

JOINT COMMITTEE ON OFFICES OF PROFIT

FIRST REPORT

(THIRD LOK SABHA)

(Presented on the 30th April, 1963)



**LOK SABHA SECRETARIAT
NEW DELHI**

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JOINT COMMITTEE ON OFFICES OF PROFIT
(THIRD LOK SABHA)

Shri G. N. Dixit—*Cairman*

MEMBERS

Lok Sabha

2. Shri Rajendranath Barua
3. Shri M. L. Dwivedi
4. Shri N. R. Ghosh
5. Shri P. K. Ghosh
6. Shri M. M. Haq
7. Shri Harish Chandra Heda
8. Shri Paresh Nath Kayal
9. Shri Jaswantraj Mehta
10. Shri Yuveraj Dutta Singh

Rajya Sabha

11. Shri G. Rajagopalan
12. Shri Braja Kishore Prasad Sinha
13. Shri Hira Vallabha Tripathi
14. Shri K. V. Raghunatha Reddy
15. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai, *Deputy Secretary.*

REPORT OF THE JOINT COMMITTEE

I

INTRODUCTION

1. The Chairman of the Joint Committee on Offices of Profit, having been authorised by the Committee to present the Report on their behalf, present this First Report of the Committee.

2. The motion for the constitution of the Joint Committee on Offices of Profit (Third Lok Sabha) was moved in Lok Sabha by Shri Bibhudhendra Misra, Deputy Minister of Law, on the 8th June, 1962 and was discussed and adopted on the same day (Appendix I).

3. The Rajya Sabha discussed and concurred in the said motion on the 16th June, 1962 (Appendix II). The message from Rajya Sabha was published in the Lok Sabha Bulletin Part II, dated the 22nd June, 1962.

4. The names of members of Lok Sabha elected to the Joint Committee were published in the Lok Sabha Bulletin Part II, dated the 15th June, 1962 and the names of members of Rajya Sabha elected to the Joint Committee were published in the Rajya Sabha Bulletin Part II, dated the 22nd June, 1962.

5. The Committee have held twelve sittings* so far.

6. The Committee at their sittings held on the 22nd and 24th October, 23rd November and 8th and 11th December, 1962, considered the question whether writing of a book by an M.P. for Government on payment of remuneration would constitute holding an office of profit under the Government.

7. The Committee, at their sittings held on the 23rd October and 8th December, 1962 and 14th and 15th January, 1963, considered 83 memoranda regarding the composition and character of the Committees constituted by the Central and State Governments and the emoluments and allowances paid to their members.

8. The Committee considered and adopted their Report on the 25th April, 1963.

9. Detailed information regarding the composition, character and functions etc. of the Committees and emoluments and allowances paid to their members were supplied by the respective Ministries/Departments of the Central and State Governments on request made by the Lok Sabha Secretariat.

*Minutes of the sittings form part of the Report and are at Appendix V, pp 11-31.

10. Observations of the Committee on matters of special interest which have come to their notice during consideration of the reference made by the Ministry of Information and Broadcasting and examination of the constitution, character and functions etc. of Committees which require to be brought to the notice of the House, as well as the recommendations of the Committee have been included in this Report.

II

QUESTION WHETHER THE WORK OF WRITING A BOOK BY AN M.P. ON PAYMENT OF REMUNERATION BY GOVERNMENT CONSTITUTES HOLDING AN OFFICE OF PROFIT

11. The Ministry of Information and Broadcasting addressed the following U.O. note to the Lok Sabha and Rajya Sabha Secretariats on the 21st August, 1962:—

“..... this Ministry have decided to bring out the biography of Shri Srinivasa Iyenger under the ‘Builders of Modern India’ series. It is proposed to entrust the work of writing the manuscript of the biography to Shri K. Santhanam, a Member of the Rajya Sabha, on payment of royalty.

2. In this connection a question has been raised by Shri Santhanam whether the work of writing the book on payment of remuneration by Government will constitute an office of profit.
3. As the matter is not wholly free from doubt Shri Santhanam has suggested that the matter may be referred to the Speaker of the Lok Sabha and Chairman of the Rajya Sabha for obtaining a resolution of the Joint Committee on Offices of Profit on the question.”

12. The Committee examined various judicial decisions having a bearing on the term “Office of Profit” and on clause (d) of Section 7 of the Representation of the People Act, 1951, with particular reference to the terms “Office”, “holding an Office”, “Office of Profit”, “supply of goods” and “execution of works”. In this connection, the Committee particularly noted the decisions in the cases of (1) Govind Malaviya v. Murli Manohar and others—E.L.R., Vol. VIII, p. 84, (2) Dr. Deorao Lakshman Anande v. Keshav Lakshman Borkar—E.L.R., Vol. XIII, p. 334; (3) Hotilal v. Raj Bahadur—E.L.R., Vol. XV, p. 55 and (4) In re: Siddalingaiya, Member, Mysore Legislative Assembly—E.L.R., Vol. VII, p. 416.

The Committee have also noted that the existing clause (d) of Section 7 of the Representation of the People Act, 1951 was substituted by the Representation of the People (Amendment) Act, 1958

whereby the words "the performance of any services" were omitted from that clause. Persons who only occasionally broadcast any talk from the radio station or contribute an article to any Government publication do not come within the mischief of Section 7(d) of the Representation of the People Act, 1951, as it now stands.

13. The Committee have carefully considered this matter and are of the opinion that writing of a book by a member of Parliament is not an office and payment of remuneration by Government does not make it an office of profit under the Government. The Committee are of the view that the provisions of Section 7(d) of the Representation of the People Act, 1951 are also not attracted in the circumstances of the case.

14. In this connection, the Committee would, however, like to point out that under Article 103 of the Constitution, if any question arises as to whether a member of either House of Parliament has become subject to any of the disqualifications mentioned in clause (1) of Article 102, the question has to be referred for the decision of the President whose decision is final. Before giving any decision on any such question, the President is required to obtain the opinion of the Election Commission and to act according to such opinion.

III

COMMITTEES, BOARDS ETC. APPOINTED BY CENTRAL AND STATE GOVERNMENTS

15. The Committee note that in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959, bodies whose Chairmen have not been exempted from disqualification have been listed and in Part II those bodies have been specified whose Chairmen and Secretaries have not been exempted from disqualification.

16. The Committee, during the course of their examination of the composition, character and functions of various committees, boards etc., appointed by the Central and State Governments, have felt that in cases where the Chairman of a Committee is disqualified for membership of Parliament, the Secretary of that Committee should also be disqualified as normally the Secretary has to perform duties which are generally onerous and of an executive nature. It is also not proper for a member of Parliament to work as a Secretary under the direction of a person who generally in such cases is an official. The Committee, therefore, feel that Secretaries of all the bodies listed in Part I of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 should also not be exempted from disqualification.

17. The Committee also feel that there may be cases where the Chairman of a body ought to be exempted from disqualification, but the Secretary of that body should not be exempted. This cannot be done at present by placing a body either in Part I or in Part II of the Schedule unless a new part to the Schedule is added.

18. The Committee, therefore, recommend that the existing Parts I and II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 may be combined into one part so that the Chairmen and Secretaries of all the bodies enumerated therein are excluded from exemption from disqualification. The Committee also recommend that a new part may be added in the Schedule to the Act wherein those bodies may be specified whose Secretaries alone are not exempted from disqualification.

19. The recommendations of the Committee in respect of Committees, Boards etc., appointed by the Central and State Governments, the composition, character and functions etc. of which were examined by the Committee are given in the succeeding paragraphs.

20. The Committee consider that the character and functions of the Committees, Boards etc. mentioned in Appendix III are such that Chairmen and Secretaries thereof should not be exempted from disqualification and recommend that they should be included in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959.

21. The Committee are of the opinion that composition, character and functions of the Committees specified in Appendix IV are such that their membership, Chairmanship or Secretaryship ought not to disqualify.

IV

REVIEW OF RECOMMENDATION IN RESPECT OF THE BOARD OF GOVERNORS OF THE NATIONAL INSTITUTE OF SPORTS

22. The Joint Committee on Offices of Profit (Second Lok Sabha), in their Fourth Report, presented to the House on the 6th September, 1961, (*vide* para 7 read with Appendix II, item 1, under Central Government), had recommended for placing the Board of Governors of the National Institute of Sports in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959. In this connection, the Ministry of Education represented to the Committee as follows:—

“This Ministry is of the opinion that the post of the Chairman of the Board of Governors, which is purely honorary could not be appropriately brought under the Schedule to the Parliament (Prevention of Disqualification) Act, 1959. The Chairman gets only travel and daily allowances for attending meetings of the Board and these would be only compensatory allowances in the terms of Section 2 of the Act. This Ministry would, therefore, be grateful if the post of Chairman of the Board is excluded from the Schedule to the Act.”

23. The Committee feel that in the case of bodies like Sports Councils, Sahitya Akademies and Youth Welfare Boards, a more liberal view may be taken and disqualification ought not to attach to the

offices of Chairmen of such bodies. The Committee, therefore, recommend that the Chairman and Secretary of the Board of Governors of the National Institute of Sports might be exempted from disqualification.

NEW DELHI;
The 25th April, 1963.

G. N. DIXIT,
Chairman,
Joint Committee on Offices of Profit.

APPENDIX I

(Vide para 2 of the Report)

Motion in Lok Sabha for the constitution of the Joint Committee

“That a Joint Committee of the Houses to be called the Joint Committee on Offices of Profit be constituted consisting of fifteen members, ten from this House and five from Rajya Sabha, who shall be elected from amongst members of each House according to the principle of proportional representation by means of the single transferable vote;

That the functions of the Joint Committee shall be—

- (i) to examine the composition and character of all existing ‘Committees’ and all ‘Committees’ that may hereafter be constituted, membership of which may disqualify a person for being chosen as, and for being, a member of either House of Parliament under article 102 of the Constitution;
- (ii) to recommend in relation to the ‘Committees’ examined by it what offices should disqualify and what offices should not disqualify;
- (iii) to scrutinize from time to time the Schedule to the Parliament (Prevention of Disqualification) Act, 1959, and to recommend any amendments in the said Schedule, whether by way of addition, omission or otherwise;

That the Joint Committee shall, from time to time, report to both Houses of Parliament in respect of all or any of the aforesaid matters;

That the members of the Joint Committee shall hold office for the duration of the present Lok Sabha;

That in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Committee;

That in other respects, the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

That this House recommends to Rajya Sabha that Rajya Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee.”

APPENDIX II

(Vide para 3 of the Report)

Motion in Rajya Sabha

“That this House concurs in the recommendation of the Lok Sabha that a Joint Committee of the Houses to be called the Joint Committee

on Offices of Profit be constituted for the purposes set out in the motion adopted by the Lok Sabha at its sitting held on the 8th June, 1962, and communicated to this House and resolves that this House do join in the said Joint Committee and proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, five members from among the members of the House to serve on the said Joint Committee."

APPENDIX III

Committee, Boards etc., recommended to be included in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959

(Vide para 22 of the Report)

UNDER STATE GOVERNMENTS

Andhra Pradesh

1. Regional Transport Authorities for the Districts of Krishna, Guntur, West Godavari, East Godavari, Nellore, Chittoor, Cuddapah, Anantapur, Kurnool, Visakhapatnam, Srikakulam, Hyderabad, Medak Adilabad, Karimnagar, Khammam, Mahboobnagar, Nalgonda, Nizamabad and Warangal.

2. State Transport Authority.

Bihar

1. Regional Transport Authorities of South Bihar, North Bihar, East Bihar and Chhota Nagpur.

2. State Transport Authority.

Madras

State Evaluation and Implementation Committee.

Maharashtra

1. Pharmaceutical Committee (Allopathic under the Employees State Insurance Scheme).

2. Pharmaceutical Committee (Ayurvedic under the Employees State Insurance Scheme).

3. Regional Transport Authorities for Aurangabad, Bombay, Nagpur, Poona and Thana.

4. State Transport Authority.

5. Vidarbha Housing Board.

Punjab

1. Boards set up under Rule 9 of the Punjab Security of Land Tenures Rules, 1956.

2. Punjab Nurses Registration Council.
3. Regional Transport Authorities for Jullundur, Patiala, Ambala Division.
4. State Transport Authority.

APPENDIX IV

Committees whose Membership, Chairmanship or Secretaryship ought not to disqualify

(Vide para 21 of the Report)

UNDER CENTRAL GOVERNMENT

1. Advisory Committee for improvement of the Working and Living conditions of Scavengers.
2. Committee on Radiation.
3. Committee on the Application of Atomic Energy to Food and Agriculture.
4. Committee to consider the recommendations of the Japanese Delegation on Small Scale Industries.
5. Committee to investigate and report on the occupational diseases in the mineral factories in Kerala.
6. Mining Advisory Board.
7. Standing Committee for the Socio-economic programme of the Central Social Welfare Board.

UNDER STATE GOVERNMENTS

Andhra Pradesh

1. Andhra Pradesh State Agricultural Advisory Committee.
2. State Oilseeds Supervisory Committee.

Assam

Advisory Board of Assam Textile Institute, Gohati.

Bihar

State Council of Gosamvardhana.

Madhya Pradesh

1. Advisory Committee on Drugs Control.
2. Visitors Committee for Mental Hospital, Indore.

Madras

1. Advisory Committee for the Administration of the Madras Dramatic Performances Act.

2. Local Tourists Traffic Advisory Committees at Tanjore, Trichirappalli, Kodaikanal, Courtallam, Ootacamund and Madras.
3. Madras City Standing Flag Day Organisation Committee.
4. Madras Dairy and Milk Project Advisory Board.
5. Madras State Bhoodan Yagna Board.
6. State Apprenticeship Committee.
7. Traffic Committee.

Maharashtra

1. Allocation Committee (Allopathic under the Employees State Insurance Scheme).
2. Allocation Committee (Ayurvedic under the Employees State Insurance Scheme).
3. Beggars Act Advisory Committee.
4. Board to carry on overall supervision of the conduct and management of the business and affairs of Narassingirji Mills Ltd., Sholapur.
5. Maharashtra State Advisory Board for Small Savings.
6. Maharashtra Tribes Advisory Council.
7. Sales Tax Advisory Committee.
8. Visiting Committee of Certified Institutions.

Orissa

Puri Lodging House Fund Committee.

Punjab

1. Advisory Committee for allotment of waste lands.
2. District Library Committees at the District Headquarters (except Simla).
3. Family Planning Board.
4. Local Tourist Advisory Committee, Pathankot.
5. Punjab Handloom Board.
6. Punjab Khadi and Village Industries Board.
7. Punjab Bhudan Yagna Board.
8. Punjab Medical Council.
9. Punjab State Electricity Consultative Council.
10. Punjab State Flood Control Board.
11. State Advisory Board for the Language Department.
12. State Advisory Committee for the Consolidation of Holdings Department.

13. State Advisory Committee for General Administration and the Elections Department.

14. State Advisory Committee for the Housing Department.

15. State Advisory Committee for Local Self Government.

16. State Advisory Committee for the Public Relations Department.

17. State Advisory Committee for the Welfare Department.

18. State Apprenticeship Committee.

19. State Council for Training in Vocational Trades.

20. State Food Advisory Committee.

21. State Press Advisory Committee.

22. State Transport Advisory Committee.

Uttar Pradesh

1. Advisory Committee on Agricultural Implements in Uttar Pradesh.

2. Chitrakut Dham Joint Advisory Committee.

3. Committee of Management for the Kishore Sadan, Bareilly.

4. District Employment Advisory Committees (at all the 37 Regional/sub-Regional/District Employment Exchanges).

5. District Training Advisory Committee for each Industrial Training Institute.

6. Evaluation Board for Industrial Undertakings in the State.

7. Informal Consultative Committee of the State Legislators for the Community Development/National Extension Service Programme.

8. Revising Boards for Central Prisons.

9. Revising Boards for District Jails (situated at the headquarters of 5 divisions).

10. State Apprenticeship Committee.

11. State Board of Audio-visual Education.

12. State Council for Training in Vocational Trades.

13. State Soil Conservation Board.

14. State Soil Conservation Committee.

15. State Youth Employment Advisory Committee.

16. Uttar Pradesh Council of Sports.

17. Uttar Pradesh Economy Committee.

18. U.P. Soldiers', Sailors' and Airmen's Board,

APPENDIX V

MINUTES OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

I

First Sitting

The Committee met on Friday, the 17th August, 1962 from 16.00 to 16.53 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri Rajendranath Barua
3. Shri P. K. Ghosh
4. Shri Yuveraj Dutta Singh

Rajya Sabha

5. Shri G. Rajagopalan
6. Shri Braja Kishore Prasad Sinha
7. Shri Hira Vallabha Tripathi
8. Shri Lokanath Misra

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*

2. At the outset, as desired by the Chairman, Shri A. L. Rai explained to the members of the Committee the background which led to the constitution of the Committee.

3. The Committee had a general discussion on their terms of reference as contained in the motion adopted by Lok Sabha on the 8th June, 1962 and concurred in by Rajya Sabha on the 16th June, 1962.

4. The Committee desired that a reference list and relevant findings of important decisions of Courts and Election Tribunals, National as well as foreign, having a bearing on Offices of Profit be circulated to the members of the Committee.

5. The Committee approved the proforma of Memoranda used by the Joint Committee on Offices of Profit (Second Lok Sabha) for submitting to the Committee information regarding composition and character of Committees constituted by the Union and State Governments. The Committee desired that aforesaid information be circulated to the members at an early date, specially about the Committees whose composition and character may be listed for examination at the next sitting.

6. The Committee perused the rules for the internal working of the Committee [made by the Joint Committee on Offices of Profit (Second Lok Sabha)] and desired that these be circulated to those members of the Committee who were not present at the sitting, and the matter might be placed on the agenda of the next sitting.

7. The Committee decided to hold their next sitting some time in October, 1962 and authorised the Chairman to fix a suitable date.

8. The Committee then adjourned.

II

Second Sitting

The Committee met on Monday, the 22nd October, 1962 from 15·00 to 16·30 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri Rajendranath Barua
3. Shri M. L. Dwivedi
4. Shri P. K. Ghosh
5. Shri M. M. Haq
6. Shri Paresh Nath Kayal
7. Shri Jaswantraj Mehta

Rajya Sabha

8. Shri G. Rajagopalan
9. Shri Braja Kishore Prasad Sinha
10. Shri Hira Vallabha Tripathi
11. Shri Lokanath Misra

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*.

2. The Committee took up for consideration Memorandum No. 101 regarding the question raised by Shri K. Santhanam, M.P., whether the work of writing a book by an M.P. on payment of remuneration by Government is not holding an Office of Profit. The Committee felt that it was not within the functions of the Committee as contained in the motion adopted by the Houses of Parliament constituting the Committee, to give any decision on the case referred to them. The Committee, however, noted that under Rule 276 of the Rules of Procedure and Conduct of Business in Lok Sabha, they could, if they thought fit, make a special report on any matter that arose or came

to light in the course of their work which they might consider necessary to bring to the notice of the Speaker or the House, notwithstanding that such matter did not strictly fall within their terms of reference. The Committee, after some discussion, decided to consider the matter further on the 24th October, 1962.

3. The Committee then adjourned to meet again on Tuesday, the 23rd October, 1962 at 11·00 hours.

III

Third Sitting

The Committee met on Tuesday, the 23rd October, 1962 from 11·15 to 13·05 hours and again from 15·45 to 17·10 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri Rajendranath Barua
3. Shri P. K. Ghosh
4. Shri M. M. Haq
5. Shri Paresh Nath Kayal
6. Shri Jaswantraj Mehta

Rajya Sabha

7. Shri G. Rajagopalan
8. Shri Braja Kishore Prasad Sinha
9. Shri Hira Vallabha Tripathi
10. Shri K. V. Raghunatha Reddy
11. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*.

2. The Committee took up for consideration Memoranda Nos. 1 to 48, circulated by the Secretariat regarding the composition and character of the various Committees/Bodies appointed by the Central and State Governments.

3. The Committee felt that the composition and character of the following bodies were such that Chairmen and Secretaries thereof should not be exempted from disqualification and that recommendation should be made for including them in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959 (Hereinafter referred to as the Act):—

1. Board of Examiners for Cinema operators, Madras. (Madras).

2. Board to carry on overall supervision of the conduct and management of the business and affairs of Narassinggi Mills Ltd., Sholapur (Maharashtra).
3. Committee for the selection of Nurse Pupils (Madras).
4. Local Tourists Traffic Advisory Committee at Tanjore, Tiruchirapalli, Kodaikanal, Courtallam, Ootacamund and Madras. (Madras).
5. Punjab Khadi and Village Industries Board (Punjab).
6. Regional Transport Authorities for Aurangabad, Bombay, Nagpur, Poona and Thana (Maharashtra).
7. Regional Transport Authorities for the Districts of Krishna, Guntur, West Godavari, East Godavari, Nellore, Chittoor, Cuddapah, Anantapur, Kurnool, Visakhapatnam, Srikakulam, Hyderabad, Medak, Adilabad, Karimnagar, Khamam, Mahboonagar, Nalgonda, Nizamabad and Warangal (Andhra Pradesh).
8. Regional Transport Authorities of South Bihar, North Bihar, East Bihar and Chhota Nagpur (Bihar).
9. State Evaluation and Implementation Committee (Madras).
10. State Council for Training in Vocational Trades (Punjab).
11. State Transport Authority Maharashtra. (Maharashtra).
12. State Transport Authority (Andhra Pradesh).
13. State Transport Authority (Bihar).

4. The Committee noted that certain Committees of the State of Maharashtra were successors to the corresponding Committees of undivided State of Bombay. As the former State of Bombay has been reorganised into Maharashtra and Gujarat, the Committee decided to recommend that all entries in the Schedule to the Act appearing under the heading 'Bombay' should be deleted and Committees of the two reorganised States, as and when they were considered, should appear under the respective headings of 'Maharashtra' or 'Gujarat', as the case may be.

5. While examining the State and Regional Transport Authorities of Andhra Pradesh, Bihar and Maharashtra, the Committee noted that similar bodies occurred in Part I of the Schedule to the Act. The Committee felt that both the Chairmen and Secretaries of such bodies ought not to be exempted from disqualification and decided to recommend that all similar bodies occurring in Part I of the Schedule to the Act should be transferred to Part II thereof.

6. The Committee considered Memorandum No. 16 regarding the request of the Ministry of Education, Government of India, for exempting from disqualification the Chairman of the Board of Governors of the National Institute of Sports. The Board had been recommended by the Joint Committee on Offices of Profit (Second Lok Sabha) in their Fourth Report for being placed in Part II of the

Schedule to the Act. The Committee felt that the Chairman and Secretary of the Board of Governors of the National Institute of Sports should be exempted from disqualification.

7. The Committee felt that the following bodies were such that their membership, Chairmanship or Secretaryship ought not to disqualify:

1. Advisory Board of Assam Textile Institute, Gauhati (Assam).
2. Advisory Committee for the Administration of the Madras Dramatic Performances Act (Madras).
3. Advisory Committee on Drugs Control (Madhya Pradesh).
4. Andhra Pradesh State Agricultural Advisory Committee (Andhra Pradesh).
5. Committee to consider the recommendation of the Japanese Delegation on Small Scale Industries (Central Government).
6. Madhya Pradesh Central Medical Board (Madhya Pradesh).
7. Madras City Standing Flag Day Organisation Committee (Madras).
8. Madras Dairy and Milk Project Advisory Board (Madras).
9. Maharashtra State Advisory Board for Small Savings (Maharashtra).
10. Punjab Handloom Board (Punjab).
11. Sales Tax Advisory Committee (Maharashtra).
12. Standing Committee for the Socio-economic Programme of the Central Social Welfare Board (Central Government).
13. State Apprenticeship Committee (Punjab).
14. State Council of Gosamvardhana (Bihar).
15. State Oilseeds Supervisory Committee (Andhra Pradesh).
16. Traffic Committee (Madras).
17. Visitors Committee for Mental Hospital Indore (Madhya Pradesh).

8. The Committee held over consideration of Memoranda Nos. 8, 12, 13, 15, 21, 22, 27—30, 33, 34, 36—38, 41 and 47 pending receipt of further information regarding the composition or character of Committees mentioned therein or the remuneration payable to the members thereof.

9. The Committee, while examining the composition and character of various Committees, felt that in cases where the Chairman of a Committee was to be disqualified for membership of Parliament, the Secretary of that Committee should also be disqualified as normally the Secretary has to perform duties which are generally onerous and

of an executive nature. It was also not proper for a member of Parliament to work as a Secretary under the directions of a person who might in such cases be an official. The Committee also felt that there might be cases where the Chairman of a body might not be disqualified but the Secretary should be disqualified. The Committee, therefore, decided to recommend that Part I and Part II of the Schedule to the Act be amalgamated and the Chairmen and Secretaries of all the bodies mentioned therein should be disqualified. The Schedule should have another Part wherein those bodies might be included whose Secretaries alone should be disqualified.

10. The Committee then adjourned to meet again on Wednesday, the 24th October, 1962 at 11.00 hours.

IV

Fourth Sitting

The Committee met on Wednesday, the 24th October, 1962 from 11.20 to 13.10 hours and again from 15.30 to 16.25 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri Rajendranath Barua
3. Shri M. L. Dwivedi
4. Shri P. K. Ghosh
5. Shri Paresh Nath Kayal
6. Shri Jaswantraj Mehta.

Rajya Sabha

7. Shri G. Rajagopalan
8. Shri Braja Kishore Prasad Sinha
9. Shri Hira Vallabha Tripathi
10. Shri K. V. Raghunatha Reddy
11. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*.

2. The Committee held a detailed discussion on the scope of their functions in the light of their terms of reference as contained in the motion adopted by the Houses of Parliament constituting the Committee and the provisions of the Constitution and the Parliament (Prevention of Disqualification) Act, 1959.

3. The Committee thereafter resumed consideration of the question whether writing of a book for Government on payment of remuneration constituted holding an office of profit under the Government (*vide* para 2 of the minutes, dated 22nd October, 1962). The Committee discussed the question in the light of judicial decisions with particular reference to the terms "office" and "office of profit". The discussion was not concluded. The Committee decided to take up this matter again at their next sitting.

4. The Committee then adjourned to meet again on Wednesday, the 14th November, 1962 at 11.00 hours.

V

Fifth Sitting

The Committee met on Friday, the 23rd November, 1962 from 16.00 to 16.20 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri M. L. Dwivedi
3. Shri N. R. Ghosh
4. Shri P. K. Ghosh
5. Shri M. M. Haq
6. Shri Jaswantraj Mehta
7. Shri Yuveraj Dutta Singh

Rajya Sabha

8. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*.

2. The Committee resumed further consideration of the question whether writing of a book for Government on payment of remuneration constituted holding an office of profit under the Government. After some discussion, the Committee decided to consider the matter further at their next sitting.

3. The Committee then adjourned to meet again on Saturday, the 8th December, 1962 at 09.30 hours.

VI

Sixth Sitting

The Committee met on Saturday, the 8th December, 1962 from 09.55 to 10.30 hours.

PRESENT

Shri G. N. Dixit—*Chairman*

MEMBERS*Lok Sabha*

2. Shri M. L. Dwivedi
3. Shri M. M. Haq
4. Shri Jaswantraj Mehta

Rajya Sabha

5. Shri G. Rajagopalan
6. Shri Braja Kishore Prasad Sinha
7. Shri Hira Vallabha Tripathi
8. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee resumed further consideration of the question whether writing of a book for Government on payment of remuneration would constitute holding of an Office of Profit under the Government. The Committee directed that a draft of the decision of the Committee, in the light of their earlier discussion on the subject, might be prepared and circulated to the members of the Committee for their consideration at their next sitting.

3. The Committee then took up for consideration Memoranda Nos. 49—61 circulated by the Secretariat regarding the composition and character of the various Committees/Bodies appointed by the State Governments.

4. The Committee felt that the composition and functions of the following bodies were such that Chairmen and Secretaries thereof should not be exempted from disqualification and recommendation should be made for including them in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959:—

- (1) Allocation Committee (Allopathic) under the Employees State Insurance Scheme (Government of Maharashtra).

- (2) Allocation Committee (Ayurvedic) under the Employees State Insurance Scheme (Government of Maharashtra).
 - (3) Pharmaceutical Committee (Allopathic) under the Employees State Insurance Scheme (Government of Maharashtra).
 - (4) Pharmaceutical Committee (Ayurvedic) under the Employees State Insurance Scheme (Government of Maharashtra).
 - (5) Vidarbha Housing Board (Government of Maharashtra).
5. The Committee felt that the following bodies were such that their membership, chairmanship or secretaryship ought not to disqualify:—
- (1) Beggars Act Advisory Committee (Government of Maharashtra).
 - (2) Committee for the selection of Auxiliary Nurse Midwives Pupils (Government of Madras).
 - (3) Inspection Committee (Government of Madras).
 - (4) Madras State Bhoodan Yagna Board (Government of Madras).
 - (5) State Apprenticeship Committee (Government of Madras).
 - (6) Visiting Committee of Certified Institutions (Government of Maharashtra).
6. The Committee held over consideration of Memoranda Nos. 58 and 59 pending receipt of further information regarding the composition of Committees mentioned therein.
7. The Committee then adjourned to meet again on Tuesday, the 11th December, 1962 at a time to be fixed by the Chairman.

VII

Seventh Sitting

The Committee met on Tuesday, the 11th December, 1962 from 11.00 to 11.25 hours.

PRESENT

Shri G. N. Dixit—*Chairman*

MEMBERS

Lok Sabha

2. Shri M. M. Haq
3. Shri Harish Chandra Heda
4. Shri Jaswantraj Mehta

Rajya Sabha

5. Shri G. Rajagopalan
6. Shri Braja Kishore Prasad Sinha
7. Shri Hira Vallabha Tripathi
8. Shri Lokanath Misra

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee considered the question whether writing of a book for Government on payment of remuneration would constitute holding an office of profit under the Government.

The Committee pursued various judicial decisions having a bearing on 'offices of Profit' and interpretation of clause (d) of Section 7 of the Representation of the People Act, 1951, with particular reference to the terms "holding an office", "office of profit", "supply of goods" and "execution of works". In this connection, the Committee particularly noted the decisions in the following cases:

- (1) Govind Malaviya v. Murli Manohar and others—E.L.R. Vol. VIII, p. 84.
- (2) Dr. Deorao Lakshman Anande v. Keshav Lakshman Borkar—E.L.R. Vol. XIII, p. 334.
- (3) Hotilal v. Raj Bahadur—E.L.R. Vol. XV, p. 55.
- (4) In re Siddalingaiya, Member, Mysore Legislative Assembly—E.L.R. Vol. VII, p. 416.

The Committee also noted that the existing clause (d) of Section 7 of the Representation of the People Act, 1951 was substituted by the Representation of the People (Amendment) Act, 1958 (Act 58 of 1958) whereby the words "the performance of any services" were omitted from that clause. In the Representation of the People (Amendment) Bill, 1958, as introduced in Lok Sabha, the notes on Clauses explained the above-mentioned amendment as follows:

"The language of section 7(d) of the 1951 Act which provides for disqualification in case of contracts with the Government is wide and vague enough to bring any kind or category of contract within its scope and it has been a fruitful source of election disputes in the past, Persons who only occasionally broadcast any talk from the radio station or contribute any article to any Government publication may come within the mischief of this section. It is accordingly proposed to redraft section 7(d) in a

simpler and more rational way so as to bring within its purview only two categories of contracts entered into by a person with the Government in the course of his trade or business. These two categories are contracts for the supply of goods and contracts for the execution of any works."

The Committee were of the opinion that writing a book by a member of Parliament was not an office and payment of remuneration by Government did not make it an office of profit, and that the provisions of Section 7(d) of the Representation of the People Act, 1951 were also not attracted in the circumstances of the case.

The Committee, however, noted that under Art. 103 of the Constitution, if any question arises as to whether a member of either House of Parliament has become subject to any of the disqualifications mentioned in clause (1) of Art. 102, the question shall be referred for the decision of the President and his decision shall be final and that before giving any decision on any such question, the President shall obtain the opinion of the Election Commission and shall act according to such opinion.

The Committee then adjourned to meet again on Monday, the 14th January, 1963, at 15.00 hours.

VIII

Eighth Sitting

The Committee met on Monday, the 14th January, 1963 from 15.00 to 16.05 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri M. L. Dwivedi
3. Shri N. R. Ghosh
4. Shri P. K. Ghosh
5. Shri M. M. Haq
6. Shri Harish Chandra Heda

7. Shri Paresh Nath Kayal
8. Shri Jaswantraaj Mehta

Rajya Sabha

9. Shri G. Rajagopalan
10. Shri Braja Kishore Prasad Sinha
11. Shri Hira Vallabha Tripathi
12. Shri Lokanath Misra

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee took up for consideration Memoranda Nos. 62 to 100, circulated by the Secretariat regarding the composition and character of various Committee/Bodies appointed by the State Governments.

3. The Committee felt that the composition and character of the following bodies were such that Chairmen and Secretaries thereof should not be exempted from disqualification and that recommendation should be made for including them in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959:

1. Visiting Committee for each of the Government Backward Class Hostels at Poona and Nagpur (Maharashtra).
2. Puri Lodging House Fund Committee (Orissa).
3. State Transport Authority (Punjab).
4. Regional Transport Authorities for Jullundur, Patiala, Ambala Division (Punjab).
5. State Transport Advisory Committee (Punjab).
6. Punjab State Electricity Consultative Council (Punjab).
7. Punjab Nurses Registration Council (Punjab).
8. State Canal Advisory Committee (Punjab).
9. State Advisory Committee for the Public Relations Department (Punjab).
10. District Library Committee at the District Headquarters (except Simla) Punjab.
11. Local Tourist Advisory Committee, Pathankot (Punjab).
12. Boards set up under Rule 9 of the Punjab Security of Land Tenures Rules, 1956 (Punjab).

4. The Committee felt that the following bodies were such that their membership, Chairmanship or Secretaryship ought not to disqualify:

1. Maharashtra Tribes Advisory Council (Maharashtra).
2. Visiting Committees of Government Certified Schools (one Committee for each of such 10 Schools) (Maharashtra).

3. State Advisory Committee for Local Self Government (Punjab).
4. State Advisory Board for the Language Department (Punjab).
5. State Advisory Committee for General Administration and the Elections Department (Punjab).
6. Family Planning Board (Punjab).
7. Visiting Committee for Provincialized Civil Hospitals (one Committee in each district and Tehsil for all provincialized hospitals within such district) (Punjab).
8. Punjab Medical Council (Punjab).
9. Canal Advisory Board, Upper Bari Doab Canal (Punjab).
10. Punjab State Flood Control Board (Punjab).
11. State Advisory Committee for the Housing Department (Punjab).
12. State Food Advisory Committee. (Punjab).
13. State Advisory Committee for the Welfare Department (Punjab).
14. State Advisory Committee for the Consolidation of Holdings Department (Punjab).
15. State Press Advisory Committee (Punjab).

5. The Committee held over consideration of Memoranda Nos. 64, 66, 67, 69, 87, 88, 92 and 94 pending receipt of further information regarding the composition or character of Committees mentioned therein or the remuneration payable to the members thereof.

6. The Committee while considering the Market Committees of Punjab (Memo No. 78) noted that similar Committees of Andhra Pradesh occurred in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959. The Committee decided to consider these Committees at a later sitting when they re-examined similar Committees occurring in Part II of the Schedule to Parliament (Prevention of Disqualification) Act, 1959.

7. The Committee while considering Memoranda Nos. 75, 76 and 100 noticed that the Chairmen, Secretaries and members of Advisory Committee under Indian Electricity Rules, 1956, Punjab State Electricity Board and Pepsu Land Commission of Punjab were entitled to receive an amount more than 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Committee were, therefore, of the opinion that the Chairmanship, Secretaryship and membership of such bodies ought not to be exempted from disqualification.

8. The Committee then adjourned to meet again on Tuesday, the 15th January, 1963, at 14:00 hours.

IX**Ninth Sitting**

The Committee met on Tuesday, the 15th January 1963 from 14·00 to 15·00 hours.

PRESENT

Shri G. N. Dixit—*Chairman*

MEMBERS*Lok Sabha*

2. Shri N. R. Ghosh
3. Shri P. K. Ghosh
4. Shri M. M. Haq
5. Shri Harish Chandra Heda
6. Shri Paresh Nath Kayal
7. Shri Jaswantraj Mehta

Rajya Sabha

8. Shri G. Rajagopalan
9. Shri Braja Kishore Prasad Sinha
10. Shri Hira Vallabha Tripathi
11. Shri Lokanath Misra

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee took up for consideration Memoranda No. 102 to 135 circulated by the Secretariat regarding the composition and character of the various Committees/Bodies appointed by the Central and State Governments.

3. The Committee felt that the composition and character of the following bodies were such that Chairmen, and Secretaries thereof should not be exempted from disqualification and that recommendation should be made for including them in Part II of the Schedule to the Parliament (Prevention of Disqualification) Act, 1959:

1. Mining Advisory Board (Department of Atomic Energy, Government of India).
2. Committee on the Application of Atomic Energy to Food and Agriculture. (Department of Atomic Energy, Government of India).

3. Committee to investigate and report on the occupational diseases in the mineral factories in Kerala. (Department of Atomic Energy, Government of India).
 4. Committee on Radiation (Department of Atomic Energy, Government of India).
 5. Committee of Management for the Kishore Sadan, Bareilly, (U.P.).
 6. Revising Boards for Central Prisons. (U.P.)
 7. Revising Boards for District Jails (situated at the headquarters of 5 divisions) (U.P.).
 8. Advisory Committee on Agricultural Implements in Uttar Pradesh (U.P.).
 9. State Board of Audio-visual Education (U.P.).
 10. State Youth Employment Advisory Committee (U.P.).
 11. District Employment Advisory Committees (at all the 37 Regional/sub-Regional/District Employment Exchanges) U.P.
 12. State Soil Conservation Committee (U.P.).
 13. Chitrakut Dham Joint Advisory Committee (U.P.).
4. The Committee felt that the following bodies were such that their membership, chairmanship or Secretaryship ought not to disqualify:—
1. Advisory Committees for allotment of waste lands.
 2. Punjab Bhudan Yagna Board (Punjab).
 3. Advisory Committee for Improvement of the Working and Lying conditions of Scavengers (Government of India, Ministry of Home Affairs).
 4. Uttar Pradesh Economy Committee (U.P.)
 5. Evaluation Board for industrial undertakings in the State (U.P.).
 6. Informal Consultative Committee of the State Legislators for the Community Development/National Extension Service Programme. (U.P.)
 7. District Training Advisory Committee for each Industrial Training Institute (U.P.).

8. State Apprenticeship Committee U.P.
9. State Council for Training in Vocational Trades (U.P.).
10. State Soil Conservation Board (U.P.).
11. Uttar Pradesh Council of Sports (U.P.).
12. U.P. Soldiers, Sailors' and Airmen's Board. (U.P.).

5. The Committee held over consideration of Memoranda Nos. 104-108, 113, 118 and 120 pending receipt of further information regarding the composition or character of Committees mentioned therein or the remuneration payable to the members thereof.

6. The Committee decided that it was not necessary to consider the Agricultural Implements Selection Committee for Demonstration (U.P.) (Memorandum No. 133).

7. The Committee then adjourned to meet again on Sunday, the 10th February, 1963, at 11.00 hours.

X

Tenth Sitting

The Committee met on Sunday, the 10th February, 1963 from 11-00 to 12-50 hours.

PRESENT

Shri G. N. Dixit—*Chairman*

MEMBERS

Lok Sabha

2. Shri M. L. Dwivedi
3. Shri P. K. Ghosh
4. Shri M. M. Haq
5. Shri Harish Chandra Heda
6. Shri Paresh Nath Kayal
7. Shri Jaswantraj Mehta

Rajya Sabha

8. Shri G. Rajagopalan
9. Shri Braja Kishore Prasad Sinha

10. Shri Hira Vallabha Tripathi
11. Shri K. V. Raghunatha Reddy
12. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee discussed the general principles and criteria to be followed in examining the "Committees" constituted by Government.

3. The Committee felt that chairmanship, secretaryship or membership of Government Committees of an advisory character or concerned with formulation of plans for economic development of the country should normally be exempted from disqualification and members of Parliament should be allowed to go on such Committees. Some members were of the opinion that chairmanship and secretaryship of important Public Undertakings engaged in commercial and industrial enterprises having substantial power of patronage should not ordinarily be exempted from disqualification. Some others were of the view that this could not be the only consideration in deciding the issue and the legal concept of the term "Office of Profit" should also be applied to such cases. After some discussion, the Committee decided that all such bodies should be examined on merits in each case as and when they came up for consideration before the Committee.

4. The Committee then adjourned to meet again on Tuesday, the 12th February, 1963 at 14-30 hours.

XI

Eleventh Sitting

The Committee met on Tuesday, the 12th February, 1963 from 14.35 to 16.30 hours.

PRESENT

Shri G. N. Dixit—*Chairman*

MEMBERS

Lok Sabha

2. Shri M. L. Dwivedi
3. Shri P. K. Ghosh

4. Shri M. M. Haq
5. Shri Paresh Nath Kayal
6. Shri Jaswantraj Mehta

Rajya Sabha

7. Shri G. Rajagopalan
8. Shri Braja Kishore Prasad Sinha
9. Shri Hira Vallabha Tripathi
10. Shri K. V. Rathunatha Reddy
11. Shri Lokanath Misra.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary.*

2. The Committee reviewed their decision in respect of Committees/Bodies considered by them at their sittings held on 23rd October, and 8th December, 1962 and 14th and 15th January, 1963.

3. The Committee felt that the composition and character of the following bodies were such that their membership, chairmanship or secretaryship ought not to disqualify:—

- (1) State Council for Training in Vocational Trades (Punjab).
- (2) Punjab Khadi and Village Industries Board (Punjab).
- (3) Board to carry on overall supervision of the conduct and management of the business and affairs of Narassinggirji Mills Ltd., Sholapur (Maharashtra).
- (4) Board of Examiners for Cinema Operators, Madras (Government of Madras).
- (5) Local Tourists Traffic Advisory Committees at Tanjore, Trichirapalli, Kodaikanal, Courtallam, Ootacamund and Madras (Government of Madras).
- (6) Committee for the Selection of Nurse Pupils (Government of Madras).
- (7) Allocation Committee (Allopathic under the Employees State Insurance Scheme) (Government of Maharashtra).
- (8) Allocation Committee (Ayurvedic under the Employees State Insurance Scheme) (Government of Maharashtra).
- (9) Visiting Committee for each of the Government Backward Class Hostels at Poona and Nagpur (Maharashtra).

- (10) Puri Lodging House Fund Committee (Orissa).
- (11) Punjab State Electricity Consultative Council (Punjab).
- (12) District Library Committee at the District Headquarters (except Simla) (Punjab).
- (13) Local Tourist Advisory Committee Pathankot (Punjab).
- (14) Mining Advisory Board (Department of Atomic Energy, Government of India).
- (15) Committee on the Application of Atomic Energy to Food and Agriculture (Deptt. of Atomic Energy, Government of India).
- (16) Committee to investigate and report on occupational diseases in the mineral factories in Kerala (Deptt. of Atomic Energy, Government of India).
- (17) Committee on Radiation (Deptt. of Atomic Energy, Government of India).
- (18) Committee of Management for the Kishore Sadan, Bareilly (U.P.).
- (19) Revising Boards for Central Prisons (U.P.).
- (20) Revising Boards for District Jails (situated at the headquarters of 5 divisions) (U.P.).
- (21) Advisory Committee on Agricultural Implements in Uttar Pradesh (U.P.).
- (22) State Board of Audio-visual Education (U.P.).
- (23) State Youth Employment Advisory Committee (U.P.).
- (24) District Employment Advisory Committees (at all the 37 Regional/sub-Regional/District Employment Exchanges) (U.P.).
- (25) State Soil Conservation Committee (U.P.).
- (26) Chitrakut Dham Joint Advisory Committee (U.P.).

4. The Committee held over consideration of the State Canal Advisory Committee of Punjab (Memo No. 85) pending receipt of further information regarding its composition.

5. The Committee decided to consider their draft Report at their next sitting during the ensuing session.

6. The Committee then adjourned.

XII

Twelfth Sitting

The Committee met on Thursday, the 25th April, 1963 from 16-00 to 16-48 hours.

PRESENT

Shri G. N. Dixit—*Chairman*.

MEMBERS

Lok Sabha

2. Shri Rajendranath Barua
3. Shri M. L. Dwivedi
4. Shri Jaswantraj Mehta.

Rajya Sabha

5. Shri G. Rajagopalan
6. Shri Braja Kishore Prasad Sinha
7. Shri K. V. Raghunatha Reddy.

SECRETARIAT

Shri A. L. Rai—*Deputy Secretary*.

2. The Committee considered and adopted the draft report with the modifications that—

- (1) it be indicated in para 5 thereof that Minutes of the sittings of the Committee formed part of the Report.
- (2) the following Committees of the State of Punjab be transferred from Appendix III to Appendix IV of the Report:
 - (i) State Transport Advisory Committee.
 - (ii) State Advisory Committee for the Public Relations Department.
- (3) the following Committees be omitted from Appendix IV of the Report, as the Committee would re-examine them further:
 - (i) Madhya Pradesh Central Medical Board (Madhya Pradesh).
 - (ii) Board of Examiners for Cinema Operators, Madras (Government of Madras).

- (iii) Committee for the Selection of Nurse Pupils (Government of Madras).
- (iv) Committee for the Selection of Auxiliary Nurse Midwives Pupils (Government of Madras).
- (v) Inspection Committee (Government of Madras).
- (vi) Visiting Committees of Government Certified Schools (one Committee for each of such 10 schools) (Maharashtra).
- (vii) Visiting Committee for each of the Government Backward Class Hostels at Poona and Nagpur (Maharashtra).
- (viii) Visiting Committee for Provincialized Civil Hospitals (one in each district and Tehsil for all Provincialized hospitals within such district) (Punjab).
- (ix) Canal Advisory Board, Upper Bari Doab Canal (Punjab).

3. The Committee decided that the Report might be presented to Lok Sabha on the 30th April, 1963 and laid on the Table of Rajya Sabha on the same day.

4. The Committee authorised the Chairman and, in his absence, Shri Jaswantraj Mehta to present the Report on their behalf.

5. The Committee authorised Shri G. Rajagopalan and, in his absence, Shri K. V. Raghunatha Reddy to lay the Report of the Committee on the Table of Rajya Sabha.

6. The Committee then adjourned to meet again on Monday, the 29th July, 1963 at 15-00 hours.
