairperson

MEMBERS

- 2. Shri Rajendra Agrawal
- 3. Shri E. Ahamed
- 4. Prof. (Dr.) Sugata Bose
- 5. Shri Bahadur Singh Koli
- 6. Shri Prahlad Singh Patel
- 7. Shri C.R. Patil
- 8. Shri S.R. Vijayakumar

SECRETARIAT

Shri R.S. Kambo — Joint Secretary
 Shri T.S. Rangarajan — Additional Director
 Shri Kulvinder Singh — Committee Officer

*** ***

- 2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda. Thereafter, the Committee considered and adopted the following five draft reports:—
 - (i) Draft 9th Report regarding requests for dropping of assurances (acceded to)
 - (ii) Draft 10th Report regarding requests for dropping of assurances (not

acceded to)

- (iii) Draft 11th Report regarding requests for dropping of assurances (acceded to)
- (iv) Draft 12th Report regarding requests for dropping of assurances (not acceded to)
- (v) Draft 13th Report regarding review of pending assurances pertaining to the Ministry of Tourism.

The Committee, then, adjourned.

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