

JOINT COMMITTEE ON OFFICES OF PROFIT

FOURTH REPORT

(EIGHTH LOK SABHA)



Presented to Lok Sabha on 4th March, 1987

Laid in Rajya Sabha on 4th March, 1987

**LOK SABHA SECRETARIAT
NEW DELHI**

March, 1987/Phalguna, 1908 (Saka)

Price : Rs. 2.00

CORRIGENDA TO THE FOURTH REPORT OF THE
JOINT COMMITTEE ON OFFICES OF PROFIT
(EIGHTH LOK SABHA)

| <u>Page</u> | <u>Para</u> | <u>Line</u> | <u>For</u> | <u>Read</u> |
|-------------|-------------|-------------|------------------------|-----------------------------|
| 5 | 2.10 | 3 | were | are |
| 7 | 2.14 | 4 | as | allowance as |
| 8 | 2.17(4) | 12 | leggers | leggers and |
| 13 | 3 | 9 | ihese | these |
| 18 | 6 | 6 | sitesbe | sites |
| 23 | 5 | 6 | fofmu- -lation | formulation |
| 27 | 5 | 3 | committee adjourned | committee then adjourned |

CONTENTS

| | PAGE |
|---|-------|
| COMPOSITION OF THE JOINT COMMITTEE ON OFFICES OF PROFIT | (iii) |

REPORT

| | |
|---|---|
| I Introduction | 1 |
| II Committees / Boards / Corporations / Commission etc, constituted by the Central and State Governments | 2 |

APPENDIX

| | |
|--|----|
| Minutes of the sittings of the Committee | 12 |
|--|----|

**JOINT COMMITTEE ON OFFICES OF PROFIT
(EIGHTH LOK SABHA)**

COMPOSITION OF COMMITTEE

Kumari Kamla Kumari—Chairman

MEMBERS

Lok Sabha

2. Shri Ajoy Biswas
3. Shri Ajitsinh Dabhi
4. Shri Sharad Dighe
5. Shri Appayya Dora Hanumantu
6. Shri Mahendra Singh
7. Shri Sriballav Panigrahi
8. Shri P. M. Sayeed
9. Shri S. B. Sidnal
10. Shri Balram Singh Yadav

Rajya Sabha

11. Shri Sohan Lal Dhusiya
- *12. Shrimati Sudha Vijay Joshi
- **13. Shri K. Gopalan
14. Shri Puttapaga Radhakrishna
- *15. Dr. H. P. Sharma

SECRETARIAT

1. Shri N. N. Mehra—*Joint Secretary*
2. Shri R. S. Mani—*Senior Legislative Committee Officer*

* Elected by Rajya Sabha on the 26th November, 1986 *Vice* Smt. Monika Das and Shri B. Krishna Mohan ceased to be members of the Joint Committee on their retirement from that House.

** Elected by Rajya Sabha on the 13th March, 1986 *Vice* Shri Amar Prosad Chakraborty, M.P. died,

REPORT OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

I

INTRODUCTION

I, 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 their Fourth Report of the Committee.

1.2 The matters covered by the Report were considered by the Committee at their sittings held on 30th May, 2nd, 18th and 19th June, 1986 and 14th July, 1986. Minutes of these sittings form part of the Report and are at Appendix.

1.3 The Committee examined the composition, character, functions etc. of 25 Committees/Boards/Corporations/Commissions etc. constituted by the Central and State Governments and the emoluments and allowances payable to their members, non-official Directors, Chairman etc. with a view to consider whether holders of offices on these bodies would incur disqualification under article 102 of the Constitution of India.

1.4 The detailed information regarding the composition, character, functions, emoluments and allowances payable to the members of these bodies was furnished by the concerned Ministries/ Departments of the Central Government and the State Governments/Union Territory Administration.

1.5 The Committee considered and adopted the Report on the 12th February, 1987.

1.6 The observations/recommendations of the Committee in respect of the matters considered by them are given in the succeeding paragraphs.

II

COMMITTEES/BOARDS ETC. CONSTITUTED BY THE CENTRAL AND STATE GOVERNMENTS AND UNION TERRITORY ADMINISTRATION

Advisory Council on Public Distribution System (Ministry of Food and Civil Supplies—Department of Civil Supplies)

2.1 The Committee note that the non-official members of the Advisory Council on Public Distribution System are paid TA & DA @ Rs. 49/- per day which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Advisory Council are to advise the Central Government on all matters relating to the functioning of the public distribution system and management of supplies of essential commodities besides suggesting measures necessary for further improvement of distribution arrangement for public agencies. The functions of the Council are thus purely advisory in nature. Hence the Committee feel that the non-official members of the above Council *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Consumer Protection Council (Ministry of Food and Civil Supplies—Department of Civil Supplies)

2.2 The Committee note that the non-official members of the Consumer Protection Council are paid TA & DA at the maximum rate of Rs. 49/- per day which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Council is to advise the Government on all matters having a bearing on the interest of Consumers. As such, the function of the Council is advisory in nature. Hence, the Committee feel that the non-official members of the Council *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

The National Mangrove Committee (Department of Environment)

2.3 The Committee note that the non-official members of the National Mangrove Committee of the Department of Environment are paid TA & DA at the maximum rate of Rs. 49/- which are covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee are to offer expert advice on development projects in mangrove ecosystems. The functions of the Com-

mittee; are purely advisory in nature. Hence, the Committee feel that the non-official members of the National Mangrove Committee *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

*Scientific Programme Advisory Committee for Zoological Survey of India
(Department of Environment)*

2.4 The Committee note that the non-official members including the Chairman of the Scientific Programme Advisory Committee for Zoological Survey of India are paid TA and DA at the maximum rate of Rs. 49/- per day which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee are to review and offer advice in devising a master and short term plans for Zoological Survey of India and these functions are advisory in nature. Hence the Committee feel that the non-official members (including the Chairman, of the Advisory Committee *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Advisory Committee on Employment Strategy for the Seventh Five Year Plan (Planning Commission)

2.5 The Committee note that the non-official members of the Advisory Committee on Employment Strategy are paid TA and DA at the maximum rate of Rs. 49/- per day which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee is to consider specific issues on the subject of employment strategy in the context of Seventh Five Year Plan. As such the functions of the Committee are advisory in nature. Hence the Committee feel that the non-official members of the above Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

Panel of Economists, Ministry of Planning (Planning Commission)

2.6 The Committee note that the non-official members of the Panel of Economists of the Planning Commission are paid TA & DA at the maximum rate of Rs. 49/- per day which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Panel are *to advise* the Planning Commission on the formulation of the National Plan and assessment of plan performance besides considering specific issues relating to development and planning of different states and regions. As such the Committee feel that the functions of the Panel of Economists are Advisory in nature. Hence, the Committee recommend that the non-official members of the said panel *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Research Advisory Committee (Planning Commission)

2.7 The Committee noted that the non-official members of the Research Advisory Committee of the Planning Commission are paid TA & DA at the maximum rate of Rs. 49/-per day which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee are to identify areas of research essential for planning as also the scholars and institutions for the purpose and to examine and advise on the research-cum-training programmes of the various institutions. These functions of the Committee are purely advisory in nature. Hence, the Committee feel that the non-official members of the said Advisory Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

Standing Committee for improving the Data Base for Decentralised Sections (Planning Commission)

2.8 The Committee note that the non-official members of the Standing Committee appointed by the Planning Commission for improving the Data Base for Decentralised Sections are paid TA and DA at the maximum rate of Rs. 49/-per day which are covered by the 'compensatory allowance, as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee are to review the existing Data Base and to identify gaps and deficiencies in relation to data requirements for planning and policy making, besides suggesting steps to be taken for collecting, processing, maintaining, presenting and disseminating data etc. As such, the functions of the Committee are advisory in nature. Hence the Committee feel that the non-official members of the above Standing Committee *should be exempted* from disqualification.

Dantiwada, Damanganga, and Sipu Reservoir Projects Rehabilitation Advisory Committee and Guhai Irrigation Project Advisory Committee for Rehabilitation (Gujarat)

2.9 The Committee note that the non-official members of the Advisory Committee on (i) Dantiwada Reservoir Project Rehabilitation Advisory Committee; (ii) Guhai Irrigation Project Advisory Committee for Rehabilitation; (iii) Damanganga Reservoir Project Advisory Committee for Rehabilitation; and (iv) Sipu Reservoir Project Rehabilitation Advisory Committee, Gujarat are entitled to payment of TA and DA at State Government rates which are less than the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of these Committees are to advise the Government in regard to rehabilitation of the affected people whose land and buildings come under submergence by the concerned projects and as such their functions are purely of an advisory nature.

Hence the Committee feel that the non-official members (including members of Parliament) of all the aforesaid Committees *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

This conclusion of the Committee is in conformity with the earlier recommendations of the Joint Committee on Offices of Profit made in their Thirteenth Report (Fifth Lok Sabha) paragraph 30 regarding a number of similar Advisory Committees.

Ghed Development Advisory Committee (Gujarat)

2.10 The Committee note that the non-official members of the Ghed Development Advisory Committee are paid TA and DA at Government rates which were less than 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Committee are to review the work done under the Ghed area in Gujarat and to suggest ways to complete the work in accordance with the master plan. The functions are thus purely advisory in nature. Hence, the Committee feel that the non-official members of the above Committee *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Haryana Economically Weaker Sections Kalyan Nigam Limited (Haryana)

2.11 The Committee note that the non-official Directors of the Haryana Economically Weaker Sections Kalyan Nigam Limited are paid TA & DA @ Rs. 30/- per day which are less than the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the Chairman is paid a fixed pay of Rs. 1000/- plus Rs. 500/- lodging allowance which are not covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Haryana Kalyan Nigam Ltd. are to undertake the task of socio-economic and educational upliftment of the economically weaker sections in the State. The Nigam is authorised to advance loans upto Rupees Ten thousand individually and Rupees Fifty thousand collectively to the members of the weaker sections on hire-purchase basis. The Nigam is also empowered to borrow money and to incur capital expenditure. Thus, the Haryana Kalyan Nigam Limited exercises both executive and financial powers. As the non-official Directors of the Nigam exercises executive and financial powers and the Chairman also receives a pay of Rupees 1000/- p. m. and lodging allowances of Rs. 500/-, the Committee recommend that the non-official Directors including the Chairman of the Nigam *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Haryana Harijan Kalyan Nigam Limited (Haryana)

2.12 The Committee note that the non-official Directors and MLAs of the

Haryana Harijan Kalyan Nigam Ltd. are paid actual TA and DA @ Rs. 30/- and Rs. 75/- per day respectively, which are covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The Chairman is entitled to a monthly salary of Rs. 2950/- which is not covered by the 'compensatory allowance'. The Nigam has been set up for the socio-economic and educational upliftment of the Scheduled Castes in the State of Haryana. For that purpose, the Kalyan Nigam is empowered to advance loans in cash or kind upto Rupees Ten thousand individually and Rupees Fifty thousand collectively to certain members of Scheduled Castes to enable them to start profession in the various fields like that of doctors, engineers, lawyers, architects etc. The Nigam can also borrow money or raise loans. Besides, the Nigam is to undertake planning, promoting and undertaking programmes and projects for agricultural development and operations connected therewith, marketing, processing of agricultural produce, small scale industry, building constructions, transport and industrial activity. Hence, the Haryana Harijan Kalyan Nigam exercises both executive and financial powers. As such, the Committee feel that the non-official Directors including the Chairman of the Nigam who also receives salary of Rs. 2950/- *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament.

*Haryana State Minor Irrigation (Tubewells) Corporation Ltd.,
(Haryana)*

2.13 The Committee note that except the Chairman, other non-official Directors of the Haryana State Minor Irrigation (Tubewells) Corporation Limited are paid TA @ Rs. 1/- per kilometre plus DA @ 25/- per day which are covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Chairman is entitled to certain perquisites besides payment of an honorarium of Rs. 2200/- p.m. The payment of honorarium is not covered by the 'compensatory allowance'. The functions of the Corporation are to establish, execute, instal, manage and administer tubewells and other minor irrigation projects; to appoint officers and establish local boards, to authorise works of a capital nature upto Rs. 50/- lakhs and to give loans and equipments for installation of tubewells. The Corporation is thus vested with executive and financial powers for discharging its functions for the promotion and administration of tubewells and other minor irrigation projects in the state of Haryana. In view of the fact that the Corporation exercises executive and financial powers and the Chairman is also paid an honorarium, the Committee recommend that the non-official Directors including the Chairman of the corporation *should not be exempted* from disqualification, for being chosen as, or for being a member of Parliament.

*Haryana State Small Industries and Export Corporation Ltd.,
Chandigarh*

2.14 The Committee note that the non-official Directors of the Haryana

State Small Industries and Export Corporation are paid a sitting fee of Rs.100/- per meeting. The Chairman of the Corporation is entitled to an honorarium of Rs. 1000/- and house rent allowance of Rs. 750/- per month. The payment of sitting fee and honorarium are not covered by the compensatory as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Moreover, the functions of the Corporation are to establish and develop export oriented industries with a view to promote export of goods to foreign markets with financial powers to execute the same. In view of the fact that the non-official Directors of the Corporation are paid a sitting fee and the Chairman is entitled to an honorarium and House Rent allowance and they exercise both executive and financial powers, the Committee feel that the non-official Directors of the Corporation *should not be exempted* from disqualification, for being chosen as, or for being a member of Parliament.

Haryana Seeds Development Corporation Limited (Haryana)

2.15. The Committee note that the non-official Directors of the Haryana Seeds Development Corporation Ltd. are paid a sitting fee of Rs. 100/- per sitting besides daily allowance of Rs. Rs. 51/- per day and TA@ Rs. 1 per km. The payment of 'sitting fee' is not covered by the term 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the functions of the Corporation are in the operational field of farm management for the production of certified seeds, processing storage and marketing thereof and also to execute import and export of quality seeds. The functions of the Corporation also include purchase and sale of equipment, vehicles etc., receiving deposits and to undertake other financial transactions for the purpose of the Corporation. Thus, the functions of the Corporation involve exercise of both executive and financial powers. As the non-official Directors of the Corporation are paid sitting fee and they exercise executive and financial powers, the Committee feel that the non-official Directors of the Corporation *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Nagpur Improvement Trust, Nagpur (Maharashtra)

2.16 The Committee note that the non-official Trustees of the Nagpur Improvement Trust are entitled to a daily meeting allowance of Rs. 40/- per sitting. The Trust has been set up for the improvement and expansion of the city of Nagpur. Amongst other things, the functions and powers of the Trust include acquisition or purchase of any property, re-distribution of sites belonging to owners of property and dwellings unfit for human habitation, construction or sale of buildings, borrowing money, issuing or raising loans, investment of funds. etc. All these functions are executive and financial in nature. In view of the above factors, the Committee recommend that the non-official trustees of the Nagpur improvement Trust *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament,

Advisory Boards for scrutinising the cases of the detenus under certain Acts

2.17 The Committee note that the non-official members of the following Advisory Boards appointed by the Government of Maharashtra to examine the cases of detenus detained under them, are paid Rs. 250/- and Rs. 150/- respectively for interviewing or examining the cases of each detenu, referred to them :

1. National Security Act, 1980.
2. Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980.
3. Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974.
4. Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, *Drug Offenders Act, 1981 (Maharashtra)*.

The aforesaid payment is not covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Advisory Boards are to scrutinise the cases of the detenus and to report to Government whether or not there is sufficient cause for their detention. The Board thus exercises judicial powers. In view of this and the fact that non-official members are paid for examining each detenu, at the minimum rate of Rs. 150/-, the Committee feel that the non-official members of the Advisory Boards *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament.

District Planning Development Council, (Manipur)

2.18 The Committee note that the non-official members of the District Planning and Development Council, Manipur are paid DA at the State Government rates which is less than the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Council are to review the implementation of the Plan Development Schemes at the district level and to suggest ways and means by which the resources of the district can be most profitably utilised for the development of the district. These functions are advisory in nature. As such the Committee feel that the non-official members of the Council *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

State Planning Board, Manipur

2.19 The Committee note that the non-official members of the State Planning Board, Manipur are paid daily allowance of Rs. 51/- per day which is

covered by the 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the State Planning Board are to determine the priority and define the stages in which the projects in the plan might be executed most effectively for an overall socio-economic development of the State. The functions are thus advisory in nature. Hence the Committee feel that the non-official members of the said Planning Board *should be exempted* from disqualification for being chosen as, or for being a member of Parliament. This conclusion of the Committee is in conformity with the earlier recommendations of the Joint Committee on Offices of Profit contained in paragraph 45 (23) of their Twelfth Report (Fifth Lok Sabha), regarding State Planning Board, Karnataka and paragraphs 2.9 and 2.35 of the Second Report (Eighth Lok Sabha) regarding State Planning Board, Himachal Pradesh and Planning Board, Delhi Administration, respectively.

Desert Development Board, Rajasthan—Proposed nomination of Sarvashri Virddhi Chander Jain, Manphool Singh Choudhri and Mool Chand Daga, M.Ps as members thereof

2.20 The State Government of Rajasthan proposed to nominate Sarvashri Virddhi Chander Jain, Manphool Singh Choudhri and Mool Chand Daga, M. Ps as members of the Desert Development Board, Rajasthan and requested permission of the Hon. Speaker in the matter. The case was referred to the joint committee on Offices of Profit for advice. From the information received from the State Government, the Committee note that the non-official members of the Rajasthan Desert Development Board are entitled to TA and DA as per Government rules which are covered by 'compensatory allowance' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Board are advisory in nature as the Board is only to advise the State Government on development of desert areas and also to give suggestions for the implementation of their development programmes. As such, the committee feel that the non-official members (including members of Parliament, if nominated) *should be exempted* from disqualification for being chosen as, or for being a member of Parliament and there could be no objection to the nomination of the members of Parliament proposed to be appointed on the aforesaid Board.

Hill Transport Committee (Uttar Pradesh)—Proposal to nominate two members of Lok Sabha in the Committee

2.21 The State Government of Uttar Pradesh had sought permission of the Speaker, Lok Sabha for nomination of two members of Lok Sabha as non-official members of the Hill Transport Committee. The case was referred to the Joint Committee on Offices of Profit for advice. From the information received from the State Government, the Committee observed that the non-official members of the Hill Transport Committee, Uttar Pradesh are entitled to TA

& DA at the maximum rate of Rs. 60/- per day which are covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The function of the Transport Committee is to advise the State Government with regard to provision of transport facilities to the public in hilly areas. The function is thus advisory in nature. As such, the Committee feel that the non-official members (including members of Parliament, if nominated) *should be exempted* from disqualification for being chosen as, or for being a member of Parliament and there could be no objection to the nomination of two members of Lok Sabha on the Uttar Pradesh Hill Transport Committee.

Advisory Committee for Equal Remuneration for Union Territory of Dadra and Nagar Haveli

2.22 The Committee note that the non-official members of the Advisory Committee for Equal Remuneration for Dadra and Nagar Haveli are not paid any allowances. The functions of the Committee are to advise the Administration of the Union Territory on matters relating to proper implementation of provisions made under the Equal Remuneration Act, 1976 for providing equal remuneration to men and women workers, prevention of discrimination on the ground of sex against women in the matter of employment etc. The functions of the Committee are thus advisory in nature. As such the Committee feel that the non-official members *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

District Organising Committee of Nehru Yuvak Kendra, Dadra and Nagar Haveli

2.23 The Committee note that the non-official members of District Organising Committee of Nehru Yuvak Kendra, Dadra and Nagar Haveli are not paid any remuneration. The functions of the Committee are advisory in nature being connected with the formulation of the programmes and outlines of activities of the Nehru Yuvak Kendra in the Union Territory of Dadra Nagar Haveli. Hence, the Committee feel that the non-official member of the aforesaid Committee *should be exempted* from disqualification for being chosen as, or for being a member of Parliament. This conclusion of the Committee is in conformity with the recommendation of the Joint Committee on Offices of Profit (Seventh Lok Sabha) made in their Seventh Report (para 2.19) regarding a similar State Organising Committee of Nehru Yuvak Kendra, Pondicherry.

Dadra and Nagar Haveli Land Improvement Board

2.24 The Committee note that the non-official members of the Dadra and Nagar Haveli Land Improvement Board are not paid any TA and DA. The

main functions of the Board are to direct the preparation of land improvement schemes, preservation and improvement of soil, construction of tanks and embankments, improving water supply and evolve methods for the development of cultivable land and better utilisation of the irrigation potential in Dadra and Nagar Haveli. The Board thus exercises executive functions. As such, the Committee feel that the non-official members *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Committee for the Welfare of Minorities in Dadra and Nagar Haveli

2.25 The Committee note that the non-official members of the Committee for the welfare of minorities in the Union Territory of Dadra and Nagar Haveli are not paid any remuneration. The functions of the Committee are to recommend measures for the welfare of the minorities and also to look into their grievances in the Union Territory of Dadra and Nagar Haveli.

The functions of the Committee are advisory in nature. Hence the Committee feel that the non-official members of the said Committee *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

NEW DELHI ;
12th February, 1987
Magha 23, 1908 (Saka)

KUMARI KAMLA KUMARI
Chairman,
Joint Committee on Offices of Profit.

APPENDIX
(vide para 1.2 of the Report)

**MINUTES OF THE JOINT COMMITTEE ON OFFICES OF PROFIT
(EIGHTH LOK SABHA)**

XVI
Sixteenth Sitting

The Committee met on Friday, the 30th May, 1986 from 15.00 to 16.00 hours.

PRESENT

Kumari Kamla Kumari—*Chairman*

MEMBERS

Lok Sabha

2. Shri Ajoy Biswas
3. Shri Sharad Dighe
4. Shri Appayya Dora Hanumantu
5. Shri Mahendra Singh
6. Shri P.M. Sayeed
7. Shri S.B. Sidnal

Rajya Sabha

8. Shri Sohan Lal Dhusiya
9. Shri K. Gopalan

SECRETARIAT

Shri R.S. Mani—*Senior Legislative Committee Officer*

2. The Committee took up for consideration Memoranda Nos, 62 to 67 relating to the following Committees/Board/Corprations/Council etc. constituted by State Governments :-

- (i) Dantiwada Reservoir Project Rehabilitation Advisory Committee;
- (ii) Guhai Irrigation Project Advisory Committee for Rehabilitation;
- (iii) Damanganga Reservoir Project Advisory Committee for Rehabilitation; and
- (iv) Sipu Reservoir Project Rehabilitation Advisory Committee, (Gujarat) (Memorandum No. 62)

MEMORANDUM NO. 62

3. The Committee noted that the non-official members of the Advisory Committees on (i) Dantiwada Reservoir Project Rehabilitation Advisory Committee; (ii) Guhai Irrigation Project Advisory Committee for Rehabilitation; (iii) Damanganga Reservoir Project Advisory Committee for Rehabilitation; and (iv) Sipu Reservoir Project Rehabilitation Advisory Committee, Gujarat were entitled to payment of TA and DA at State Government rates which were less than the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of these Committees were to advise the Government in regard to rehabilitation of the affected people whose land and buildings came under submergences of the concerned projects and as such the functions were purely of an advisory nature. As such the Committee felt that the non-official members of all the aforesaid Committees (including Members of Parliament) should be exempted from disqualification for being chosen as or for being a member of Parliament.

This conclusion of the Committee was in conformity with the earlier recommendations of the Joint Committee on Offices of Profit vide their Thirteenth Report (Fifth Lok Sabha) paragraph 30 regarding a number of similar Advisory Committees.

Ghed Development Advisory Committee (Gujarat)
(Memorandum No. 63)

4. The Committee noted that the non-official members of the Ghed Development Advisory Committee were paid TA and DA at Government rates which were less than the 'compensatory allowance'. The functions of the Committee were to review the work done under the Ghed area in Gujarat and to suggest ways to complete the work in accordance with the master plan. The functions were purely advisory in nature. Hence the Committee felt that the non-official members of the above Committee should be exempted from disqualification for being chosen as or for being a member of Parliament.

Haryana State Small Industries and Export Corporation Ltd., Chandigarh
(Haryana)—(Memorandum No. 64)

5. The Committee noted that the non-official Directors of the Haryana State Small Industries and Export Corporation were paid a sitting fee of Rs. 100/- per meeting. The Chairman of the Corporation was entitled to an honorarium of Rs. 1000/- and House Rent Allowance of Rs. 750/- p.m. The payment of sitting fee and honorarium were not covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

6. The functions of the Corporation were to establish and develop export oriented industries with a view to promote export of goods to foreign markets with financial powers to execute the same. As such the Committee felt that the non-official Directors of the said Corporation *should not be exempted* from disqualification, for being chosen as or for being a member of Parliament.

*Haryana State Minor Irrigation (Tubewells) Corporation Ltd.,
(Haryana)—(Memorandum No. 65)*

7. The Committee noted that except Chairman, other non-official Directors of the Haryana State Minor Irrigation (Tubewells) Corporation Limited were paid TA @ Re. 1/- per Km. plus DA @ Rs. 25/- which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Chairman was entitled to certain perquisites besides payment of an honorarium of Rs. 2200/- p.m. The payment of honorarium was not covered by the 'compensatory allowance'. The functions of the Corporation were to establish, execute, instal, manage and administer tubewells and other minor irrigation projects; to appoint officers and establish local boards; to authorise works of a capital nature upto Rs. 50/-lakhs and to give loans and equipments for installation of tubewells. The Corporation was thus vested with executive and financial powers for discharging its functions for the promotion and administration of tubewells and other minor irrigation projects in the State of Haryana. Hence Committee recommended that the non-official Directors including the Chairman of the Corporation *should not be exempted* from disqualification, for being chosen as or for being a member of Parliament.

*District Planning Development Council,
(Manipur)—(Memorandum No. 66)*

8. The Committee noted that the non-official members of the District Planning and Development Council, Manipur were paid DA at the State Government rates which was less than the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Council were to review the implementation of the Plan Development Schemes at the district level and to suggest measures for its successful implementation and also suggest ways and means by which the resources of the district could be most profitably utilised for the development of the district. These functions were advisory in nature. As such the Committee felt that the non-official members of the Council should be *exempted from disqualification* for being chosen as or for being a member of Parliament.

*State Planning Board, Manipur—
(Memorandum No. 67)*

9. The Committee noted that the non-official members of the State Planning Board, Manipur were paid Daily allowance @ Rs. 51/- which was covered

by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the State Planning Board were to determine the priorities and define the stages in which the projects in the plan might be executed most effectively for an over-all socio-economic development of the State. As such, the functions were advisory in nature. Hence the Committee felt that the non-official members of the said Planning Board should be *exempted from disqualification* for being chosen as or for being a member of Parliament.

This conclusion of the Committee was in conformity with the earlier recommendations of the Joint Committee on Offices of Profit contained in paragraph 45(23) of their Twelfth Report (Fifth Lok Sabha), regarding State Planning Board, Karnataka and Second Report (Eighth Lok Sabha) paragraphs 2.9 and 2.35 regarding State Planning Board, Himachal Pradesh and Planning Board, Delhi Administration respectively.

The Committee then adjourned to meet again on Monday, the 2nd June, 1986.

XVII
SEVENTEENTH SITTING

The Committee met on Monday, the 2nd June, 1986 from 11.00 to 12.00 hours.

PRESENT

Kumari Kamla Kumari—*Chairman*

MEMBERS

Lok Sabha

2. Shri Sharad Dighe
3. Shri Appayya Dora Hanumantu
4. Shri Mahendra Singh
5. Shri Sriballav Panigrahi
6. Shri P. M. Sayeed
7. Shri S. B. Sidnal
8. Shri Balram Singh Yadav

Rajya Sabha

9. Shri Sohan Lal Dhushiya
10. Shri K. Gopalan
11. Shri Puttapaga Radhakrishna

SECRETARIAT

Shri R. S. Mani—*Senior Legislative Committee Officer*

2. The Committee took up for consideration Memoranda Nos. 68 to 72 relating to the following Board/Corporations etc. constituted by the State Governments.

Haryana Seeds Development Corporation Limited (Haryana)
(Memorandum No. 68)

3. The Committee noted that the non-official Directors of the Haryana Seeds Development Corporation Ltd. were paid sitting fee of Rs. 100/- per sitting besides Daily Allowance of Rs. 51/- and TA @ Re. 1 per k. m. The payment of sitting fee was not covered by the term 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, Besi-

des the functions of the Corporation were in the operational field of farm management for the production of certified seeds, processing, storage and marketing thereof and also to execute import and export of quality seeds. The functions of the Corporation also included purchase and sale of equipment vehicles etc., borrowing of money or receiving deposits or lending money. Thus, the functions of the Corporation involved exercise of both executive and financial powers. As such, the Committee felt that the non-financial Directors of the Corporation *should not be exempted* from disqualification for being chosen as, or for being a member of Parliament.

*Haryana Economically Weaker Sections Kalyan Nigam Limited (Haryana)—
(Memorandum No. 69)*

4. The Committee noted that the non-official Directors of the Haryana Economically Weaker Sections Kalyan Nigam Limited were paid TA & DA @ Rs. 30/- which were less than the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the Chairman was paid a fixed Pay of Rs. 1000 + 500 lodging allowance which was not covered by the 'compensatory allowance'. The main functions of the Haryana Kalyan Nigam Ltd. were to undertake the task of Socio-economic and educational upliftment of the economically weaker sections in the State. The Nigam was authorised to advance loans upto Rs. 10 thousand individually and Rs. 50 thousand collectively to the members of the weaker sections. Besides the Nigam was to undertake the construction of housing colonies which might be sold to the members of the weaker sections on hire purchase basis. The Nigam was also empowered to borrow money and to incur capital expenditure. Thus, the Haryana Kalyan Nigam Limited exercised both executive and financial powers. As such, the Committee recommended that the non-official Directors including the Chairman of the Corporation *should not be exempted* from disqualification for being chosen as or for being a member Parliament.

Haryana Harijan Kalyan Nigam Limited (Haryana)—(Memorandum No. 70)

5. The Committee noted that the non-official Directors and MLAs of the Haryana Harijan Kalyan Nigam Ltd. were paid actual TA and DA @ Rs. 30/- and 75/- respectively which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Chairman was entitled to a salary of Rs. 2950/- which was not covered by the 'compensatory allowance'. The Nigam had been set up for the socio-economic and educational upliftment of the Scheduled Castes in the State of Haryana. For that purpose, the Kalyan Nigam was empowered to advance loans in cash or kind upto Rs. 10 thousand individually and Rs. 50 thousand collectively to certain members of Scheduled Castes to enable them to start professions in the various fields like doctors, engineers, lawyers, architects etc. The Nigam could also borrow money or raise loans. Besides, the Nigam was to

under take planning, promoting and undertaking programmes and projects for agricultural development and operations connected therewith, marketing, processing of agricultural produce, small scale industry, building constructions, transport and industrial activity. Hence, the Haryana Harijan Kalyan Nigam exercised both executive and financial powers. As such, the Committee felt that the non-official Directors including the Chairman of the Nigam *should not be exempted* from disqualification for being chosen as or for being a member of Parliament.

Nagpur Improvement Trust, Nagpur (Maharashtra) (Memorandum No. 71)

6. The Committee noted that the non-official trustees of the Nagpur Improvement Trust were entitled to a daily meeting allowance of Rs. 40/- per sitting.

The Trust had been set up for the improvement and expansion of the city of Nagpur. Amongst other things, the functions and powers of the Trust included acquisition or purchase of any property, re-distribution of sites belonging to owners of property dwellings unfit for human habitation, construction or sale of buildings, borrow money, issue or raise loans, invest funds etc. All these functions were executive and financial in nature. As such, the Committee recommended that the non-official trustees of the Nagpur Improvement Trust *should not be exempted* from disqualification for being chosen as or for being a member of Parliament.

Desert Development Board, Rajasthan-Proposed nomination of Sarvashri Virdhi Chander Jain, Manphool Singh Choudhri and Mool Chand Daga, MPs as members thereof (Memorandum No. 72)

7. The State Government of Rajasthan proposed to nominate Sarvashri Virdhi Chander Jain, Manphool Singh Choudhri and Mool Chand Daga, M.Ps. as members of the Desert Development Board, Rajasthan and requested permission of the Hon. Speaker in the matter. The case was referred to the Joint Committee on Offices of Profit for opinion. From the information received from the State Government, the Committee noted that the non-official members of Rajasthan Desert Development Board were entitled to TA and DA as per Government rules which were covered by Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Board were Advisory in nature as the Board was only to advise the State Government on Development of Desert areas and also to give suggestions for the implementation of their development programmes. As such, the Committee felt that the non-official members including members of Parliament, if nominated, *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

8. The Committee then discussed their future programme and decided to meet again on Wednesday, the 18th June at 15.00 hours and Thursday, the 19th June, 1986 at 12.30 hours respectively.

The Committee then adjourned.

XVIII
EIGHTEENTH SITTING

The Committee met on Wednesday, the 18 June, 1986 from 15.00 to 16.00 hours.

PRESENT

Kumari Kamla Kumari—*Chairman*

MEMBERS

Lok Sabha

2. Shri Ajoy Biswas
3. Shri Ajitsinh Dabhi
4. Shri Sharad Dighe
5. Shri Appayya Dora Hunumantu
6. Shri Mahendra Singh
7. Shri Sriballav Panigrahi

Rajya Sabha

8. Shri Sohan Lal Dhusiya
9. Shri K. Gopalan
10. Shri Puttapaga Radhakrishna

SECRETARIAT

1. Shri M.K. Mathur— *Joint Secretary*
2. Shri R. S. Mani — *Senior Legislative Committee Officer*

2. The Committee took up for consideration Memoranda Nos. 73 to 79 relating to the following Committees/Boards etc. constituted by the Central Government, State Governments and Union Territory Administration :-

Advisory Board for scrutinising the cases of the following Acts :-

1. National Security Act, 1980.
2. Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980.
3. Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974.

4. Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers and Drug Offenders Act, 1981 (Maharashtra).

(Memorandum No. 73)

3. The Committee noted that the non-official members of the Advisory Boards appointed to examine the cases of detenus detained under the afore-said Acts, were paid Rs. 250/- and Rs. 150/- respectively for interviewing or examining the case of detenus, referred to them. This payment was not covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Advisory Boards were to scrutinise the cases of the detenus and to report to Government whether or not there was sufficient cause for their detention. The Board thus exercised judicial powers. Hence the Committee felt that the non-official members of the Advisory Boards *should not be exempted* from disqualification for being chosen as or for being a member of Parliament.

Dadra and Nagar Haveli Land Improvement Board (Memorandum No. 74)

4. The Committee noted that the non-official members of the Dadra and Nagar Haveli Land Improvement Board were not paid any TA and DA. The main functions of the Board were to protect and improve land and crops by execution of schemes relating to the *construction of tanks*, embankments and other works, the prohibition and control of grazing for the preservation of soils, prevention of soil erosion, and improvement of water supply in the Dadra and Nagar Haveli. The Board thus exercised executive functions. As such the Committee felt that the non-official members *should not be exempted* from disqualification for being chosen as or for being a member of Parliament.

*

*

*

Committee for the Welfare of Minorities in Dadra and Nagar Haveli
(Memorandum No. 76).

6. The Committee noted that the non-official members of the Committee for the welfare of minorities in the Union Territory of Dadra and Nagar Haveli were not paid any remuneration. The functions of the Committee were to recommend measures for the welfare and also to look into the grievances of the minorities in the Union Territory of Dadra and Nagar Haveli and as such the functions of the Committee were advisory in nature. Hence the Committee felt that the non-official members of the said Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

*

*

*

Scientific Programme Advisory Committee for Zoological Survey of India
(Deptt. of Environment) (Memorandum No. 78)

8. The Committee noted that non-official members including the Chairman of the Scientific Programme Advisory Committee for Zoological Survey of

***Omitted portions of the minutes are not covered by this Report.

India were paid TA and DA at the maximum rate of Rs. 49/- which were covered by the 'compensatory allowance' as defined in section 2 (a) of the parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee were to review, and offer advice in devising a master and short term plans for Zoological Survey of India and these functions were advisory in nature. Hence the Committee felt that the non-official members (including the Chairman) of the Advisory Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

Advisory Committee on Employment Strategy for the Seventh Five Year Plan (Planning Commission) (Memorandum No. 79)

9. The Committee noted that the non-official members of the Advisory Committee on Employment Strategy were paid TA and DA at the maximum rate of Rs. 49/-per day which were covered by the 'compensatory allowance' as defined in Section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee was to consider specific issues on the subject of employment strategy in the context of Seventh Five Year Plan. As such the functions of the Committee were advisory in nature. Hence the Committee felt that the non-official members of the above Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

The Committee then adjourned to meet again at 12.30 hours on Thursday, the 19th June 1986.

XIX
NINETEENTH SITTING

The Committee met on Thursday, the 19th June, 1986 from 12.30 to 13.10 hours.

PRESENT

Kumari Kamla Kumari—*Chairman*

MEMBERS

Lok Sabha

2. Shri Ajoy Biswas
3. Shri Ajitsinh Dabhi
4. Shri Sharad Dighe
5. Shri Appayya Dora Hanumantu
6. Shri Mahendra Singh
7. Shri Sriballav Panigrahi
8. Shri P. M. Sayeed

Rajya Sabha

9. Shri Sohan Lal Dhusiya

SECRETARIAT

1. Shri M. K. Mathur—*Joint Secretary*
2. Shri R. S. Mani—*Senior Legislative Committee Officer.*

2. The Committee took up for consideration Memoranda Nos. 80 to 82 relating to the following Committees, Panel etc. constituted by the Central Government.

*Standing Committee for improving the Data Base for Decentralised
Sections (Planning Commission) (Memorandum No. 80)*

3. The Committee noted that the non-official members of the Standing Committee appointed by the Planning Commission for improving the Data Base for Decentralised sections were paid TA and DA at the maximum rate of Rs. 49/-per day which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee were to review the existing Data Base

and to identify gaps and deficiencies in relation to data requirements for planning and Policy making, besides suggesting steps to be taken for collecting, processing, maintaining, presenting and disseminating data etc. As such the functions of the Committee were advisory in nature. Hence the Committee felt that the non-official members of the above Standing Committee *should be exempted* for disqualification for being chosen as or for being a member of Parliament.

Research Advisory Committee (Planning Commission)
(Memorandum No. 81)

4. The Committee noted that the non-official members of the Research Advisory Committee of the Planning Commission were paid TA & DA at the rate of Rs. 49/- (maximum) which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee were to identify, examine and advise on the research-cum-training programmes of the various institutions. These functions of the Committee were purely advisory in nature. Hence the Committee felt that the non-official members of the said Advisory Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

Panel of Economists, Ministry of Planning
(Planning Commission)—(Memorandum No. 82)

5. The Committee noted that the non-official members of the Panel of Economists of the Planning Commission were paid TA & DA at the maximum rates of Rs. 49/- per day which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Panel were *to advise* the Planning Commission on the formulation of the National Plan and assessment of Plan performance besides considering specific issues relating to development and planning of different states and regions. As such the Committee felt that the functions of the Panel of Economists were advisory in nature. Hence the Committee recommended that non-official members of the said panel *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

6. The Committee thereafter considered their future programme of work and decided to hold their next sitting on Monday, the 14th July, 1986.

The Committee then adjourned.

XX
TWENTIETH SITTING

The Committee met on Monday, the 14th July, 1986 from 15.00 to 15.35 hours.

PRESENT

Kumari Kamla Kumari—Chairman

MEMBERS

Lok Sabha

2. Shri Ajoy Biswas
3. Shri Ajitsinh Dabhi
4. Shri Mahendra Singh
5. Shri Sriballav Panigrahi
6. Shri P. M. Sayeed
7. Shri Balram Singh Yadav

SECRETARIAT

1. Shri M. K. Mathur—*Joint Secretary*
2. Shri R. S. Mani—*Senior Legislative Committee Officer*

2. The Committee took up for consideration Memoranda Nos. 83 to 88 relating to the following Committees/Boards etc. constituted by the Central Government, State Government and Union Territory Administration :

The National Mangrove Committee (Deptt. of Environment)
(Memorandum No. 83)

3. The Committee noted that the non-official members of the National Mangrove Committee of the Department of Environment were paid TA & DA at the maximum rate of Rs. 49/- which were covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act. 1959. The main functions of the Committee were to offer expert advice on development projects in mangrove areas and to coordinate research training Programme in Mangrove ecosystems.

The functions of the Committee were purely advisory in nature. Hence the Committee felt that the non-official members of the National Mangrove Committee *should be exempted* from disqualification for being chosen as, or for being a member Parliament.

Advisory Committee for Equal Remuneration for Union Territory of Dadra and Nagar Haveli (Memorandum No. 84)

The Committee noted that the non-official members of the Advisory Committee for Equal Remuneration for Dadra and Nagar Haveli were not paid any remuneration. The functions of the Committee were to advise the Administration on matters relating to proper implementation of provisions made under the Equal Remuneration Act, 1976 for providing equal remuneration to men & women workers and with regard to the extent to which women might be employed in such establishments. The Functions of the Committee were thus advisory in nature. As such the Committee felt that the non-official members *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

District Organising Committee on Nehru Yuvak Kendra, Dadra and Nagar Haveli (Memorandum No. 85)

5. The Committee noted that the non-official members of the District Organising Committee on Nehru Yuvak Kendra, Dadra and Nagar Haveli were not paid any remuneration. The functions of the Committee were advisory in nature being connected with the formulation of the programmes and outlines of activities of the Nehru Yuvak Kendra in the Union Territory of Dadra and Nagar Haveli. Hence, the Committee felt that the non-official members of the aforesaid Committee *should be exempted* from disqualification for being chosen as, or for being a member of Parliament. This conclusion of the Committee was in conformity with the recommendation of the Joint Committee on Offices of Profit (Seventh Lok Sabha) *vide* Seventh Report (para 2.19) regarding a similar State Organising Committee of Nehru Yuvak Kendra, Pondicherry.

Consumer Protection Council (Ministry of Food and Civil Supplies—Department of Civil Supplies) (Memorandum No. 86)

6. The Committee noted that the non-official Members of the Consumer Protection Council were paid T.A. & D.A. at the maximum rate of Rs. 49/- per day which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Council was to advise the Government on all matters having a bearing on the interest of Consumers. As such the function of the council was advisory in nature. Hence, the Committee felt that the non-official members of the Council *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Advisory Council on Public Distribution System (Ministry of Food and Civil Supplies—Department of Civil Supplies)—(Memorandum No. 87)

7. The Committee noted that the non-official Members of the Advisory Council on Public Distribution System were paid TA & DA @ Rs. 49/- per day which were covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Advisory Council were to advise the Central Government on all matters relating to the functioning of the public distribution system and management of supplies of essential commodities besides suggesting measures necessary for further improvement of distribution arrangement for public agencies.

The functions of the Council were thus purely advisory in nature. Hence the Committee felt that the non-official Members of the above Council *should be exempted* from disqualification for being chosen as, or for being a member of Parliament.

Hill Transport Committee (Uttar Pradesh)—Proposal to nominate two members of Lok Sabha in the Committee—(Memorandum No. 88)

8. The Committee were informed that the State Government of Uttar Pradesh had sought permission of the Speaker, Lok Sabha for nomination of two members of Lok Sabha as non-official members of the Hill Transport Committee. From the information received from the State Government, the Committee observed that the non-official members of the Hill Transport Committee, Uttar Pradesh were entitled to TA & DA @ maximum Rs. 60/- which were covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The function of the Transport Committee was to advise the Government in solving transport problems of the public in hilly areas. The function was thus advisory in nature. As such, the Committee felt that the non-official members (including members of Parliament, if nominated), *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

The Committee then adjourned.

XXXI

MINUTES OF THE THIRTY FIRST SITTING OF JOINT COMMITTEE ON OFFICES OF PROFIT (EIGHTH LOK SABHA)

The Committee met on Thursday, the 12th February, 1987 from 15.00 to 15.45 hours.

PRESENT

Kumari Kamla Kumari—*Chairman*

MEMBERS

Lok Sabha

2. Shri Ajoy Biswas
3. Shri Sharad Dighe
4. Shri Mahendra Singh
5. Shri P.M. Sayeed
6. Shri S.B. Sidnal
7. Shri Balram Singh Yadav

Rajya Sabha

8. Shri Sohan Lal Dhusiya
9. Shrimati Sudha Vijay Joshi
10. Shri K. Gopalan
11. Dr. H.P. Sharma

SECRETARIAT

1. Shri N.N. Mehra—*Joint Secretary*
2. Shri R. S. Mani—*Senior Legislative Committee Officer*

The Committee took up for consideration their draft Fourth Report and adopted it.

2. The Committee decided that the Report might be presented to Lok Sabha on 4th March, 1987 or on any other date convenient to the Chairman and also laid on the Table of Rajya Sabha on the same day.

3. The Committee authorised the Chairman and, in her absence, Shri Sharad Dighe, M.P., to present the Report to Lok Sabha on their behalf.

4. The Committee also authorised Shrimati Sudha Vijay Joshi, M.P. and in her absence, Dr. H.P. Sharma, M.P. to lay the Report on the Table of Rajya Sabha.

5. The Committee then discussed their future programme and decided to meet again on 9th April, 1987.

The Committee then adjourned.