

77 **COMMITTEE ON
GOVERNMENT ASSURANCES
(2017-2018)**

SIXTEENTH LOK SABHA

SEVENTY-SEVENTH REPORT

REVIEW OF PENDING ASSURANCES
PERTAINING TO THE
MINISTRY OF CORPORATE AFFAIRS

(Presented to Lok Sabha on 9 August, 2018)



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2018/Shravana, 1940 (Saka)

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT ASSURANCES*
(2017-2018)

Dr. Ramesh Pokhriyal “Nishank” — *Chairperson*

MEMBERS

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

SECRETARIAT

1. Shri U.B.S. Negi — *Joint Secretary*
2. Shri P.C. Tripathy — *Director*
3. Shri S.L. Singh — *Deputy Secretary*

* The Committee has been re-constituted *w.e.f.* 01 September, 2017 *vide* Para No. 5800 of Lok Sabha Bulletin—Part II dated 18 September, 2017.

** Nominated to the Committee *vide* Para No. 6261 of Lok Sabha Bulletin—Part II dated 08 January, 2018 *vice* Shri P.K. Kunhalikutty resigned on 02 January, 2018

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12. Shri Sunil Kumar Singh
13. Shri Taslimuddin
14. Shri K.C. Venugopal
15. Shri S.R. Vijayakumar

SECRETARIAT

- | | | |
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| 2. Shri P.C. Tripathy | — | <i>Director</i> |
| 3. Shri S.L. Singh | — | <i>Deputy Secretary</i> |

* The Committee has been re-constituted *w.e.f.* 01 September, 2016 *vide* Para No. 4075 of Lok Sabha Bulletin Part-II, dated 05 September, 2016.

@ Shri E. Ahmed passed away on 01.02.2017.

INTRODUCTION

I, the Chairperson of the Committee on Government Assurances (2017-18), having been authorized by the Committee to submit the Report on their behalf, present this Seventy-seventh Report (16th Lok Sabha) of the Committee on Government Assurances.

2. The Committee (2016-17) at their sitting held on 13 July, 2017 took oral evidence of the representatives of the Ministry of Corporate Affairs regarding pending Assurances from the 8th Session of the 15th Lok Sabha to the 9th Session of the 16th Lok Sabha.

3. At their sitting held on 08 August, 2018 the Committee (2017-18) considered and adopted their Seventy-seventh Report.

4. The Minutes of the aforesaid sittings of the Committee form part of this Report.

5. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in bold letters in the body of the Report.

NEW DELHI;
08 August, 2018

17 Shrawana, 1940 (Saka)

DR. RAMESH POKHRIYAL "NISHANK",
Chairperson,
Committee on Government Assurances.

REPORT

I. Introductory

The Committee on Government Assurances scrutinize the Assurances, promises, undertakings etc. given by the Ministers from time to time on the floor of the House and report the extent to which such Assurances, promises, undertakings, etc. have been implemented. Once an Assurance has been given on the floor of the House, the same is required to be implemented within three months. The Ministries/ Departments of the Government of India are under obligation to seek extension of time, if they are unable to fulfill the Assurance within the prescribed period of three months. Where a Ministry/Department is unable to implement an Assurance, that Ministry/Department are required to move the Committee for dropping it. The Committee consider such requests and approve dropping, if they are convinced that the grounds cited are justified. The Committee also examine whether the implementation of Assurances has taken place within the minimum time necessary for the purpose and the Committee also look into the extent to which the Assurances have been implemented.

2. The Committee on Government Assurances (2009-2010) took a policy decision to call the representatives of the various Ministries/Departments of the Government of India, in a phased manner, to review the pending Assurances, examine the reasons for pendency and analyze the operation of the system prescribed in the Ministries/Departments for dealing with Assurances. The Committee also decided to consider the quality of Assurances implemented by the Government.

3. The Committee on Government Assurances (2014-2015) decided to follow the well established and time tested procedure of calling the representatives of the Ministries/Departments of the Government of India, in a phased manner and review the pending Assurances. The Committee took a step further for expeditious implementation of pending Assurances and decided to call the representatives of the Ministry of Parliamentary Affairs also as all the Assurances are implemented through them.

4. In pursuance of the *ibid* decision, the Committee on Government Assurances (2016-2017) called the representatives of the Ministry of Corporate Affairs and the Ministry of Parliamentary Affairs to render clarification with respect to delay in implementation of the Assurances given during the period from the 8th Session of the 15th Lok Sabha to the 9th Session of the 16th Lok Sabha. The Committee examined the following 14 Assurances at their sitting held on 13 July 2017:—

Sl.No.	SQ/USQ No. & Date	Subject
1.	USQ No. 5843 dated 08.09.2011	Investigation of Polyester Companies by CCI (Appendix-I)
2.	USQ No. 3396 dated 13.12.2012	Investigation by SFIO in Company Liquidations (Appendix-II)

Sl.No.	SQ/USQ No. & Date	Subject
3.	USQ No. 2188 dated 22.08.2013	Cartelisation by Oil Companies (Appendix-III)
4.	SQ No. 324 dated 13.02.2014	Chit Fund Scam (Appendix-IV)
5.	SQ No. 394 dated 20.02.2014	National Financial Reporting Authority (Appendix-V)
6.	USQ No. 4467 dated 08.08.2014	Inquiry against Google (Appendix-VI)
7.	USQ No. 5266 dated 24.04.2015	Implementation of New Companies Act (Appendix-VII)
8.	USQ No. 3174 dated 07.08.2015	Non-Compliance of Companies Act (Appendix-VIII)
9.	USQ No. 3698 dated 12.08.2015	Abuse of Google (Appendix-IX)
10.	USQ No. 1016 dated 04.12.2015	Complaints against online CAB Companies (Appendix-X)
11.	USQ No. 3435 dated 18.12.2015	Non-Compliance of Company Act (Appendix-XI)
12.	USQ No. 3437 dated 18.12.2015	Bogus Companies (Appendix-XII)
13.	USQ No. 521 dated 26.02.2016	Unethical Practices by Companies (Appendix-XIII)
14.	USQ No. 956 dated 29.04.2016	Merger of NSEL-FTIL (Appendix-XIV)

5. The Extracts from Manual of Practice and Procedure in the Government of India, Ministry of Parliamentary Affairs laying guidelines on the definition of an Assurance, the time limit for its fulfillment, dropping/deletion and extension, the procedure for fulfillment etc., besides maintenance of Register of Assurances and periodical reviews to minimize delays in implementation of the Assurances are reproduced at Appendix-XV.

6. During oral evidence, the Committee drew the attention of the representatives of the Ministry of Corporate Affairs to the long pendency in the fulfillment of the above mentioned 14 Assurances and enquired about the system of implementation/ review of Assurances in the Ministry, compliance with the instructions of the Ministry of Parliamentary Affairs in this regard as well as coordination with that Ministry for implementation of Assurance. The Committee also enquired as to whether the Ministry bring the issue of pending Assurances to the knowledge of the Minister concerned.

The Secretary, Corporate Affairs in his disposition before the Committee submitted during evidence as under:—

"Sir, some Assurance, as you said have been pending for quite a long time. In our Ministry, a senior officer takes a review meeting every 15 days on

alternate Tuesdays for which the permanent agenda is to ensure the compliance with the Assurances. In each meeting, we discuss the Assurance given in both Lok Sabha and Rajya Sabha one by one to review how much we have progressed towards fulfilling them. There is a typical nature of the Ministry in which the cases have a judicial nature. Our Ministry deal with Company Laws and Competition Laws and various legal issues come before us. Owing to this reason, some cases become *sub-judice* and remain pending in courts for quite a long time because of which we cannot progress much despite conducting fortnightly review meetings. Nevertheless, we try whatever we can to progress with the court cases."

7. Subsequently, three Assurances mentioned as SI. Nos. 04, 10 and 14 in the above Table have since been implemented as detailed in para 24 of this Report.

Observations/Recommendations

8. The Committee are concerned that as many as 11 Assurances given by the Ministry of Corporate Affairs during the period from the 8th Session of the 15 Lok Sabha to the 9th Session of the 16th Lok Sabha are still pending for implementation even after lapse of time ranging from more than two years to about seven years while the remaining three Assurances could be implemented after delays ranging from more than two years to four years. This is indicative of the fact that monitoring and follow up action taken for implementation of Assurances by the Ministry has been inadequate. The Committee are fully aware that implementation of Assurances related to investigation, court cases, company laws, competition laws, etc. require more time and may be difficult to be executed within the prescribed time period. However, proactive, coordinated and sustained efforts need to be made to implement the Assurances. The Committee, therefore, desire that in addition to the present arrangement of review mechanism instituted by the Ministry, the implementation of the Assurances should be monitored and outcome based review meetings be held at the highest level at periodic intervals. Further, the level of coordination with other Ministries/Departments concerned and stakeholders should be enhanced.

II. Review of Pending Assurances

9. In the succeeding paragraphs, the Committee deal with some of the pending Assurances pertaining to the Ministry of Corporate Affairs critically examined by them.

A. Inquiry against Google

10. In reply to the USQ No. 4467 dated 08.08.2014 regarding 'Inquiry against Google' (Appendix -VI), it was stated that the Competition Commission of India (CCI), on receipt of information of alleged abuse of dominance by Google, has directed Director General, CCI to investigate the matter. Investigation report in the matter is awaited.

11. Giving the present status of the implementation the Assurance the Ministry in their Status Note furnished in July 2017 stated as under:—

"Director General, CCI has submitted the investigation report in three cases *i.e.* Case No. 07/2012, 30/2012 and 06/2014 against M/s Google and the matters are under consideration of the Commission."

12. During oral Evidence, the Committee enquired as to when CCI directed its own Director General to investigate the matter. In reply, the Secretary, Corporate Affairs replied that it was on 04.08.2014.

13. The Committee pointed out that two of the three cases pertained to 2012 and the remaining one to 2014 and enquired about the reasons for the gap of years together between the CCI and the Director General, CCI in pursuing the cases. To this, the Secretary, CCI submitted as under:—

"The total number of cases against Google are four. The first two cases were filed in 2012 and their proceedings started in 2014. The order for investigation into these two cases were issued in 2012 itself but Google was not complying with the investigation requests of the DG, CCI. However, after a penalty of Rs. 1 crore was imposed in 2013, it started complying with the DG's notices. Thereafter, two cases also came up and investigation into these two cases have also started. These four cases can be broadly divided into two parts. Investigation Reports in respect of two cases have come before the Commission. After coming of the Reports, the party raised so many issues citing confidentiality matters. It took one year to sort out these confidentiality issues and then the cases came into hearing stage. Now hearing has been concluded in respect of the first two cases. The other two cases are still pending because the Commission will decide one set of cases, pass the order and then move to the next case."

14. Observing that the Reports of DG, CCI came before the Commission in 2015 and 2016 but follow up action was yet to be taken even in 2017, the Committee enquired as to within how much time the Commission need to take action once the Report of DG, CCI is submitted to it. In reply, the Secretary, Competition Commission of India elaborated as under:—

"As I told before, two reports came, one in 2015 and the second Vishal Gupta Report in 2016. As soon as the Reports came, the same are given to the parties concerned because they have to make their pleadings before the Commission. In those, they took the plea that there are certain confidential documents. Under this law, they are allowed to give confidential documents. Sensitive business data is there which is given confidentiality by the DG. Google wanted access to that confidential information. In this case, the other parties were Microsoft, Yahoo and many other big trans-nationals involved. So, they wanted access to that confidential information. On the confidentiality, there were pleadings as to why they should not get access. Then there was page-by-page determination on each piece of information that they wanted access to. In this case, quite a number of hearings have been held and the detailed order is with Commissioner. It was decided that there should be no confidentiality and they should be allowed to produce their defence before the Commission. So, there was a sharing of data and thereafter the hearing started. Hearings also continued on various dates. Now the hearings have concluded this year in the first set and we are awaiting the orders of the Commission."

The second set, the second DG Report which was filed in 2016 the hearings have not yet commenced because the Commission has decided to first pass this order and then move on to the next."

Observations/Recommendations

15. The Committee are perturbed that the Assurance given on the floor of the House by the Ministry of Corporate Affairs in reply to USQ No. 4467 dated 08.08.2014 regarding "Inquiry against Google" is yet to be implemented despite a lapse of about four years. The Committee's scrutiny has revealed that there are four cases against Google, the first two cases were filed in 2012 but their proceedings started only in 2014 after a gap of two years as Google was not complying with the investigation request of the Director General, Competition Commission of India (CCI). However, after a penalty of Rs. 1 crore was imposed in 2013, Google started complying with the DG, CCI's notices. The Committee also find that two more cases also came up against Google. Investigation reports in respect of these two sets of cases came before the CCI in 2015 and 2016, however, follow up action could not be taken as of 2017 as the matter was caught in an imbroglio of pleadings and hearings by the parties concerned on the sensitive business data and confidentiality issues. Further, hearings were yet to be commenced in respect of the Second Report of the DG, CCI on the second set of cases against Google. This is a matter of serious concern that complaints regarding violation of the country's competition/company laws by big foreign companies operating in the country like Google have been received and the Ministry and CCI cannot take prompt and effective action thereon. The Committee feel that the relevant company/competition laws of the country in this regard need to be more precise and comprehensive enough to avoid any prolongation in taking prompt action or otherwise in cases of complaints received against any foreign company operating in the country. While urging upon the Ministry of Corporate Affairs and CCI to work on this line, the Committee would like the Ministry to take all the necessary actions proactively in a time-bound manner so as to implement the Assurance without further delay.

B. Bogus Companies

16. In reply to USQ No. 3437 dated 18.12.2015 regarding 'Bogus Companies' (Appendix - XII), it was stated that the Ministry of Corporate Affairs have received certain complaints on bogus/ghost companies involved in irrigation, Public Work Department (PWD) and Maharashtra Sadan Scams of Maharashtra, which have been forwarded to the respective Registrars of Companies for examination and necessary action as per the provisions of the Companies Act, 1956.

17. In their Status Note furnished in July 2017, the Ministry apprised the latest status of the implementation of the Assurances as under:—

"Report received in case of certain companies are being examined and in remaining companies, the matter is being perused with RDs/ROCs."

18. During oral evidence, the Director General (Corporate Affairs) of the Ministry deposed before the Committee as under:—

"Sir, in this case, complaints were received against a total of 182 companies. Till now, documents like balance sheet, etc. of 101 companies have been scrutinised through our Company Registrars. Investigation is going on against the remaining 81 companies."

19. When asked to state the reasons for delay in completing examination of the relevant documents of all the companies, he submitted before the Committee during evidence as under:—

"Sir, we have shortage of manpower, the remaining work is going on."

20. On being asked about the action taken against the 101 Companies in respect of which scrutiny has been completed by the Ministry, he apprised the Committee during evidence as under:

"Sir, Reports on the findings of the scrutiny have been received and decision is yet to be taken on them."

21. The Committee urged upon the Ministry to expedite the necessary action in this regard as the matter is long pending. To this, the Secretary, Corporate Affairs submitted as under:

"Sir, the matter is to be dealt with carefully because legal issues are involved."

22. He, however, heeded to the Committee's advice when assured the Committee as under:

"Sir, we will expedite."

Observations/Recommendations

23. The Committee are concerned that the Assurance given in reply to USQ No. 3437 dated 18.12.2015 regarding 'Bogus Companies' still remains to be implemented even after more than two and a half years of giving the Assurance on the Floor of the House. The Committee's examination of the matter has revealed that complaints were received against as many as 182 companies which were involved in irrigation, Public Works Department and Maharashtra Sadan scams of Maharashtra. Out of these, the respective Registrars of Companies could scrutinize the balance sheets and other documents of 101 companies when the evidence was taken and in respect of the remaining 81 companies investigation was going on. Even in the cases of the 101 companies whose scrutiny is over, follow up action as per the provisions of the Companies Act, 1956 on the Reports on the findings of the scrutiny was yet to be taken. The Ministry attributed these delays on their part to shortage of manpower and involvement of legal issues which need to be dealt with carefully. Notwithstanding these probabilities, the Committee observe that the Ministry failed to take up and pursue the cases carefully with the required degree of prudence and alacrity leading to undue delay in completing the requisite scrutiny and taking proper follow up action. Emphasizing the need for taking deterrent/exemplary action to obviate such cases

in future, the Committee would like the Ministry to expedite the scrutiny of all these cases and take appropriate follow up action as per the provisions of the Companies Act, 1956 so as to fulfil the Assurance. Further, the Companies Act, 1956 may be revisited in order to make the provisions therein more precise, comprehensive and contemporary with a view to avoiding legal tangles and enabling the Ministry to take prompt and appropriate action in such cases in future.

III. Implementation Reports

24. As per the Statements of the Ministry of Parliamentary Affairs, Implementation Reports in respect of the Assurances given in reply to the following three SQ/USQs have since been laid on the Table of the House on the dates as mentioned against each:—

Sl. No.	Sl No. in the Table (Para No. 4)	SQ/USQ No. Dated	Date of Implementation
i.	4	SQ No. 324 dated 13.02.2014 regarding "Chit Fund Scam"	22.12.2017
ii.	10	USQ No. 1016 dated 04.12.2015 regarding "Complaints against online CAB Companies"	22.12.2017
iii.	14	USQ No. 956 dated 29.04.2016 regarding "Merger of NSEL-FTIL"	08.08.2017

NEW DELHI;
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17 Shrawana, 1940 (Saka)

DR. RAMESH POKHRIYAL "NISHANK",
Chairperson,
Committee on Government Assurances.

APPENDIX I

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 5843

ANSWERED ON 08.09.2011

Investigation of Polyester Companies by CCI

5843. SHRI B. B. PATIL:
SHRI ANAND PRAKASH PARANJPE:
SHRI EKNATH M. GAIKWAD:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether Competition Commission of India has conducted, an investigation on top polyester and viscose fibre companies regarding fixing of cartel prices;
- (b) if so, the companies which have been investigated in this regard;
- (c) the outcome of the said investigation; and
- (d) the action taken/being taken against the guilty companies?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI R. P. N. SINGH): (a) An information alleging cartelization by Synthetic Fiber Manufacturer Companies has been received by the Competition Commission of India, (CCI). The Commission has directed Director General, CCI to conduct investigation in the said matter.

- (b) to (d) The matter is still under investigation by Director General, CCI.

APPENDIX II

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3396

ANSWERED ON 13.12.2012

Investigation by SFIO in Company Liquidations

3396. SHRI S.R. JEYADURAI:

SHRID.B. CHANDRE GOWDA:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the Serious Fraud Investigation Office (SFIO) has investigated frauds in company liquidations:
- (b) if so, the details thereof; and
- (c) the status of these investigations?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI SACHIN PILOT): (a) Yes, Madam.

(b) & (c) During the last five years, 27 companies under liquidation were referred to SFIO for investigation. Out of the said 27 cases, SFIO has completed investigation in 24 cases and in the remaining 3 cases, investigation is under progress.

APPENDIX III

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 2188

ANSWERED ON 22.08.2013

Cartelisation by Oil Companies

2188. SHRI EKNATH M. GAIKWAD:
SHRI A. GANESHAMURTHI:
SHRI ANAND PRAKASH PARANJPE:
SHRI B. B. PATIL:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether Competition Commission of India has started any investigation into the alleged cartelisation by oil marketing companies in fixing petrol prices;
- (b) if so, the details thereof including the names of oil companies being probed;
- (c) whether the Government has fixed any time-frame to complete the investigations; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI SACHIN PILOT): (a) & (b) Yes, Madam. The Competition Commission of India (CCI) has taken *suo moto* cognizance of *prima facie* anti-competitive behaviour of certain Oil Marketing Companies, namely, Indian Oil Corporation Limited, Hindustan Petroleum Corporation Limited and Bharat Petroleum Corporation Limited and has referred the matter to Director General, CCI for investigation.

(c) & (d) The CCI has given time upto 2nd October, 2013 to DG, CCI to submit the investigation report.

APPENDIX IV

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA STARRED QUESTION NO. 324

ANSWERED ON 13.02.2014

Chit Fund Scam

*324. SHRI M. ANANDAN:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Serious Fraud Investigation Office (SFIO) has submitted its interim report to the Ministry on the Chit Fund scam and if so, the details of the Important findings thereof;

(b) whether the SFIO has blamed lack of coordination between Government agencies for the proliferation of illegal collective investment schemes across the country where investors have lost their money;

(c) if so, the details thereof;

(d) whether the SFIO has urged the Government to take pre-emptive action to protect the lifetime savings of small investors; and

(e) if so, the details thereof along with the steps taken/being taken by the Government in this regard?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI SACHIN PILOT): (a) to (e) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE STARRED QUESTION NO. 324 FOR ANSWER IN LOK SABHA ON 13.02.2014

(a) to (e) The Serious Fraud Investigation Office (SFIO) has submitted a status report of investigations into the affairs of 54 'Chit Fund Companies' operating from the Eastern States of the country. As per the status report, information has been collected from the computer servers of the companies located in India. However, there are difficulties in accessing information stored in the servers located outside India, it is also reported that these companies were mobilizing huge funds from the public for booking of land, flats and various other activities to camouflage receipts

of deposits from public in violation of provisions of Section 58A of the Companies Act, 1956 and the ban on 'money Circulation' under the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 (Prize Chits Act).

The Status report points out that promoters of such companies have taken advantage of multiple legislations with overlapping jurisdictions. This aspect along with other issues to deal effectively with the activities of so called chit fund companies have been entrusted to an Inter-Ministerial Group (IMG) constituted by the Ministry of Finance for better inter-agency coordination in such matters. The Group has representatives from Ministry of Finance, Ministry of Corporate Affairs, Reserve Bank of India (RBI) and Securities and Exchange Board of India (SEBI). The IMG is in the process of finalizing its recommendations which will address the points raised by SFIO and facilitate coordinated response in such cases.

Ministry of Corporate Affairs, though not directly involved with the administration of either the prize Chits Act or the Chit Funds Act, 1982, has on its part taken following steps:—

- (i) A communication has been sent to the Hon'ble Finance Minister drawing attention to more than 34000 finance companies operating without registration with the RBI as Non- Banking Finance Companies (NBFCs) with a request to initiate criminal action under the Reserve Bank of India Act;
- (ii) Another communication has been addressed to the State Chief Ministers requesting for directions to the State Police Authorities to invoke the provisions of Prize Chits Act Against unscrupulous persons/entities;
- (iii) Ministry has taken a lead in collaboration with other Government agencies to prepare Draft Model Rules clearly bringing the so-called 'pyramidal sale' and 'MLM' Techniques within the purview of 'Money Circulation' under the Prize Chits Act. The rules have been circulated by the department of Financial Services to the States for notification;
- (iv) SFIO has been directed to share information of its analysis of the activities of 54 'chit fund companies' with the Economic Offences Wings of Police of the concerned States and the Enforcement Directorate.
- (v) SFIO investigations are continuing in coordination with Banks and thorough search and seizure operations of many of the companies where promoters have not cooperated with investigations.

APPENDIX V

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA STARRED QUESTION NO. 394

ANSWERED ON 20.02.2014

National Financial Reporting Authority

*394. SHRI ABDUL RAHMAN:
SHRID.B. CHANDRE GOWDA:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Government proposed to establish National Financial Reporting Authority (NFRA);

(b) if so, the details thereof including the powers vested with the NFRA and its functions;

(c) whether the Government has issued any rule for the purpose and if so, the details thereof;

(d) whether the Institute of Chartered Accountants of India (ICAI) have opposed the proposed move by the Government; and

(e) if so, the apprehensions/objections raised by ICAI in this regard and the action taken/being taken by the Government to address their concern in this matter?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI SACHIN PILOT): (a) to (e) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN ANSWER TO LOK SABHA STARRED QUESTION NO. 394 FOR 20.02.2014 REGARDING NATIONAL FINANCIAL REPORTING AUTHORITY.

(a) to (e) Section 132 of the Companies Act, 2013 provides for establishment of the National Financial Reporting Authority (NFRA) with powers such as recommending accounting and audit policies, monitoring compliance of accounting and auditing standards and with certain enforcement functions including dealing with cases of professional misconduct. The said provision has not yet come into force and Rules to be made thereunder are being finalized in the light of public comments received including the comments received from Institute of Chartered Accountants of India (ICAI) in respect of draft rules exposed on the Ministry's website before their legal vetting and notification.

APPENDIX VI

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 4467

ANSWERED ON 08.08.2014

Inquiry against Google

4467. SHRIDUSHYANT CHAUTALA:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the Competition Commission of India has initiated any inquiry against Google;
- (b) if so, the basis of initiating the said inquiry;
- (c) the findings of the inquiry; and
- (d) the reaction of the Government thereto?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SMT. NIRMALA SITHARAMAN): (a) to (c) The Competition Commission of India, on receipt of information of alleged abuse of dominance by Google, has directed Director General, CCI to investigate the matter. Investigation report in the matter is awaited.

- (d) Does not arise.

APPENDIX VII

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 5266

ANSWERED ON 24.04.2015

Implementation of New Companies Act

5266. SHRI BHARTRUHARI MAHTAB:
SHRI SANJAY DHOTRE:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Government has charted/proposes to prepare a roadmap for implementation of the new Companies Act that envisages setting up of Investor Education and Protection Fund Authority (IEPFA) and National Financing Reporting Authority (NFRA) in the country;

(b) if so, the details thereof along with the time by which IEPFA and NFRA are likely to be set up in the country;

(c) the details of the functioning, authorities, powers and responsibilities to the IEPFA and NFRA;

(d) whether several sections of the new Companies Act relating to protection of investors have not been notified by the Government so far;

(e) if so, the details thereof and the reasons therefor; and

(f) the steps taken/being taken by the Government for expeditious and proper implementation of the said Act?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): (a) to (f) The provisions of section 125 and section 132 of the Companies Act, 2013 respectively provide details about the constitution, powers and responsibility of the Investor Education and Protection Fund Authority (IEPFA) and National Financial Reporting Authority (NFRA). These sections are yet to be notified. The draft Rules with regard to these two authorities have been prepared and placed on the website of this Ministry inviting comments/suggestions from stakeholders. Consultations have also been held with the Ministry of Finance and Controller General of Accounts (CGA) on the accounting and refund process for IEPFA. The draft Rules are expected to be notified during the year 2015-16.

Other provisions relating to investor protection such as independent Directors, Committees of the Board, Appointment of small Shareholders Director, related party transactions, etc. have already been notified. Certain sections which require

the functioning of National Company Law Tribunal and its appellate body are under litigation in the Supreme Court and have not been notified.

APPENDIX VIII

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3174

ANSWERED ON 07.08.2015

Non-compliance of Companies Act

3174. SHRIMATI MEENAKSHI LEKHI:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Government has taken cognizance/received complaints of alleged irregularities and non-compliance of the companies Act by owners of cricket teams participating in the Indian Premier League;

(b) if so, the details thereof;

(c) whether the Government has conducted / proposes to conduct investigation in this regard; and

(d) if so, the details and the findings thereof along with the present status of these investigations?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): (a) to (d) Registrar of Companies (RoCs) were directed to examine documents under Section 234 of the Companies Act, 1956 in the year 2010. RoCs examined documents of the companies located within their jurisdictions and certain violations of the provisions of the Companies Act, 1956 were noticed in some cases as per details in *Annexure*.

RoC, Mumbai has received a complaint dated 16.06.2015 against Indiawin Sports Pvt. Ltd. about not providing certified copies of the Register of Members and Annual Returns on which action is to be taken as per the provisions of Law.

ANNEXURE TO LOK SABHA UNSTARRED QUESTION NO. 3174 FOR
07.08.2015 BY SMT. MEENAKSHILEKHI REGARDING
NON-COMPLIANCE OF COMPANIES ACT

Sl. No.	Name of the owner of the IPL Team	Violations of the Provisions of Companies Act, 1956	Status in respect of scrutiny of documents under Section 234 of the Companies Act, 1956 ordered in April, 2010
1.	Indiawin Sports Pvt. Ltd.	23	For non-compliance of Section 23 of the Companies Act, 1956 relating to signing of the franchisee agreement in the erstwhile name, <i>i.e.</i> , Rathipriya Trading Pvt. Ltd. on 10.04.2008, the company was warned to be careful.
2.	Royal Challengers Sports Pvt. Ltd.		No contravention of the Companies Act, 1956 was noticed.
3.	Deccan chargers Sporting Ventures Ltd.		Deccan Chargers IPL Team was initially owned by Deccan Chargers Sporting Ventures Ltd., which was a wholly owned subsidiary of Deccan Chronicle Holdings Ltd. On scrutinising the balance sheet of Deccan Chargers Sporting Ventures Ltd., no violations of the provisions of Companies Act, 1956 were noticed.
4.	India Cement Ltd.	217(2A)	On scrutinising the balance sheet of the company, violation of Section 217(2A) of the Companies Act, 1956, relating to not furnishing the particulars of employees in the Director's Report was noticed and the company was warned. Subsequently, books of account of India Cement Limited were inspected under Section 209A of the Companies Act, 1956. The inspection report is under examination.
5.	GMR Sports Pvt. Ltd.		The report of the RoC is under examination.
6.	KPH Dream Cricket Pvt. Ltd.	159, 220	Prosecution was filed for non-filing of balance sheet and annual return for the year 2008-09 and the offences have been compounded <i>vide</i> Company Law Board's order dated 11.05.2011.
7.	Knight Riders Sports Pvt. Ltd.	383A and 211	Prosecution was filed for violations of Sections 383A and 211 of the Companies Act, 1956. The said offences were compounded by Company Law Board.
8.	Jaipur IPL Cricket Pvt. Ltd.	297, 301	Prosecutions were filed for violations of Sec. 297 and 301 of the Companies Act, 1956. The company filed compounding applications for the said violations.

Sl. No.	Name of the owner of the IPL Team	Violations of the Provisions of Companies Act, 1956	Status in respect of scrutiny of documents under Section 234 of the Companies Act, 1956 ordered in April, 2010
9.	Sahara Adventure Sports Ltd.		No violations of the provisions of the Companies Act, 1956 were noticed.

APPENDIX IX

GOVERNMENT OF INDIA

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY
(DEPARTMENT OF ELECTRONICS AND INFORMATION TECHNOLOGY)

LOK SABHA UNSTARRED QUESTION No. 3698
ANSWERED ON 12.08.2015

Abuse of Google

3698. SHRI K. ASHOK KUMAR:

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Competition Commission of India has found that Google has abused its market dominance in some instances;
- (b) if so, the details thereof;
- (c) whether CCI has initiated any investigation against Google and if so, the status thereof; and
- (d) whether CCI has shared the findings of the investigation with the company, if so, the action taken/proposed to be taken against the company?

ANSWER

THE MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): (a) to (c) As per Competition Commission of India (CCI), four cases against Google for alleged abuse of dominant position, in which the Commission directed the Director General of CCI for investigation under Section 26 (1) of the Competition Act, 2002. In two of the cases Pvt. Ltd. against Google Inc. & M/s Google India Pvt. Ltd.) and Case No. 30/2012 (filed by Consumer Unity & Trust Society against Google Inc. & M/s Google India Pvt. Ltd.), a combined investigation report has been received, which is under consideration of the Commission. In the remaining two cases *i.e.* Case No. 06/2014 (filed by Vishal Gupta against M/s Google Inc., Google Ireland Ltd. & M/s Google India Pvt. Ltd.) and Case No. 46/2014 (filed by M/s Albion Info Tel Ltd. against M/s Google Inc., Google Ireland Ltd. & M/s Google India Pvt. Ltd.), the reports have not been submitted as the investigation is ongoing.

(d) CCI has not yet shared the findings of the investigation report with the Company.

APPENDIX X

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 1016

ANSWERED ON 04.12.2015

Complaints against Online Cab Companies

1016. SHRI JAGDAMBIKA PAL:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the Government/Competition Commission of India has received complaints against online cab companies indulged in unfair trade practices;
- (b) if so, the details thereof and action taken by the Government thereon; and
- (c) the other steps taken/being taken by the Government to set up a regulation mechanism for such companies which operate over the internet?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY):
(a) & (b) 5 cases against on-line cab companies alleging abuse of dominant position in contravention of the provisions of Competition Act, 2002 are under investigation/consideration of Competition Commission of India.

(c) Government in the Department of Consumer Affairs has no such proposal under consideration.

APPENDIX XI

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3435

ANSWERED ON 18.12.2015

Non-compliance of Company Act

3435. SHRI JANAK RAM:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Government has taken cognizance of complaints regarding alleged non-compliance of Companies Act and irregularities being committed by owners of teams participating in Indian Premier League (IPL);

(b) if so, the details thereof;

(c) whether the Government has received any complaints in this regard, if so, the details thereof;

(d) whether the Government has conducted/proposes to conduct any inquiry in this regard; and

(e) if so, the details thereof along with the action taken by the Government in this regard?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY):

(a) to (e) Details are provided in the Annexure.

ANNEXURE TO LOK SABHA UNSTARRED QUESTION NO. 3435 FOR
18.12.2015 BY SHRI JANAK RAM REGARDING NON-COMPLIANCE
OF COMPANY ACT

Sl. No.	Name of the owner of the IPL Team	Violations of the Provisions of Companies Act, 1956 u/s	Status in respect of scrutiny of documents under Section 234 of the Companies Act, 1956 ordered in April, 2010
1.	Indiawin Sports Pvt. Ltd.	23	<p>For non-compliance of Section 23 of the Companies Act, 1956 relating to signing of the franchisee agreement in the erstwhile name, <i>i.e.</i>, Rathipriya Trading Pvt. Ltd. on 10.04.2008, the company was warned.</p> <p>ROC, Mumbai had received a complaint against Indiawin Sports Pvt. Ltd for not providing certified copies of the Register of Members and Annual Returns and the Matter was taken up with the company and the company replied that the inspection sought by the complainant was allowed and the certified copies of the Register of Members and Annual Returns for the last five years 2009-10 to 2013-14 were provided to him. The complaint was closed on 07.08.2015.</p>
2.	Royal Challengers Sports Pvt. Ltd.		No contravention of the Companies Act, 1956 was noticed.
3.	Deccan chargers Sporting Ventures Ltd.		Deccan Chargers IPL Team was initially owned by Deccan Chargers Sporting Ventures Ltd., which was a wholly owned subsidiary of Deccan Chronicle Holdings Ltd. On scrutinising the balance sheet of Deccan Chargers Sporting Ventures Ltd., no violations of the provisions of Companies Act, 1956 were noticed.
4.	India Cement Ltd.	217(2A)	<p>On scrutinising the balance sheet of the company, violation of Section 217(2A) of the Companies Act, 1956, relating to non-furnishing of particulars of employees in the Director's Report was noticed and the company was warned.</p> <p>Subsequently, inspection and re-inspection of books of account of India Cement Limited were ordered under Section 209A of the Companies Act, 1956 on the basis of questionnaire of CBI relating to Jagan Case.</p>
		372A (7 counts), 217 (2A)	Prosecutions were filed for contravention of Section 372A (7 counts) and Section 217(2A), which were compounded and prosecutions were withdrawn in respect of the above cases.
		211	Instructions have been issued by the Ministry to launch prosecution for contravention of Section 211 on 14.12.2015 and to examine—certain other issues arising out of inspection and to submit report.

Sl. No.	Name of the owner of the IPL Team	Violations of the Provisions of Companies Act, 1956 u/s	Status in respect of scrutiny of documents under Section 234 of the Companies Act, 1956 ordered in April, 2010
5.	GMR Sports Pvt. Ltd.	211(3C) read with Accounting Standard 11	ROC has been instructed to file prosecution. Show cause notices issued to the company and its directors and reply is awaited.
6.	KPH Dream Cricket Pvt. Ltd.	159, 220	Prosecutions were filed for non-filing of balance sheet and annual return for the year 2008-09. The prosecutions were withdrawn after compounding of offence by the Hon'ble Company Law Board.
7.	Knight Riders Sports Pvt. Ltd	383A and 211	Prosecutions were filed for violation of Sections 383A and 211 of the Companies Act, 1956. However, later on the company compounded the said offences.
8.	Jaipur IPL Cricket Pvt. Ltd.	297, 301	Prosecutions were filed for violations of Sec. 297 and 301 of the Companies Act, 1956. However, later on the company compounded the said offences.
9.	Sahara Adventure Sports Ltd.		No violations of the provisions of the Companies Act, 1956 were noticed.

APPENDIX XII

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 3437

ANSWERED ON 18.12.2015

Bogus Companies

3437. DR. KIRIT SOMAIYA:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether his Ministry and Registrar of Companies (RoC), Mumbai has received complaints on bogus/ghost companies involved in irrigation, Public Works Department (PWD) and Maharashtra Sadan Scam of Maharashtra, if so, the details thereof;

(b) whether a list of 300 companies were submitted to his Ministry in the year 2012-13, if so, the details thereof and the action taken thereon;

(c) whether his Ministry has asked the Regional Director and RoC to investigate said matters and submit report; and

(d) if so, the details and status thereof?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): (a) The Ministry of Corporate Affairs has received certain complaints in this regard, which have been forwarded to respective Registrars of Companies for examination and necessary action as per the provisions of Companies Act, 1956.

(b) to (d) These complaints account for approximately 182 such companies, of which action has been taken against 77 companies in respect of non-compliance of provisions of the Companies Act, 1956. In the remaining companies, examination of documents/scrutiny is being carried by the respective Registrars of Companies.

APPENDIX XIII

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

LOK SABHA UNSTARRED QUESTION NO. 521

ANSWERED ON 26.02.2016

Unethical Practices by Companies

521. SHRI ABHISHEK SINGH:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Government has made any assessment regarding functioning of Competition Commission of India (CCI), if so, the details thereof;

(b) whether the cases of cartelisation/unethical business practices by public and private sector companies have come to the notice of the Government/CCI, if so, the details thereof indicating the number of such cases reported during each of the last three years and the current year, company-wise/sector-wise;

(c) the action taken/penalty imposed by CCI on such companies during the said period, company-wise; and

(d) the steps taken/being taken by the Government to check unethical practices by companies and make CCI more effective?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY):
(a) to (d) Competition Commission of India (CCI) is a Statutory Body established under the Competition Act, 2002 to prevent practices having adverse effect on competition, to promote and sustain competition in markets while protecting the interests of the consumers. The Commission prepares and forwards to the Central Government an annual report giving a full account of its activities during the previous year, which is laid before each Houses of Parliament. The number of cases of cartelisation/unethical business practices reported to CCI in the last three years and current year under provisions of the Competition Act, 2002 are given below:—

Year	Number of Cases reported to CCI
2012-13	94
2013-14	115
2014-15	128
2015-16 (Up to 23.02.2016)	113

(Source: CCI)

The details of cases reported, action taken/penalty imposed by CCI on such companies during each of the last three years and the current year, company-wise/sector-wise are indicated in the Annexure - I to Annexure - IV.

Under the provisions of the Competition Act, 2002 the CCI is mandated, *inter-alia*, to impose penalties and/or issue cease and desist orders in cases of unethical practices such as anti-competitive agreements and abuse of dominance.

ANNEXURE REFERRED TO LOK SABHA UNSTARRED QUESTION NO. 521 ANSWERED ON 26.02.2016
FINANCIAL YEAR 2012-13

Sl. No.	Name of Case	Sector	Penalty Imposed (In Rs.)
1	2	3	4
1.	Kannada Grahakara Koota & Shri Ganesh Chetan	Film & Entertainment	20,24,621
2.	KCEA	Film & Entertainment	40,29,277
3.	Anil Kumar	Real Estate	No Penalty Imposed
4.	Atos Worldline India Pvt. Ltd.	Film & Entertainment	4,48,40,236
5.	Three D Integrated Solutions Limited	Real Estate	No Penalty Imposed
6.	IFTRI	Film & Entertainment	14,24,521
7.	Rohit Medical Store	Health & Pharmaceutical	2,93,699
8.	M/s Silarpuri Colonizers Private Limited	Real Estate	Not Applicable
9.	Advertising Agencies Guild	Information Technology	Not Applicable
10.	Dr. Deepa Narula	Real Estate	Not Applicable
11.	Shri M. Rajendran. Kovai Cable Vision	Information Technology	<i>Under Consideration</i>
12.	Tamarai Technologies Private Limited	Miscellaneous	<i>Under Consideration</i>
13.	Shri Ashok Vijhay Jain	Real Estate	Not Applicable
14.	Lt. Col. (Retd.) Dr. Mohinder Kumar Yadav	Real Estate	Not Applicable
15.	Smt. Raj Rani Chandhok & Shree Puneet Chandhok	Real Estate	Not Applicable
16.	Shri Shivang Agarwal	Real Estate	Not Applicable

17.	DGCOM	Real Estate	Not Applicable
18.	CUTS	Information Technology	<i>Under Consideration</i>
19.	Sanjay Kumar Gupta	Real Estate	Not Applicable
20.	Sh. Subhash Yadav	Automobiles	Not Applicable
21.	Ms. Nalini Gupta	Miscellaneous	Not Applicable
22.	Mr. Tarsem Chand & Mrs. Kanta Devti Mittal	Real Estate	Not Applicable
23.	IAAI	Civil Aviation	Not Applicable
24.	Big CBS & RTPL	Film & Entertainment	Not Applicable
25.	Sreeram Mushty	Banking & Insurance	Not Applicable
26.	All India Genset Manufacturer Association	Miscellaneous	Not Applicable
27.	M/s Swastik Stevedores Pvt. Ltd.	Miscellaneous	3,86,492
28.	Mr. Khiani Hiro Rattanlal	Miscellaneous	Not Applicable
29.	Mr. Manoj Hirasingsh Pradeshi	Health & Pharmaceutical	Not Applicable
30.	CINEMAX INDIALTD.	Film & Entertainment	55,20,315
31.	Mr. A.K. Jain	Real Estate	Not Applicable
32.	Dr. Naveen Karnwal	Miscellaneous	Not Applicable
33.	Mineral Enter Ltd.	Shipping & Transport	Not Applicable
34.	PDA Trade Fairs	Miscellaneous	Not Applicable
35.	N.S. Rao & Fatima Taher	Banking & Insurance	Not Applicable
36.	Sh. Kushal K. Rana	Real Estate	Not Applicable
37.	ACCAB	Miscellaneous	Not Applicable

1	2	3	4
38.	Exclusive Motors Pvt. Ltd.	Automobiles	Not Applicable
39.	S. Bhargava	Real Estate	Not Applicable
40.	Merino Products Ltd.	Chemical & Fertilizer	Not Applicable
41.	ACPMMA and its members	Cement	Not Applicable
42.	Dr. Anoop Bhagat	Health & Pharmaceutical	Not Applicable
43.	Faridabad Industries Association		25,67,27,640
44.	Madhya Pradesh Power Generating Company Ltd.	Coal	No Penalty Imposed
45.	Madhya Pradesh Power Generating Company Ltd.	Coal	No Penalty Imposed
46.	M/s Next Tenders (India) Private	Miscellaneous	Not Applicable
47.	M/s Vijay Rice & General Mills	Miscellaneous	Not Applicable
48.	Ms. Lalita Ramakrishnan and Mr. V. Ramakrishnan	Real Estate	Not Applicable
49.	Mr. Ajay Devgan Films	Film & Entertainment	Not Applicable
50.	UPSE Securities Ltd.	Banking & Insurance	Not Applicable
51.	Mr. Manjit Singh Sachdeva	Civil Aviation	Not Applicable
52.	Indian Exhibition Industry Association	Miscellaneous	6,75,03,540
53.	Sponge Iron Manufacturers Association	Iron & Steel	Not Applicable
54.	Prasar Bharti	Film & Entertainment	<i>Under Consideration</i>
55.	Bengal Chemist and Druggist Association	Health & Pharmaceutical	18,38,56,470
56.	M/s Shahi Exports Pvt. Ltd.	Textile	Not Applicable

57.	Mr. Karan Sehgal, Proprietor, M/s Karan Ores & Specials	Miscellaneous	Not Applicable
58.	Dr. Chintamani Ghosh, Director	Health & Pharmaceutical	Penalty imposed but case was clubbed along with SM2 of 2012 so penalty in that case was applicable.
59.	Mr. Saifudheen-E	Cement	<i>Under Consideration</i>
60.	Mr. Nirmal Kumar Manshani	Miscellaneous	<i>Under Consideration</i>
61.	Mr. Jitendra P. Agarwal	Real Estate	Not Applicable
62.	Mr. Ramakant Kini	Miscellaneous	3,81,58,303
63.	The Air Cargo Agents Association of India	Miscellaneous	Not Applicable
64.	HLS Asia Limited	Miscellaneous	Not Applicable
65.	Official Beverages	Miscellaneous	Not Applicable
66.	Raaj Kamal Films International	Film & Entertainment	<i>Under Consideration</i>
67.	Mr. Kuldeep Singh	Real Estate	Not Applicable
68.	Mr. Ajit Mishra	Real Estate	Not Applicable
69.	M/s Oracale Drugs & Other	Health & Pharmaceutical	Not Applicable
70.	M/s Arora Medical Hall	Health & Pharmaceutical	2,05,42,953
71.	Dr. Adla Satya Narayan Rao	Real Estate	<i>Under Consideration</i>
72.	Indian Railways Patiala	Railways	No Penalty Imposed
73.	Mr. Krishnan	Petroleum & Gas	Not Applicable
74.	Sale of Sugar Mills by UPRCGVNL & UPSSCL	Miscellaneous	<i>Under Consideration</i>

1	2	3	4
75.	M/s Transparent Energy Systems Pvt. Ltd. (TESPL)	Miscellaneous	Not Applicable
76.	Shri Shantaram Walvalkar	Banking & Insurance	Not Applicable
77.	Shri Anil Gambhir	Miscellaneous	Not Applicable
78.	Puri VIP Floor Owners Association	Real Estate	Not Applicable
79.	Shri Tkushar Kanti Dhingra	Real Estate	Not Applicable
80.	Association of Indian Mini Blast Furnaces (AIM)	Iron & Steel	Not Applicable
81.	AdCept Technologies Pvt. Ltd.	Coal	Not Applicable
82.	a'XYKno Capital Services Ltd.	Coal	Not Applicable
83.	Shri Vineet Kumar	Civil Aviation	Not Applicable
84.	Quadrant EPP Surlon India Ltd.	Miscellaneous	Not Applicable
85.	Saint Gobain Glass India Ltd.	Petroleum & Gas	Not Applicable
86.	India Glycols Limited	Chemical & Fertilizer	<i>Under Consideration</i>
87.	Mr. Kanwal Jit Singh, Proprietor, M/s Kanwal Automobiles	Automobiles	Not Applicable
88.	M/s Dipak Nath	Petroleum & Gas	Not Applicable
89.	Mr. Sumit Sahnii and Mrs. Anumita Sahnii	Film & Entertainment	Not Applicable
90.	Essel Shyam Communication Ltd.	Miscellaneous	<i>Under Consideration</i>
91.	Petroleum Companies Fixing of Petrol Prices	Petroleum & Gas	<i>Under Consideration</i>
92.	Gujarat State Electricity Corporation Limited	Coal	17,73,05,00,000
93.	Mr. A.V. Murlidharan, Director	Miscellaneous	6,53,18,000
94.	Mr. Dinesh Trehan	Real Estate	No Penalty Imposed

ANNEXURE II

ANNEXURE REFERRED TO LOK SABHA UNSTARRED QUESTION NO. 521
ANSWERED ON 26.02.2016
FINANCIAL YEAR 2013-14

Sl. No.	Name of Case	Sector	Penalty Imposed (In Rs.)
1	2	3	4
1.	Express Industry Council of India	Film & Entertainment	2,57,91,00,000
2.	Shri Ghanshyam Dass Vij, Sole Proprietor	Health & Pharmaceutical	No Penalty Imposed
3.	Crown Theatre	Film & Entertainment	1,86,589
4.	Cartelization by Public Sector Insurance Companies	Banking & Insurance	6,71,05,00,000
5.	Cartel among suppliers to ordinance factories	Miscellaneous	3,03,78,300
6.	Bio-Med (P) Ltd.	Health & Pharmaceutical	63,53,24,669
7.	GHCL	Film & Entertainment	No Penalty Imposed
8.	Shivam Enterprises and Kirtarpur Sahib Truck Operators Cooperative	Coal	3,40,837
9.	Mr. P.V. Basheer Ahamed	Film & Entertainment	25,15,315
10.	Chemist and Druggist Association Goa	Health & Pharmaceutical	10,62,062
11.	Mr. Bijay Poddar	Coal	No Penalty Imposed
12.	Sai Wardha Power Company Limited	Coal	No Penalty Imposed
13.	The West Bengal Power Development Corp. Ltd.	Coal	No Penalty Imposed
14.	Sponge India Manufacturers Vs. Coal India Ltd.	Coal	No Penalty Imposed
15.	DLF City Club Members Welfare Association (Regd)	Real Estate	Not Applicable
16.	Central Vigilance Commission (CVC)	Miscellaneous	Not Applicable
17.	Mr. V. Senthinathan	Banking & Insurance	Not Applicable
18.	Mr. Vikrant Bhagi	Real Estate	Not Applicable
19.	Ester India Chemicals Limited	Chemical & Fertilizer	Under Consideration
20.	Mr. Achyut P. Rao	Real Estate	Not Applicable
21.	Mr. Rajiv Kumar Chauhan	Real Estate	Not Applicable
22.	Casa Paradiso Owner's Welfare Association	Real Estate	Not Applicable
23.	Advertising Agencies Guild	Information Technology	Not Applicable
24.	Jubilant Life Sciences Ltd.	Chemical & Fertilizer	Under Consideration
25.	Southern India Engineering Manufacturer's Assc.	Electricity	Under Consideration

1	2	3	4
26.	Shubham Srivastava and DIPP	Civil Aviation	Not Applicable
27.	K. Madhusudan Rao and Lodha	Real Estate	Not Applicable
28.	Om Prakash and Central Bureau of Narcotics	Miscellaneous	Not Applicable
29.	Builders Association of Kerala Vs. State of Kerala and others	Real Estate	Not Applicable
30.	Delhi Jal Board	Miscellaneous	Under Consideration
31.	Delhi Jal Board	Miscellaneous	Under Consideration
32.	Raghuvinder Singh Vs. Jayaprakash Associates and others	Real Estate	Not Applicable
33.	Identity kept confidential Vs. Eldeco Housing	Real Estate	Not Applicable
34.	AB Sugar Vs. ISMA and others	Chemical & Fertilizer	Under Consideration
35.	Wave Distilleries Vs. ISMA and others	Chemical & Fertilizer	Under Consideration
36.	Lord Distilleries Vs. ISMA and others	Chemical & Fertilizer	Under Consideration
37.	Micromax Informatics Limited	Information Technology	Under Consideration
38.	Mr. A. Visvanath	Civil Aviation	Not Applicable
39.	M/s. Financial Software and Systems Pvt. Ltd.	Information Technology	Not Applicable
40.	JHS Svendgaard Laboratories Limited	Chemical & Fertilizer	Not Applicable
41.	Mr. Anjan Kumar Banerjee	Real Estate	Not Applicable
42.	Mr. M.K. Shrivastava, DGM	Telecommunication	Not Applicable
43.	Mr. K.M. Chakrapani, Proprietor of M/s. Coir India	Cement	Under Consideration
44.	Mr. Amit Kumar Singhal, Proprietor	Miscellaneous	Not Applicable
45.	Mr. Pankaj Bhardwaj	Real Estate	Not Applicable
46.	Mr. R. Rajaraman	Miscellaneous	Not Applicable
47.	Mr. Surender Prasad	Coal	Not Applicable
48.	State of Haryana Shree Cement and Others	Cement	Under Consideration
49.	Federation of Indian Publishers	Miscellaneous	Not Applicable
50.	Royal Agency	Health & Pharmaceutical	Not Applicable
51.	SRMB Srijan Limited	Banking & Insurance	Not Applicable
52.	Magnus Graphics	Miscellaneous	Not Applicable
53.	Mr. Larry Lee Mc. Calister	Miscellaneous	Not Applicable
54.	Nanavati Wheels Pvt. Ltd.	Automobiles	Not Applicable
55.	Mr. Hardeep Singh Anand, Managing Director	Education	Not Applicable

1	2	3	4
56.	DCMM, Kapurthala Vs. Faiverly	Railways	Not Applicable
57.	CA Sreeram Mushty, Chartered Account	Banking & Insurance	Not Applicable
58.	Maruti & Company	Health & Pharmaceutical	Under Consideration
59.	Mr. Shyam Lal Gupta	Miscellaneous	Not Applicable
60.	Karnataka Iron and Steel Manuf. Assc. (KISMA)	Iron & Steel	Not Applicable
61.	NK Natural Foods Pvt. Ltd.	Real Estate	Not Applicable
62.	Mr. Awadh B. Singh	Petroleum & Gas	Not Applicable
63.	Intex Technologies	Information Technology	Under Consideration
64.	Mr. Naresh Bansal	Real Estate	Not Applicable
65.	Dish TV India Limited	Film & Entertainment	Not Applicable
66.	Mr. Anay Choksey	Banking & Insurance	Not Applicable
67.	Mr. Tunuguntla Chandra Sekhar	Real Estate	Not Applicable
68.	M/s Moran Plantation Pvt. Ltd.	Real Estate	Not Applicable
69.	M/s. Mili Marketing Pvt. Ltd.	Real Estate	Not Applicable
70.	M/s. Parasramka Holding Pvt. Ltd.	Real Estate	Not Applicable
71.	Tavoy Apparels Limited	Banking & Insurance	Not Applicable
72.	Nagole Auto Drivers Welfare Association	Miscellaneous	Not Applicable
73.	Mr. Raj Kamal Bhatia	Real Estate	Not Applicable
74.	Global Tax Free Traders	Miscellaneous	Not Applicable
75.	Mr. Surinder Saini	Health & Pharmaceutical	Not Applicable
76.	<i>Suo Moto</i> Cartelization in Conveyor belt	Miscellaneous	Under Consideration
77.	Mr. Tom Joseph	Iron & Steel	Not Applicable
78.	Pan India Infraprojects Pvt. Ltd.	Miscellaneous	Not Applicable
79.	M/s Himalya International Ltd.	Food Processing	Not Applicable
80.	Mr. Arun Anandagiri	Education	Under Consideration
81.	Tata Power Delhi Distribution Limited	Electricity	Not Applicable
82.	NEIPDA, GGU	Petroleum & Gas	Not Applicable
83.	Mr. Rahul S. Dudhe, Dr. Priyanka R. Dudhe (Makode)	Health & Pharmaceutical	Not Applicable
84.	Chief Materials Manager, Rail Coach Factory, Kapoorthala	Railways	Under Consideration
85.	Reliance Agency	Health & Pharmaceutical	Under Consideration
86.	Tristar Trading Pvt. Ltd.	Automobiles	Not Applicable
87.	M/s Shubham Sanitarywares	Miscellaneous	Not Applicable

1	2	3	4
88.	Mr. Sharad Kumar Jhunjhunwala	Railways	Not Applicable
89.	Shri WedKumar B. Kapoor	Banking & Insurance	Not Applicable
90.	Mr. Arvind Kumar Sachdev	Real Estate	Not Applicable
91.	Anonymous	Real Estate	Not Applicable
92.	Mr. Jeetender Gupta	Automobiles	Not Applicable
93.	Bull Machines	Miscellaneous	Under Consideration
94.	Mr. Muraleedharan	Cement	Under Consideration
95.	Ministry of Corporate Affairs on Representation of All India Tyre Dealers Federation	Automobiles	Under Consideration
96.	Insurance	Health & Pharmaceutical	Not Applicable
97.	HPCL Tender	Petroleum & Gas	Under Consideration
98.	Ref. by Delhi High Court Grammy Communications Vs. Emaar MGF Land Ltd.	Miscellaneous	Not Applicable
99.	Ashutosh Bhardwaj Vs. DLF Ltd.	Real Estate	Under Consideration
100.	M/s. Shri Revanasiddeshwar Automobiles (M/s. SRA) Vs. Hero Moto Corp Ltd. and ors.	Automobiles	Not Applicable
101.	Shri Avtar Singh Vs. M/s. Ansal Township & Land Development Ltd. and ors.	Real Estate	Not Applicable
102.	Mr. Ashok R. Mansata, President Vs. State Bank of India	Banking & Insurance	Not Applicable
103.	TDI Fun Republic Shop Owner Welfare Association, Vs. E-City Property Management & Services Pvt. Ltd. (EPMS). and ors.	Real Estate	Not Applicable
104.	Shri Vishal Gupta and Google	Information Technology	Under Consideration
105.	M/s Next Tenders (India) Private Limited Vs. Ministry of Communication and Information Technology and ors.	Miscellaneous	Not Applicable
106.	R & R Tech Mach Limited Vs. The Chief Executive Officer, New Okhla Industrial Development Authority and ors.	Real Estate	Not Applicable
107.	Mr. Om Datt Sharma Vs. Adidas AG and ors.	Miscellaneous	Not Applicable
108.	Mr. Dalip Singh Arshi Vs. Aerens JAI Reality Pvt. Ltd.	Real Estate	Not Applicable
109.	Vidharbha Industries Association against MSEB Holding Company Ltd. Maharashtra State Power Generation Company Ltd., Maharashtra State Electricity	Electricity	Under Consideration

1	2	3	4
	Transmission Company Ltd., Maharashtra State Electricity Distribution Company Ltd.		
110.	Mr. Samundra Sain, Advocate Vs. M/s Hyundai Co. Ltd. and ors.	Automobiles	Not Applicable
111.	Mr. Budh Ram, Mahala Sarpanch, Vs. Mr. Ramgopal Jangid, Ex-Sarpanch	Miscellaneous	Not Applicable
112.	Shri Ram Education Trust Vs. The Chairman, the Shri Ram Schools	Education	Not Applicable
113.	Mr. Ashish Ahuja, Ambitious Marketing Vs. Mr. Kunal Bahl, CEO. Portal name: Snapdeal. Com.	Information Technology	Not Applicable
114.	Seaway Shipping & Logistics Ltd. against Paradip Port Trust and Managing Committee of CFH	Shipping & Transport	Under Consideration
115.	Vipul Shah against All India Film Employees Confederation and others	Film & Entertainment	Under Consideration

ANNEXURE III

ANNEXURE REFERRED TO LOK SABHA UNSTARRED QUESTION NO. 521
ANSWERED ON 26.02.2016
FINANCIAL YEAR 2014-15

Sl. No.	Name of Case	Sector	Penalty Imposed (In Rs.)
1	2	3	4
1.	P. K. Krishnan Proprietor of Vinayak Pharma against Alkem Laboratories Ltd.	Film & Entertainment	74,69,01,600
2.	Wing Commander (Retd). Dr. Biswanath Prasad Singh General Secretary Veterans Forum for Transparency against DGHS, MD of ECHS, Secretary General of Quality Council of India and NABH Hospitals and Small Healthcare Hospitals.	Health & Pharmaceutical	Not Applicable
3.	Smt. Konika Mukherjee and Shri Bighnaraj Mishra against Himalaya Real Estate Pvt. Ltd.	Real Estate	Not Applicable
4.	Smt. Priti Kashyap and Shri Anurag Kashyap against Himalaya Real Estate Pvt. Ltd.	Real Estate	Not Applicable
5.	Smt. Saroj Sharma and Shri Gaurav Sharma against Himalaya Real Estate Pvt. Ltd.	Real Estate	Not Applicable
6.	Shri Shyam Vir Singh against DLF Universal Ltd.	Real Estate	Not Applicable
7.	Shri Narendra Khandelwal against BPTP Ltd.	Real Estate	Not Applicable
8.	Dr. P. Raja, Partner PP Scans against Wipro GE Health Care Pvt. Ltd.	Health & Pharmaceutical	Not Applicable
9.	Sunil Chowdhry against TDI Infrastructure Ltd.	Real Estate	Not Applicable
10.	Chief Materials Manager, Jaipur Milton Industries Ltd. and others	Railways	Not Applicable
11.	Telecommunication Users Group against United Telecoms Ltd. and Bharat Broad Network Ltd.	Telecommunication	Not Applicable
12.	Sivakasi Master Printers Association against West Coast paper Mills, Seshsayee paper and Board Ltd., Tamil Nadu Newsprint and Papers	Miscellaneous	Under Consideration

1	2	3	4
	Ltd., Ballarpur Industries Ltd., Andhra Paper Mills, International Paper APPM Ltd., JK Paper Mills Ltd, Balakrishna Paper Mills Ltd., ITC Bhadrachalam Paper Board Ltd.		
13.	Malwa Industrial & Marketing Ferti Chem Cooperative Society Ltd. against Registrar Cooperative Society, Punjab	Chemical & Fertilizer	Not Applicable
14.	Imperia Structures Ltd. against Dakshin Haryana Bijli Vitran Nigam Ltd.	Real Estate	Not Applicable
15.	Against REC Power Distribution Company Ltd.	Electricity	Under Consideration
16.	Santosh Kumar Agrawal against Ultratech Cement Ltd.	Cement	Not Applicable
17.	Thriveni Earthmovers Pvt. Ltd. against NTPC Ltd.	Electricity	Not Applicable
18.	FX Enterprise Solutions Pvt. Ltd against Hyundai Motor India Ltd.	Automobiles	Under Consideration
19.	Guru Jewels Pvt. Ltd. and Tushar Jewels Pvt. Ltd. against MMTC, STC, PEC Ltd. Handicraft & Handloom Exports Corporation of India, Nova Scotia, Kotak Mahindra Bank, Indusind Bank, Yes Bank, Axis Bank Ltd. PNB, SBI, UOI, Ministry of Commerce, RBI, DGFT	Miscellaneous	Not Applicable
20.	Manoj Kumar Gupta and Abhilasha Gupta against HSIDC	Real Estate	Not Applicable
21.	Dilip Modwil against IRDA	Banking & Insurance	Not Applicable
22.	Deepak Kumar Jain against TDI Infrastructure Ltd.	Real Estate	Not Applicable
23.	Civil Society Common Law against Common Law Admission Test Committee	Miscellaneous	Not Applicable
24.	K.N. Choudhary against Delhi Metro Rail Corporation Ltd.	Railways	Not Applicable
25.	Anila Gupta Vs. Best Undertaking	Electricity	Not Applicable
26.	Sanjay Kumar against Ford India and Harpreet Motors	Automobiles	Not Applicable
27.	Ohm Value Services Ltd. against Janta Land Promoters Ltd.	Real Estate	Not Applicable
28.	Albion Infotel against Google Inc and Google India Pvt. Ltd.	Information Technology	Under Consideration
29.	Dwarikesh Sugar Industries Ltd.	Chemical & Fertilizer	Under Consideration

1	2	3	4
30.	Anil K. Jain, Atul Maheshwari against Yamuna Expressway Industrial Development Authority	Real Estate	Not Applicable
31.	Isbai Zaibulla against Railway Board and others	Railways	Not Applicable
32.	Prem Prakash against PWD Government of Madhya Pradesh, Director General	Miscellaneous	Not Applicable
33.	Kirat Singh Vs. Orchid Infrastructure Developers Ltd.	Real Estate	Not Applicable
34.	Vardhman Plus City Mall Traders Welfare association Vs. Vardhman Properties, DDA, MCD etc.	Real Estate	Not Applicable
35.	Chief Material Manager Railways Vs. Daulat Ram Eng., Daulat Ram Inds, Amit Engineers, Fedders Lloyd, Intec, Lloyd Electric, Sidwal Refrigeration, Stesalit Ltd. Ess Kay Engg.	Railways	Under Consideration
36.	Som Distillers & Breweries Ltd. Vs. SAB Miller India Ltd.	Chemical & Fertilizer	Not Applicable
37.	Ministry of Tourism Vs. Span Communications	Miscellaneous	Not Applicable
38.	Chief Material Manager Railways Vs. Faiveley Transport Rail Technologies, Knorr Bremse India	Railways	Not Applicable
39.	Paul Antony IAS Chairman Cochin Port Trust Vs. Container Trailer Owners Coordination Committee and others	Shipping & Transport	Under Consideration
40.	Red Giant Movies Vs. Commercial Taxes and Registration Department Tamil Nadu	Film & Entertainment	Not Applicable
41.	Nandan Kumar Vs. Association of Health Care Providers, Apollo Hospital and Yashoda Hospital	Banking & Insurance	Not Applicable
42.	Aanchal Khetarpal Vs. Jai Prakash Associates Ltd.	Real Estate	Under Consideration
43.	Cartelization—floated by Indian Railways in supply of Brushless DG Fans and other electrical items	Railways	Under Consideration
44.	Om Prakash and Hans Raj Sharma Vs. MVL Ltd. and LIC Housing Finance Ltd.	Real Estate	Not Applicable
45.	Subhankar Roy Chowdhuri Vs. Super Smelters Ltd.	Iron & Steel	Not Applicable
46.	Rajender Kumar Gupta	Miscellaneous	Not Applicable

1	2	3	4
47.	Gitanjali Bagchi Vs. Bengal Ambuja Housing Development Ltd.	Real Estate	Not Applicable
48.	Jasper Infotech Pvt. Ltd. Vs. Kaff Appliances Pvt. Ltd.	Information Technology	Under Consideration
49.	Ohm Forex Services Vs. ICICI Bank Ltd.	Banking & Insurance	Not Applicable
50.	Saurabh Tripathy Vs. Great Eastern Energy Corporation Ltd.	Petroleum & Gas	Under Consideration
51.	Madhya Pradesh Chemist and Distributors Federation Vs. Madhya Pradesh Chemists & Druggist Association, Bhopal Chemist Association, District Gwalior Chemist Druggists Association, Apex Lab Pvt. Ltd., Win Medicare Pvt. Ltd., Fourrts India Ltd., Meyer Organics Ltd., Cipla Pharma. Ltd. Eris Life Sciences & Mankind Pharma Ltd.	Health & Pharmaceutical	Under Consideration
52.	Alis Medical Agency vs Federation of Gujarat State C & D Assn. Amdavad C & D Assn, Cipla, Galderma India, MB Enterprises, Lupin Ltd. & S. K. Brothers	Health & Pharmaceutical	Under Consideration
53.	Ramesh Mehta Vs. North Star Apartments Pvt. Ltd.	Real Estate	Not Applicable
54.	Uday Sakharam Yadav Vs. Excise, Entertainment and Luxury Tax Department of Delhi, TCS	Chemical & Fertilizer	Not Applicable
55.	Umesh Choudhary Vs. CSC e-Governance Services India Ltd., LIC, SBI, IRCTC, Ministry of Finance	Telecommunication	Not Applicable
56.	Gautam Dhawan Vs. Parsvnath Hessa Developers Pvt. Ltd., Parsvnath Developers Ltd.	Real Estate	Not Applicable
57.	Rajat Verma Vs. Haryana Public Works Department etc.	Miscellaneous	Not Applicable
58.	Stockwell Pharma Vs. Federation of Gujarat State C & D Assn, Surat C & D Assn, Intas, MB Enterprises, Unichem, Shah Uni, Lupin, S. K. Brothers	Health & Pharmaceutical	Under Consideration
59.	Apna Dawa Bazar Vs. Federation of Gujarat State C & D Assn, C & D Assn of Baroda, Alkem Labs, Aristo, J & J, Kanchan Pharma, Lupin Glaxo Smithkline, Unison etc.	Health & Pharmaceutical	Under Consideration

1	2	3	4
60.	Amit Mittal Vs. DLF Ltd., DLF New Gurgaon Home Developers Pvt. Ltd.	Real Estate	Under Consideration
61.	Abhinandan Kumar Vs. MVL Ltd.	Real Estate	Not Applicable
62.	Mohan Dharamshi Madhvi Vs. Royal Sundaram Alliance Insurance Company Ltd. and Hitesh R. Raval	Miscellaneous	Not Applicable
63.	Brihan Mumbai Electric Supply and Transport Vs. Tata Power Company Ltd.	Electricity	Not Applicable
64.	Ankit Jain Vs. BPTP	Real Estate	Not Applicable
65.	Siddhartha Upadhyaya and M. S. Negi/ Devender Negi Vs. Sushil and Pranav Ansal, Ansal API	Real Estate	Not Applicable
66.	Babit Singh Jamwal Vs. Paras Buildtech Pvt. Ltd, Bharti Airtel Ltd.	Miscellaneous	Not Applicable
67.	Mohit Mangani Vs. Flipkart, Jasper, Xerion, Vector Ecommerce & Amazon	Miscellaneous	Not Applicable
68.	Muthoot Mercantile Ltd. Vs. SBI, SBT, Canara Bank, Federal Bank, IOB, South Indian Bank Ltd., Catholic syrian Bank, IDBI Bank, Central Bank, Syndicate Bank, Vijaya Bank, Dhanlaxmi	Banking & Insurance	Not Applicable
69.	St. Anthony's Cars Vs. Hyundai Motor India Ltd.	Automobiles	Under Consideration
70.	Viday Sagar Realtors Pvt. Ltd. Vs. Bestech India Pvt. Ltd. & others	Real Estate	Not Applicable
71.	Principal Secretary Government of Andhra Pradesh (Industries and Commerce Department) Vs. Cement Manufactures in Andhra Pradesh	Cement	Not Applicable
72.	Cartelization by manufactures of 14.2 kg LPG cylinders floated by HPCL	Petroleum & Gas	Under Consideration
73.	Vijay Bishnoi, Chief Material Manager, Western Railways Vs. Responsive India Ltd., RMG Polyvinayl India Ltd.	Railways	Under Consideration
74.	Cartelization by manufactures of 14.2 kg. LPG cylinders floated by BPCL	Petroleum & Gas	Under Consideration
75.	Vijay Kapoor Vs. DLF Universal Ltd.	Real Estate	Under Consideration
76.	Confidential	Miscellaneous	Under Consideration
77.	Ravinder Kaur Sethi Vs. DLF Universal Ltd.,	Real Estate	Not Applicable
78.	Confidential	Miscellaneous	Under Consideration
79.	Bhasin Motors India Pvt. Ltd. Vs. Volkswagen Group Sales India Pvt. Ltd.	Automobiles	Not Applicable

1	2	3	4
80.	Ministry of Health	Health & Pharmaceutical	Under Consideration
81.	Bharat Garage Vs. Indian Oil Corporation Ltd. & Mahanagar Gas Ltd.	Petroleum & Gas	Not Applicable
82.	Cartelization by manufactures of 14.2 kg. LPG cylinders fitted with SC valves floated by BPCL	Petroleum & Gas	Under Consideration
83.	Sunrise RWA Vs. DDA	Real Estate	Under Consideration
84.	Yaseen Basha Vs. Ministry of Railways	Railways	Not Applicable
85.	Ramamurthy Rajagopal Partner Vidba Associates Vs. Subway	Miscellaneous	Not Applicable
86.	Open Access Users Association Vs. Tata Power Distribution, BSES Rajdhani, Punjab State Power Corporation, etc.	Electricity	Not Applicable
87.	Ravi Kant Gupta Vs. Ferozepur College of Engineering	Miscellaneous	Not Applicable
88.	CSS Forum Vs. CSC e-Governance Services	Information Technology	Not Applicable
89.	India Glycols Limited Vs. Indian Sugar Mills Associations (ISMA) and National Federation of Cooperative Sugar Factories Ltd.	Health & Pharmaceutical	Under Consideration
90.	Brickwork Rating India Pvt. Ltd. Vs. CRISIL and S & P Iic	Banking & Insurance	Not Applicable
91.	Sanjay Goel Vs. Greater Noida Industrial Authority and Yamuna Expressway Industrial Development Authority	Real Estate	Not Applicable
92.	Confidential	Miscellaneous	Under Consideration
93.	Dr. Subhash Chandra Talwar Vs. DLF, HLF Enterprise and its subsidiaries	Real Estate	Not Applicable
94.	T. G. Vinayakumar Vs. Association of Malayalam Movie Artistes, Film Employees Federation of Kerala, etc.	Film & Entertainment	Under Consideration
95.	Mrs. Naveen Kataria Vs. Jaypee Greens (of Jaiprakash Associates Ltd.)	Real Estate	Under Consideration
96.	Amitabh Vs. Kent RO Systems	Miscellaneous	Not Applicable
97.	Dominic Da'Silva Vs. Vatika Group	Real Estate	Not Applicable
98.	Shrikant Shivram Kale Vs. Suzuki Motorcylce India Private Ltd.	Automobiles	Not Applicable
99.	Matha Timbers Pvt. Ltd. Vs. Tamil Nad Mercantile Bank Ltd.	Miscellaneous	Not Applicable

1	2	3	4
100.	Jitendra M. Malkan Vs. Godrej Properties Ltd. & Shree Siddhi Infrabuildcon Ltd.	Real Estate	Not Applicable
101.	Anti competitive practices prevailing in Banking sector	Banking & Insurance	Under Consideration
102.	Best IT World (India) Pvt. Ltd. Vs. Ericsson etc.	Information Technology	Under Consideration
103.	Cartelisation in Auto Industry	Automobiles	Under Consideration
104.	Lifestyle International Private Ltd.	Miscellaneous	Not Applicable
105.	Fast Track Call Cab Private Ltd. Vs. ANI Technologies Pvt. Ltd.	Automobiles	Under Consideration
106.	Brajesh Asthana, Arpita Engineering Vs. Uflex Ltd.	Miscellaneous	Not Applicable
107.	Dharam Vir Vs. Jay Pee Green Ltd.	Real Estate	Under Consideration
108.	Shubham Srivastava Vs. HSIL Ltd.	Miscellaneous	Not Applicable
109.	Niti Radheyshyam Agarwal and Nikita Nitin Agarwal Vs. Bombay Dyeing, CREDAI	Real State	Not Applicable
110.	Nitesh Forest Hills Apartment Owners Association Vs. Nitesh Estates Ltd.	Real Estate	Not Applicable
111.	Ashok Kumar Sharma Vs. Agni Devices Pvt. Ltd.	Miscellaneous	Not Applicable
112.	Sanjay Goel Vs. Greater Noida Industrial Authority and Yamuna Expressway Industrial Development Authority	Real Estate	Not Applicable
113.	Ravinder Pal Singh Vs. BPTP and Others	Real Estate	Not Applicable
114.	Mahadev Buildtech Pvt. Ltd. Vs. Hema Surgicals Pvt. Ltd. and others	Miscellaneous	Not Applicable
115.	Geeta Kapoor Vs. DLF Qutub Enclave Complex Educational Charitable	Real Estate	Not Applicable
116.	Dharmendra M. Gada Vs. Bombay Dyeing and Mfg. Co. Ltd., Credai, etc.	Real Estate	Not Applicable
117.	Deepak Panchamia / Bina Deepak Panchmania Vs. Bombay Dyeing Mfg. Co. Ltd., Credai	Real Estate	Not Applicable
118.	Ranbir Singh Vs. DIPR Punjab, DIPR TN, DIPR UP, DICA, West Bengal	Telecommunication	Not Applicable
119.	K. Rajarajan Vs. Mahindra & Mahindra, Volkswagen, Tata Motors, Toyota Kirloskar, Renault, TAFE, Hero, General Motors, Honda Siel etc.	Automobiles	Not Applicable
120.	Dhanvir Food Product Vs. Bank of Baroda	Banking & Insurance	Not Applicable

1	2	3	4
121.	Rooster Info Pvt. Ltd. Vs. Maruti Suzuki Ltd.	Automobiles	Not Applicable
122.	Cartelisation in airline industry	Civil Aviation	Under Consideration
123.	Rambir Singh Vs. Puri Construction Pvt. Ltd.	Real Estate	Not Applicable
124.	K. Sera Sera Digital Cinema Pvt. Ltd. Vs. NBC Media Services Distribution Ltd. and UFO Movies and Real Image Media Technologies	Film & Entertainment	Not Applicable
125.	Dinesh Chand R. Modi Vs. Bombay, Dyeing & Mfg. Co. Ltd, CREDAI, Maharashtra Chamber of Housing Industries - CREDAI	Real Estate	Not Applicable
126.	Rajesh Mayani and Sonal Mayani Vs. Bombay Dyeing & Mfg. Co. Ltd., CREDAI, Maharashtra Chamber of Housing Industries - CREDAI	Real Estate	Not Applicable
127.	Malhar Traders Pvt. Ltd. Vs. Bombay Dyeing & Mfg. Co. Ltd, CREDAI, Maharashtra Chamber of Housing Industries - CREDAI	Real Estate	Not Applicable
128.	Udit Gupta Vs. Interglobe Aviation Ltd. & DGCA	Shipping & Transport	Not Applicable

ANNEXURE IV

ANNEXURE REFERRED TO LOK SABHA UNSTARRED
QUESTION NO. 521 ANSWERED ON 26.02.2016
FINANCIAL YEAR 2015-16 (UP TO 23.02.2016)

Sl. No.	Name of Case	Sector	Penalty Imposed (In Rs.)
1	2	3	4
1.	Dheeraj Salian Vs. Digital Cinema Initiatives, Walt Disney Company, Fox Star Studios, NBC Universal, Sony Pictures, Warner Brothers, Paramount Films	Film & Entertainment	Not Applicable
2.	Dell India Private Ltd.	Information Technology	Not Applicable
3.	Aayush Garg Vs. KDP Infrastructure Pvt. Ltd.	Real Estate	Not Applicable
4.	P. V. Kalyana Sundaram Vs. TAM Media Research	Film & Entertainment	Not Applicable
5.	Hardev Singh Vs. SMV Agencies Pvt. Ltd. and Others	Real Estate	Not Applicable
6.	Western Coalfield Ltd. Vs. SSV Coal Carries Pvt. Ltd. and Others	Coal	Under Consideration
7.	Dream Aakruti Vs. Dreams Group	Real Estate	Not Applicable
8.	Suman Distributor Vs. Saiful Islam Biswas c/o Danish Medical Store and Others	Health & Pharmaceutical	Under Consideration
9.	Preetam Chabra Vs. Ansal Properties and Infrastructure Ltd.	Real Estate	Not Applicable
10.	Astha Power Corporation Ltd. Vs. Reliance Gas Transport Infrastructure Ltd.	Petroleum & Gas	Not Applicable
11.	Vijay Malhotra Vs. Milestone Capital Advisors Ltd.	Real Estate	Not Applicable
12.	Tejpal Vs. Milestone capital Advisors Ltd.	Real Estate	Not Applicable
13.	Vikas Kumar Goel Vs. Standard Chartered Bank and Credit Information Bureau	Banking & Insurance	Not Applicable
14.	Rahul Sharma Vs. Terra Group Alias Adinath Pvt. Ltd.	Real Estate	Not Applicable
15.	Makkal Tholai Thodarbu Kuzhumam Ltd. Vs. Tamil Nadu Arasu Cable TV Corporation Ltd.	Film & Entertainment	Not Applicable
16.	Mukesh Brothers Vs. Jaguar & Co.	Miscellaneous	Not Applicable

1	2	3	4
17.	Ess Cee Securities Pvt. Ltd. Vs. DLP Universal Ltd.	Real Estate	Not Applicable
18.	Cloudwalker Streaming Technologies Pvt. Ltd. Vs. Bennet Coleman & Co. Ltd.	Miscellaneous	Not Applicable
19.	Babita Roy Vs. Swadesh Developers and Colonizers, Bank of India	Real Estate	Not Applicable
20.	Bharti Verma Vs. Global Information System Technology Pvt. Ltd.	Information Technology	Not Applicable
21.	Tarun Patel Vs. Totary Hospital etc.	Health & Pharmaceutical	Not Applicable
22.	Nagrik Chetna Manch Vs. Fortified Security Solutions, Ecoman Enviro Solutions Pvt. Ltd.	Miscellaneous	Under Consideration
23.	Mohan Meakin Ltd. Vs. GAIL India Ltd.	Petroleum & Gas	Not Applicable
24.	Deepak Khandelwal Vs. Ireo Grace Realtech Ltd.	Real Estate	Not Applicable
25.	Shri Shabi Ahmad Vs. Ministry of Civil Aviation, Air India, Saudi Arabian Airlines, Flynas	Civil Aviation	Not Applicable
26.	Sudeep PM and Others Vs. All Kerela Chemist & Druggists Association	Health & Pharmaceutical	Under Consideration
27.	Gujarat Industries Power Company Ltd. Vs. GAIL (India) Ltd.	Petroleum & Gas	Not Applicable
28.	Gujarat State Fertilizers & Chemicals Ltd. Vs. GAIL (India) Ltd.	Petroleum & Gas	Not Applicable
29.	Sai Galvanizers & Fabricators Pvt. Ltd. Vs. KEC International & Others	Miscellaneous	Not Applicable
30.	Sri Rama Agency Vs. Mondelez India Foods Pvt. Ltd. and Mondelez International Inc.	Food Processing	Not Applicable
31.	Turbo Aviation Pvt. Ltd. Vs. Bangalore International Airport Ltd. and GVK Power & Infrastructure Ltd. and Airport Authority of India	Civil Aviation	Not Applicable
32.	Nadie Jauhri Vs. Retail and Dispensing Chemists Association	Health & Pharmaceutical	Under Consideration
33.	Nadie Jauhri Vs. Jalgaon District Medicine Dealers Association	Health & Pharmaceutical	Under Consideration
34.	Vivek Chandra Vs. Jaiprakash Associates Ltd.	Real Estate	Under Consideration
35.	Shrishail Rana Vs. Symantec Corporation	Information Technology	Not Applicable

1	2	3	4
36.	Arvind Sood Vs. Hyundai Motor India Ltd.	Automobiles	Not Applicable
37.	Graduate Association of Civil Engineers Vs. Principal Secretary Kerala State Secretariat, Chief Town Planner Kerala State, Chief Secretary Kerala	Miscellaneous	Not Applicable
38.	Arpit Batra Vs. HAFED	Miscellaneous	Not Applicable
39.	Navin K. Trivedy Vs. MR Proview Real Tech Pvt. Ltd.	Real Estate	Not Applicable
40.	Reliance Medical Agency Vs. Chemists and Druggists Association of Baroda	Chemical & Fertilizer	Under Consideration
41.	Taj Pharmaceuticals Vs. Department of Sales Tax and Senior Inspector of Police	Miscellaneous	Not Applicable
42.	Vijaya Pal Singh Vs. Universal Buidwell (P) Ltd.	Real Estate Ltd.	Not Applicable
43.	Applesoft Vs. Chief Secretary, Secretary, Principal Secretary to Government of Karnataka	Information Technology	Not Applicable
44.	DB Power Ltd.	Coal	Not Applicable
45.	Tamil Nadu Power Producers Association Ltd. Vs. Chettinad International Coal Terminal Pvt. Ltd. and Karmajar Port Ltd.	Coal	Under Consideration
46.	Meru Travel Solutions Pvt. Ltd. Vs. ANI Technologies Pvt. Ltd.	Shipping & Transport	Under Consideration
47.	Gopala Krishna Nair Vs. Delhi International Airport Private Ltd.	Civil Aviation	Not Applicable
48.	Bijay Poddar Vs. Coal India Ltd.	Coal	Not Applicable
49.	Vivek Sharma Vs. Becton Dickson India Pvt. Ltd.	Health & Pharmaceutical	Under Consideration
50.	Baby Nandini Garg Vs. Shikshantar School, Principal Secretary Government of Haryana etc.	Education	Not Applicable
51.	Kyal Agencies Pvt. Ltd. Vs. Utkal Chemists and Druggist Association, Bhubaneshwar CDA, Puri CDA etc.	Health & Pharmaceutical	Not Applicable
52.	V. E. Commercial Vehicles Ltd. Vs. UPSRTC	Shipping & Transport	Not Applicable
53.	Meru Travel Solutions Pvt. Ltd. Vs. Uber India Pvt. Ltd.	Shipping & Transport	Not Applicable
54.	Mega Cabs Pvt. Ltd. Vs. ANI Technologies Pvt. Ltd.	Shipping & Transport	Not Applicable
55.	Taj Pharmaceuticals Vs. Facebook, Google etc.	Information Technology	Not Applicable

1	2	3	4
56.	Eena Sethi Vs. Sony India and Glitch	Telecommunication	Not Applicable
57.	All India Federation of Master Printers Vs. Gayatrishakti Paper & Boards and Others	Miscellaneous	Under Consideration
58.	Vimal Singh Rajput Vs. Maruti Suzuki Ltd.	Automobiles	Not Applicable
59.	C. Nandeesh H.S. Gayathri Vs. GE Countrywide Financial Services etc.	Banking & Insurance	Not Applicable
60.	Dr. Sudheesh Goel Vs. Metropolis Health Care Ltd.	Miscellaneous	Not Applicable
61.	Laxmikant Dhyani Vs. Omaxe Ltd.	Real Estate	Not Applicable
62.	Manas Enterprises Vs. Child Safety India	Miscellaneous	Not Applicable
63.	Raghavendra Singh Vs. Reliance Industries Ltd.	Petroleum & Gas	Not Applicable
64.	Trend Electronics Vs. Hewlett Packard India Sales Pvt. Ltd.	Information Technology	Not Applicable
65.	Lalit Babu and Others Vs. DLF New Gurgaon Home Developers Ltd.	Real Estate	Under Consideration
66.	Gujarat State Fertilizers & Chemicals Ltd. Vs. GAIL (India) Ltd.	Petroleum & Gas	Under Consideration
67.	Nutan Barter Pvt. Ltd. Vs. Imperial Housing Ventures Pvt. Ltd.	Real Estate	Not Applicable
68.	Meru Travel Solutions Pvt. Ltd. Vs. Uber India Systems Pvt. Ltd.	Shipping & Transport	Not Applicable
69.	Southwest India Machine Trading Pvt. Ltd.	Miscellaneous	Under Consideration
70.	Yeshwath Shenoy Vs. Air India and Others	Civil Aviation	Not Applicable
71.	Paharpur 3 P Vs. GAIL	Petroleum & Gas	Under Consideration
72.	Vineet Arya Vs. Prestige Estate and others	Real Estate	Not Applicable
73.	Jatin Kumar Vs. HUDA Faridabad	Real Estate	Not Applicable
74.	Belarani Bhattacharya Vs. Asian Paints Ltd.	Miscellaneous	Not Applicable
75.	Department of Sports, Ministry of Youth Affairs & Sports Vs. Athletics Federation of India	Miscellaneous	Under Consideration
76.	Raghubir Mertia Vs. Aura Real Estate Pvt. Ltd.	Real Estate	Not Applicable
77.	Registrar Association of India Vs. NSDL, CDSL and SEBI	Banking & Insurance	Under Consideration
78.	Sanyogita Goyal Vs. Ansal Properties & Infrastructure Ltd.	Real Estate	Not Applicable

1	2	3	4
79.	Tamil Nadu Consumer Products Distributors Association Vs. Britannia Industries Ltd. and Britannia Dairy Pvt. Ltd.	Food Processing	Under Consideration
80.	Ministry of Agriculture & Farmers Welfare (Department of Agriculture Vs. Mahyco Monsanto Biotech (India) Ltd.	Textile	Under Consideration
81.	Nuzivedu Seeds Ltd. & other Vs. Mahyco Monsanto Biotech India Ltd. & others	Textile	Under Consideration
82.	Air India Ltd. Vs. Interglobe Aviation Ltd.	Civil Aviation	Not Applicable
83.	Rajeev Nohwar Vs. Lodha Group	Real Estate	Under Consideration
84.	Sarita Punia Vs. Tulip Housing Pvt. Ltd.	Real Estate	Under Consideration
85.	GEA Ecoflex India Pvt. Ltd. Vs. Alfa Laval and Tranter India Pvt. Ltd.	Railways	Under Consideration
86.	M. M. Mittal Vs. Paliwal Developers Pvt. Ltd.	Real Estate	Under Consideration
87.	PEC Usha Furniture Vs. Military Engineering Services Officials working under CE (Navy)	Miscellaneous	Under Consideration
88.	Anand Prakash Agarwal Vs. Dakshin Haryana Bijli Vitran Nigam, HERC & State of Haryana	Electricity	Not Applicable
89.	Confidential	Miscellaneous	Under Consideration
90.	International Spirit and Wine Association of India Vs. Uttarakhand APMB Garwal Mandal Vikas Nigam Ltd. and Kumaon Mandal Vikas Nigam	Miscellaneous	Under Consideration
91.	All India Kissan Sabha Vs. Monsanto Inc. Hybrid Seeds Company Ltd. Mahyco Monsanto Biotech (India) Ltd.	Textile	Under Consideration
92.	Govt. of Telangana Vs. Mahyco Monsanto Biotech India Ltd., Monsanto Inc, Maharashtra Hybrid Seeds Co. Ltd. Monsanto Holdings Pvt. Ltd.	Textile	Under Consideration
93.	Vishwambhar M. Dolphode Vs. Vodafone India Ltd.	Miscellaneous	Under Consideration
94.	Mukul Kumar and Kiran Govil Vs. ET Infra Developers Pvt. Ltd. and Noida Development Authority	Real Estate	Under Consideration

1	2	3	4
95.	Anshoo and Amit Bansal Vs. ET Infra Developers Ltd. and Noida Development Authority	Real Estate	Under Consideration
96.	Prime Mag Vs. Wiley India and Others	Miscellaneous	Under Consideration
97.	Justickets Vs. Big Ticket Entertainment and others	Film & Entertainment	Under Consideration
98.	House of Diagnostics Vs. Easaote S. P A and Easaote Asia Pacific Diagnostic Pvt. Ltd.	Health & Pharmaceutical	Under Consideration
99.	National Seed Association of India Vs. Mahyco Monsanto Biotech India Ltd.	Textile	Under Consideration
100.	R S. Malik, Hemant Rana Vs. Inder Singh & others	Real Estate	Under Consideration
101.	In Phase Power Technologies Private Ltd. Vs. ABB India Ltd.	Miscellaneous	Under Consideration
102.	Vinay and Mina Kala Vs. DLF Ltd.	Real Estate	Under Consideration
103.	Yashpal Raghbir Mertia Vs. Aura Real Estate	Real Estate	Under Consideration
104.	Gajinder Singh Kohli Vs. Genius Propbuild Pvt. Ltd.	Real Estate	Under Consideration
105.	Rico Auto Industires Ltd. Vs. GAIL	Petroleum & Gas	Under Consideration
106.	Omax Autos Ltd. Vs. GAIL	Petroleum & Gas	Under Consideration
107.	Omax Autos Ltd. Vs. GAIL	Petroleum & Gas	Under Consideration
108.	Rico Auto Indistrues Ltd. Vs. GAIL	Petroleum & Gas	Under Consideration
109.	Rico Castings Ltd. Vs. GAIL	Petroleum & Gas	Under Consideration
110.	Vilakshan Kumar Yadav and others Vs. ANI Technologies Ltd.	Shipping & Transport	Under Consideration
111.	Actuate Business Consulting Pvt. Ltd. Vs. Ambika Trading & Construction Co. Pvt. Ltd.	Real Estate	Under Consideration
112.	CREDAI Vs. Magicbricks	Real Estate	Under Consideration
113.	Secretary to Government of Telangana, Department of Agriculture & Cooperation, Government of Telangana, Hyderabad.	Textile	Under Consideration

APPENDIX XIV

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA UNSTARRED QUESTION NO. 956
ANSWERED ON 29.04. 2016

Merger of NSEL-FTIL

956. DR. KIRIT SOMAIYA:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) the present status of merger of National Stock Exchange Limited (NSEL) and Financial Technologies India Limited (FTIL);

(b) whether the Government has received a number of objections on NSEL-FTIL merger, if so, the details thereof;

(c) whether various stakeholders have opposed the said merger, if so, the details thereof;

(d) whether the people's representatives and others have also represented to the Ministry to initiate action against the persons behind such objections, if so, the details thereof; and

(e) the action taken by the Government in this regard?

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): (a) The Ministry has issued the Final Order on 12.02.2016 for amalgamation of National Stock Exchange Limited (NSEL) with Financial Technologies (India) Ltd. (FTIL) under Section 396 of the Companies Act, 1956. However, the same has been kept in abeyance pursuant to Orders of the Hon'ble High Court of Bombay.

(b) & (c) A total of 50,389 representations (physical papers as well as e-mails) were received during March, 2015 to October, 2015 in response to the public notice issued by the Ministry of Corporate Affairs, in compliance of provisions of section 396(4) (b) of the Companies Act, 1956. The profile of the authors of these representations, together with their dispositions in respect of the merger proceedings given in Annexure-I.

(d) & (e) Yes, Madam, Representations have been received asking for early action against the persons responsible in the matter. Other than the Ministry of Corporate Affairs, the Economic Offences Wing (EOW) of Mumbai Police and the Directorate of Enforcement (ED) are also investigating the matter. Properties valued at Rs. 5757 crore (approx.) of the accused have been attached by EOW while 32 common properties valued at Rs. 740 crore (by ED) and Rs. 1222.89 crore (by EOW) have been attached. Further, directions have also been given to the Securities and Exchange Board of India to examine and take necessary action against the defaulting brokers.

ANNEXURE I

ANNEXURE REFERRED TO IN REPLY TO PARTS (B) AND (C) OF THE
UNSTARRED QUESTION NO. 956 FOR ANSWER IN
LOK SABHA ON 29.04.2016

*Details of representations received in respect of proposed amalgamation of
NSEL with FTIL in the Ministry*

Name	Categories of Senders			Total Records
	In favour of merger	Against the merger	Suggestions by senders	
Shareholders FTIL	2618	45803	1	48422
Shareholders NSEL	0	0	0	0
Employee FTIL	0	1203	0	1203
Employee NSEL	0	0	0	0
Investors NSEL	479	5	0	484
Creditors FTIL	0	81	0	81
Creditors NSEL	39	1	0	40
FTIL	0	2	0	2
NSEL	0	6	0	6
Industry Chamber	0	1	0	1
Investor Forum	9	0	0	9
Others	66	68	7	141
Total Records	3211	47170	8	50389

APPENDIX XV

(Vide para 5 of the Report)

EXTRACTS FROM MANUAL OF PRACTICE & PROCEDURE IN THE GOVERNMENT OF INDIA, MINISTRY OF PARLIAMENTARY AFFAIRS, NEW DELHI

Definition	<p>8.1 During the course of reply given to a question or a discussion, if a Minister gives an undertaking which involves further action on the part of the Government in reporting back to the House, it is called an 'assurance'. Standard list of such expressions which normally constitute assurances and as approved by the Committees on Government Assurances of the Lok Sabha and the Rajya Sabha, is given at Annexure 3. As assurances are required to be implemented within a specified time limit, care should be taken by all concerned while drafting replies to the questions to restrict the use of these expressions only to those occasions when it is clearly intended to give an assurance in these terms.</p> <p>8.2 When an assurance is given by a Minister or when the Presiding Officer directs the Government to furnish information to the House, it is extracted by the Ministry of Parliamentary Affairs from the relevant proceedings and communicated to the department concerned normally within 10 working days of the date on which it is given.</p>
Deletion from the list of assurances	<p>8.3.1 If the administrative department has any objection to treating such a statement as an assurance or finds that it would not be in the public interest to fulfil it, it may write to the Lok/Rajya Sabha Secretariats direct with a copy to the Ministry of Parliamentary Affairs within a week of the receipt of such communication for getting it deleted from the list of assurances. Such action will require prior approval of the Minister.</p> <p>8.3.2 Departments should make request for dropping of assurances immediately on receipt of statement of assurances from the Ministry of Parliamentary Affairs and only in rare cases where they are fully convinced that the assurances could not be implemented under any circumstances and there is no option left with them but to make a request for dropping. Such requests should have the approval of their Minister and this fact should be indicated in their communication containing the request. If such a request is made towards the end of the stipulated period of three months, then it should invariably be accompanied with a request for extension of time. The department should continue to</p>

	<p>seek extension of time till a decision of the Committee on Government Assurances is received by them. Copy of the above communications should be simultaneously endorsed to the Ministry of Parliamentary Affairs.</p>
Time limit for fulfilling an assurance	<p>8.4.1 An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This time limit has to be strictly observed.</p>
Extension of time for fulfilling an assurance	<p>8.4.2 If the department finds that it is not possible to fulfil the assurance within the stipulated period of three months or within the period of extension already granted, it may seek further extension of time direct from the respective Committee on Government Assurances under intimation to the Ministry of Parliamentary Affairs as soon as the need for such extension becomes apparent, indicating the reasons for delay and the probable additional time required. Such a communication should be issued with the approval of the Minister.</p>
Registers of assurances	<p>8.5.1 The particulars of every assurance will be entered by the Parliament Unit of the department concerned in a register as at Annexure 4 after which the assurance will be passed on to the concerned section.</p> <p>8.5.2 Even ahead of the receipt of communication from the Ministry of Parliamentary Affairs, the section concerned should take prompt action to fulfil such assurances and keep a watch thereon in a register as at Annexure 5.</p> <p>8.5.3 The registers referred to in paras 8.5.1 and 8.5.2 will be maintained separately for the Lok Sabha and the Rajya Sabha assurances, entries therein being made session-wise.</p>
Role of Section Officer and Branch Officer	<p>8.6.1 The Section Officer incharge of the concerned section will:</p> <p>(a) scrutinise the registers once a week;</p> <p>(b) ensure that necessary follow-up action is taken without any delay whatsoever;</p> <p>(c) submit the registers to the branch officer every fortnight if the House concerned is in session and once a month otherwise, drawing his special attention to assurances which are not likely to be implemented within the period of three months; and</p> <p>(d) review of pending assurances should be undertaken periodically at the highest level in order to minimise the delay in implementing the assurances.</p> <p>8.6.2 The branch officer will likewise keep his higher officer and Minister informed of the progress made in the implementation of assurances, drawing their special attention to the causes of delay.</p>

Procedure fulfilment of an assurance	<p>8.7.1 Every effort should be made to fulfil the assurance within the prescribed period. In case only part of the information is available and collection of the remaining information would involve considerable time, an implementation report containing the available information should be supplied to the Ministry of Parliamentary Affairs in part scrutinize of the assurance, within the prescribed time limit. However, efforts should continue to be made for expeditious collection of the remaining information for complete implementation of the assurance at the earliest.</p> <p>8.7.2 Information to be supplied in partial or complete fulfilment of an assurance should be approved by the Minister concerned and 15 copies thereof (bilingual) in the prescribed proforma as at Annexure 6, together with its enclosures, along with one copy each in Hindi and English duly authenticated by the officer forwarding the implementation report, should be sent to the Ministry of Parliamentary Affairs. If, however, the information being furnished is in response to an assurance given in reply to a question etc., asked for by more than one member, an additional copy of the completed proforma (both in Hindi and English) should be furnished in respect of each additional member. A copy of this communication should be endorsed to the Parliament Unit for completing column 7 of its register.</p> <p>8.7.3 The implementation reports should be sent to the Ministry of the Parliamentary Affairs and not to the Lok/Rajya Sabha Secretariats. No advance copies of the implementation reports are to be endorsed to the Lok/Rajya Sabha Secretariats either.</p>
Laying of the implementation report on the Table of the House	<p>8.8 The Ministry of Parliamentary Affairs, after a scrutiny of the implementation report, will arrange to lay it on the Table of the House concerned. A copy of the statement, as laid on the Table, will be forwarded by the Ministry of Parliamentary Affairs to the member as well as the department concerned. The Parliament Unit of the department concerned and the concerned section will, on the basis of this statement, make a suitable entry in their registers.</p>
Obligation to lay a paper on the Table of the House <i>vis-a-vis</i> assurance on the same subject	<p>8.9 Where there is an obligation to lay any paper (rule/order/notification, etc.) on the Table of the House and for which an assurance has also been given, it will be laid on the Table, in the first instance, in fulfilment of the obligation, independent of the assurance given. After this is done, a report in formal implementation of the assurance indicating the date on which the paper was laid on the Table will be sent to the Ministry of Parliamentary Affairs in the prescribed proforma (Annexure 6) in the manner already described in para 8.7.2.</p>

Committees on Government Assurances LSR 323,324 RSR 211-A	8.10 Each House of Parliament has a Committee on Government assurances nominated by the Speaker/Chairman. It scrutinized the implementation reports and the time taken in the scrutinized of Government assurances and focuses attention on the delays and other significant aspects, if any, pertaining to them. Instructions issued by the Ministry of Parliamentary Affairs from time to time are to be followed strictly.
Reports of the Committees on Government Assurances	8.11 The department will, in consultation with the Ministry of Parliamentary Affairs, scrutinize the reports of these two committees for remedial action wherever called for.
Effect on assurances on dissolution of the Lok Sabha	8.12 On dissolution of the Lok Sabha, all assurances, promises or undertakings pending implementation are scrutinized by the new Committee on Government assurances for selection of such of them as are of considerable public importance. The Committee then submits a report to the Lok Sabha with a specific recommendation regarding the assurances to be dropped or retained for implementation by the Government.

MINUTES
COMMITTEE ON GOVERNMENT ASSURANCES
(2016-2017)
(SIXTEENTH LOK SABHA)
TENTH SITTING
(13.07.2017)

The Committee sat from 1500 hours to 1645 hours in Committee Room "C", Parliament House Annexe, New Delhi.

PRESENT

Dr. Ramesh Pokhriyal 'Nishank' — *Chairperson*

MEMBERS

2. Shri Rajendra Agarwal
3. Shri Tariq Anwar
4. Shri Prahlad Singh Patel
5. Shri C.R. Patil
6. Shri Sunil Kumar Singh
7. Shri S.R. Vijay Kumar

SECRETARIAT

1. Shri U.B.S. Negi — *Joint Secretary*
2. Shri P.C. Tripathy — *Director*
3. Shri S.L. Singh — *Deputy Secretary*

WITNESSES

Ministry of Corporate Affairs

1. Shri Tapan Ray — Secretary
2. Shri Pritam Singh — Additional Secretary
3. Shri N.K. Bhola — Director General (Corporate Affairs)
4. Shri Amardeep Singh Bhatia — Joint Secretary
5. Shri K.V.R. Murty — Joint Secretary

Serious Fraud Investigation Office (SFIO)

Shri Nilimesh Baruah — Director (SFIO)

Competition Commission of India (CCI)

1. Smt. Smita Jhingran — Secretary (CCI)
2. Shri J.S. Audhkhasi — Deputy Secretary

Ministry of Parliamentary Affairs

Shri Mukesh Kumar — Under Secretary

At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them regarding the day's agenda.

(The witnesses were called in)

2. The Committee then took oral evidence of the Ministry of Corporate Affairs on the pending Assurances given by them during the period from the 8th Session of the 15th Lok Sabha to the 9th Session of the 16th Lok Sabha. The Committee reviewed the 14 Assurances of the Ministry of Corporate Affairs pertaining to this period as mentioned below:—

I. USQ No. 5843 dated 08.09.2011 regarding 'Investigation of Polyester Companies by CCI' (Sl. No. 1)

The Committee were informed that an information was filed against M/s Grasim Industries Limited regarding misuse of Sections 42A and 42B. The matter was sent to the Director General (DG), Competition Commission of India (CCI) for investigation and a report was submitted by him. However, the Assurance is still pending because CCI is unable to take any action on the report since the next court hearing is slated for 4th August 2017. The Committee felt that the basic aim of such an investigation is to check any lawlessness and to punish the guilty so that such things do not recur. Observing that six years have already elapsed and no results are in sight, the Committee expressed their doubt as to whether the Ministry pursued the case vigorously with full sincerity. The representatives of the Ministry informed the Committee that the fact that the Solicitor General of India appeared in this case on behalf of the CCI proves that it has been taken seriously by the Ministry. However, the Ministry expressed their inability in getting the outcome of the investigation at the speed wanted by them due to the court procedure. Pointing out that the Question pertained to the year 2011 and the Court gave its decision in 2015, the Committee enquired as to what were the Ministry doing in between the said period. The representatives of the Ministry responded by saying that it was in the year 2013 that the Court ordered that the Commission shall pass no further orders. The Court gave the Commission the power to investigate into the case but there was a stay order on the CCI procedure which is due for final hearing on 4th August 2017. The Committee directed the Ministry to furnish a part Implementation Report stating therein the steps taken by them to vacate the stay order of the High Court on CCI procedure and to corroborate that they have been pursuing this matter actively and vigorously. The Committee also desired that the said part Implementation Report be

submitted after 4th August 2017 *i.e.* after the next hearing so that in the next meeting the issue can be resolved.

II. USQ No. 3396 dated 13.12.2012 regarding 'Investigation by SFIO in Company Liquidations' (Sl. No. 2)

The Committee were informed that 27 companies under liquidation were referred to Serious Fraud Investigation Office (SFIO). Out of the said 27 cases, SFIO completed investigation in 24 cases and the remaining 3 cases became an Assurance. The first of these three cases relates to Timber World Resorts and Plantations Private Limited. In this case, firstly the High Court and then the Ministry of Corporate Affairs ordered SFIO to investigate. Investigation has been carried out by SFIO and the Ministry has issued instructions for filing prosecution and as per the Ministry of Corporate Affairs direction, a criminal complaint has been filed in Tis Hazari Court, Delhi and the case is listed for hearing on 09.08.2017.

The second case relates to DSS Mobile Communication Limited. In this case, the High Court directed SFIO to identify the company's assets as liquidation proceedings were going on against the company. While liquidation proceedings were going on, the High Court ordered SFIO to report it back after verifying the assets. This has been complied with and the report has been submitted to the High Court accordingly. Now no pending action remains to be done. The third case pertains to Subhiksha Trading Services Limited wherein Hon'ble Madras High Court has restrained the Ministry from passing any further orders on the investigation report of SFIO. SFIO was requested to get the stay order of Madras High Court vacated at the earliest besides carrying out supplementary investigation. Hence, out of these 3 cases, action has been completed in 2 cases and in one case the Ministry were unable to proceed further because of Madras High Court stay order.

Pointing out the Question pertains to the year 2012 and the High Court gave the stay order in 2015, the Committee asked the Ministry as to what they were doing during the years from 2012 to 2015. The representatives of the Ministry responded by saying that the matters get delayed because they face lots of difficulties in company liquidation procedure. Further, the Court order for liquidation comes years after a company is closed and it becomes difficult to trace either the property or the persons associated with the company. When the court observes that it is difficult for the official liquidator alone to do the work and at that stage, the work is given to SFIO. They also informed that after a lot of difficulty, the vacation stay order has been got issued. Finally, the Court has ordered that the Ministry can do the investigation but cannot take any action without the permission of the Court. An application has been filed for the vacation of stay order in this regard. While taking note of the fact that such matters are difficult to deal with, the Committee expressed that there should be a *suo-moto* system to deal with companies involved in such kind of frauds. The representatives of the Ministry informed that a new law has been drafted in this regard and they are trying to create an information system. The Committee expressed their concern for frauds against small investors who try to protect their future by saving small amounts. The Committee also observed that there is a dire need for an effective, transparent, answerable and time bound surveillance system to investigate such cases otherwise the poor man will lose faith

in the system. The representatives of the Ministry ensured the Committee that they will pursue the matter till its logical end.

III. USQ No. 2188 dated 22.08.2013 regarding 'Cartelisation by Oil Companies' (Sl. No. 3)

The Committee were informed that the Competition Commission of India (CCI) had taken *suo moto* cognizance of *prima facie* anti-competitive behavior of certain oil marketing companies and had referred the matter to the Director General, CCI for investigation. However, even before the investigation could start, the oil companies filed an appeal that the CCI does not have the jurisdiction to investigate the matter. When the CCI passed an order in 21.10.2013 that they had the said jurisdiction, the said oil companies challenged the CCI's jurisdiction in the Hon'ble Delhi High Court against the order of the Commission. The High Court of Delhi gave stay order on the said Writ Petition and since then the date of hearing is getting forwarded and the High Court has adjourned the matter now to 1st November, 2017. The Committee expressed disappointment over the fact that the matter is getting delayed inordinately and wrong doers are being protected. The Committee also directed the Ministry to furnish a part Implementation Report stating therein the measures taken by them to vacate the stay order of the Court from time to time. The representatives of the Ministry contended that since the case was taken up by the CCI, it means that it is interested in completing the case as early as possible. The Committee were further informed that the Additional Solicitor General (ASG) himself appeared before the Court in this case and they have taken/are taking various steps for early disposal of this case.

IV. SQ No. 324 dated 13.02.2014 regarding 'Chit Fund Scam' (Sl. No. 4)

The Committee were informed that the jurisdiction for taking action on the issues raised by SFIO lies with the Ministry of Finance. The issues were considered by the Inter-Ministerial Groups. The Ministry requested that since the report of the Inter-Ministerial Group has already been finalised, the Assurance be dropped from their pending list of Assurances. The Committee desired to know as to whether the said Report is in the public domain to which the representatives of the Ministry replied in the affirmative. The Committee were further informed that all the main issues on which the Committee expressed concern, have been addressed in the said Report. The Committee asked the Ministry to submit a copy of the said Report to all the Committee Members and implement the Assurance as early as possible.

V. SQ No. 394 dated 20.02.2014 regarding 'National Financial Reporting Authority' (Sl. No. 5)

The Committee were informed that Section 132 of the Companies Act, 2013 which is a provision relating to establishment of National Financial Reporting Authority (NFRA) is yet to be notified. The main reason for it is that the Institute of Chartered Accountants of India (ICAI) is very much against it as they think that it will reduce their importance. The Standing Committee on Finance is also of the view that ICAI should be strengthened instead of creating NFRA. However, the Ministry felt that Section 132 should be notified and a Cabinet Note in this regard has been prepared. The matter, however, is yet to be finalized in the Cabinet. The Committee

questioned that if Section 132 has to be notified and the Ministry are determined to do it, then what has been delaying the matter. The representatives of the Ministry informed that since ICAI was severely against this provision and the Standing Committee on Finance gave their recommendation, the matter got delayed. However, the representatives of the Ministry assured that since then the Cabinet Note has been put in motion, the matter is likely to move forward.

VI. USQ No. 4467 dated 08.08.2014 regarding 'Inquiry against Google' (Sl. No. 6)

The Committee were informed that the DG, CCI has submitted the investigation report in 3 cases against M/s Google and the matters are under consideration of the Commission. When the Committee enquired as to why there is a gap of years together between the DG and the Commission in pursuing the cases, the representatives of the Ministry clarified that such investigations take time. They further informed that there are 4 cases against Google and earlier Google was not complying with the investigation requests of the DG, CCI. However, after a penalty of ₹ 1 crore was imposed in the year 2013, it started complying with the DG's instructions. Now, reports of all the 4 cases have come before the Commission. One year has elapsed sorting out the confidentiality issues. Hearing is complete in two cases. The other two cases are still pending because the Commission will decide one set of cases, pass the order and then move to the next case. The Committee questioned as to how much time is set aside for the Commission to decide a case. The representatives of the Ministry explained that since in this case there were confidentiality issues and page by page determination on each piece of information was done and data were to be shared before the start of hearing, the matter took time. The Committee directed the Ministry to furnish a part Implementation Report in the matter.

VII. USO No. 5266 dated 24.04.2015 regarding 'Implementation of New Companies Act' (Sl. No. 7)

The Committee were informed that the Assurance has 2 parts. One part pertaining to NFRA has already been discussed at SI. No. 5. As regards the other part, rules have been notified.

VIII. Non-Compliance of Companies Act

(i) **USQ No. 3174 dated 07.08.2015 regarding 'Non-Compliance of Companies Act' (Sl. No. 8)**

(ii) **USQ No. 3435 dated 18.12.2015 regarding 'Non-Compliance of Companies Act' (Sl. No. 11)**

The Committee were informed that with regard to GMR Sports (P) Limited, the Registrar of Companies (ROCs) has filed for prosecution. The matter was discussed by the Special Court for Economic Offences and further appeal has been filed by ROC, Bangalore before Civil Court and the next date for hearing is 13.07.2017.

IX. USQ No. 3698 dated 12.08.2015 regarding 'Abuse of Google' (Sl. No. 9)

The Committee were informed that investigation is complete but the hearing for the case has not yet started.

X. USQ No. 1016 dated 04.12.2015 regarding 'Complaints against Online Cab Companies (Sl. No. 10)

The Committee were informed that out of 5 matters, 3 matters have been closed. Investigation is complete and these are under examination of the Commission. The Committee expressed concern over the fact that even after a long delay, the Ministry has not even cared to furnish a part Implementation Report in the matter. The representatives of the Ministry informed that there are various constraints involved in investigation of these types of cases, such as limited resources at the disposal of Director General (DG). Also, in sensitive and complicated cases, and in cases where there is non-compliance by companies, investigation process takes more time than the regulated 60 days period. Moreover, there is 'shortage of manpower in DG's Office. The Committee directed the Ministry to vigorously pursue the matter and complete the investigation in a time bound manner.

XI. USQ No. 3437 dated 18.12.2015 regarding 'Bogus Companies' (Sl. No. 43)

The Committee were informed that complaints were received against 182 companies. The Registrar of Companies has scrutinized the balance sheets and other documents of 101 companies and in the remaining 81 companies, action is being pursued with the Regional Directors/Registrars of Companies. The Committee pointed out that already the Ministry has taken enough time to fulfil the Assurance. The representatives of the Ministry informed the Committee that they have shortage of manpower and since legal issues are involved, they are to be dealt with carefully. The Committee directed the Ministry to submit a part Implementation Report and vigorously pursue the matter and implement the Assurance in a time bound manner.

XII. USQ No. 521 dated 26.02.2016 regarding 'Unethical Practices by Companies' (Sl. No. 13)

The Committee were requested to drop this Assurance as it is a routine/continuous work of the Commission and can never be completed. The Committee recommended that the Ministry consult the Secretariat on the matter and send the request for dropping with the approval of their Minister.

XIII. USQ No. 956 dated 29.04.2016 regarding 'Merger of NSEL-FTIL' (Sl. No. 14)

The Committee were informed that the Government gave orders for merger of NSEL-FTIL. The aggrieved party went to the High Court of Bombay. Hearing is going on in the matter and the date for next hearing is 24/27th July, 2017. The Committee were also informed that this is a very important case since this is for the first time a merger is being done in public interest and the case is being fought very strongly by both the sides. The Committee directed the Ministry to submit a part Implementation Report and be diligent in dealing with the Assurance so that the matter doesn't get delayed further.

3. A verbatim record of the proceedings has been kept.

The Committee then adjourned.

MINUTES

EIGHTH SITTING

**MINUTES OF THE SITTING OF THE COMMITTEE ON GOVERNMENT
ASSURANCES (2017-2018) HELD ON 8TH AUGUST, 2018 IN
CHAIRPERSON'S CHAMBER, ROOM NO. 133,
PARLIAMENT HOUSE ANNEXE,
NEW DELHI**

The Committee sat from 1000 hours to 10.45 hours on Wednesday, 8th August, 2018.

PRESENT

Dr. Ramesh Pokhriyal 'Nishank' — *Chairperson*

MEMBERS

2. Shri Rajendra Agrawal
3. Prof. Sugata Bose
4. Shri Naranbhai Kachhadia
5. Shri Prahlad Singh Patel

SECRETARIAT

1. Shri U.B.S. Negi — *Joint Secretary*
2. Shri P.C. Tripathy — *Director*
3. Shri S.L. Singh — *Deputy Secretary*

At the 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 six (06) draft Reports without any amendment:

- (i) Draft 77th Report regarding "Review of pending Assurances pertaining to the Ministry of Corporate Affairs."
- (ii) Draft 78th Report regarding "Review of pending Assurances pertaining to the Ministry of Coal."
- (iii) Draft 79th Report regarding "Review of pending Assurances pertaining to the Ministry of Development of North Eastern Region."
- (iv) Draft 80th Report regarding "Review of pending Assurances pertaining to the Ministry of Food Processing Industries."

- (v) Draft 81st Report regarding requests for dropping of Assurances
(Acceded to)
- (vi) Draft 82nd Report regarding requests for dropping of Assurances
(Not acceded to)

2. The Committee also authorized the Chairperson to present the Reports during the current session of the Lok Sabha.

The Committee then adjourned.

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