

JOINT COMMITTEE ON OFFICES OF PROFIT

(FIFTH LOK SABHA)

FOURTEENTH REPORT

(Presented on the 25th July, 1975)



**LOK SABHA SECRETARIAT
NEW DELHI**

July, 1975/Sravana, 1897 (Saka)

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CORRIGENDUM TO THE FOURTEENTH REPORT OF
THE JOINT COMMITTEE ON OFFICES OF PROFIT
(FIFTH LOK SABHA)

Page 3, line 33, for 'allowances' read 'allowance'

Page 4, line 2 (from bottom), for 'Boards'

read 'Board's'

Page 13, line 22, for 'Agricultural shrdlu wmetaoin
shrdlu cmfwyp shrdlu mw'

read 'Agricultural Advisory
Committee for organisation
of co-'

Page 20, line 9, after 'Memorandum' insert 'No.'

Page 27, line 12, after 'Memorandum' insert 'No.'

Page 27, line 31, for 'India' read 'Indian'

Page 28, line 7, for 'compulsory' read 'compensatory'

Page 29, line 24, for 'Leval' read 'Level'

C O N T E N T S

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**PERSONNEL OF THE JOINT COMMITTEE ON OFFICES
OF PROFIT
(FIFTH LOK SABHA)**

LOK SABHA

1. Shri S. B. P. Pattabhi Rama Rao—*Chairman*.
2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Jagannathrao Joshi
5. Shri Z. M. Kahandole
- %6. Shri S. M. Siddayya
7. Shri Ramji Ram
8. Shri Arjun Sethi
9. Shri Ramavatar Shastri
- *10. Shri Ram Shekhar Prasad Singh.

RAJYA SABHA

- **11. Shri Vithal Gadgil
- £12. Shri N. M. Kamble
- £13. Shri A. K. Refaye
14. Shri Venigalla Satyanarayana
- **15. Shri Yogendra Sharma

SECRETARIAT

Shri P. K. Patnaik—*Additional Secretary*.

Shri Y. Sahai—*Chief Legislative Committee Officer*.

%Elected by Lok Sabha on the 7th March, 1975, *vice* Shri Pratap Singh died.

*Elected by Lok Sabha on the 6th December, 1973, *vice* Shri Dharnidhar Basumatari resigned from the Committee.

**Elected by Rajya Sabha on the 22nd May, 1972, *vice* Dr. (Mrs.) Mangladevi Talwar and Shri M. V. Bhadram ceased to be members of the Joint Committee on their retirement from that House.

£Elected by Rajya Sabha on the 8th May, 1974, *vice* Sarvashri S. A. Khaja Mohideen and Sarda Narayanappa ceased to be members of the Joint Committee on their retirement from that House.

REPORT OF THE JOINT COMMITTEE

I. INTRODUCTION

1. 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 Fourteenth Report of the Committee.

2. The Committee held three sittings—on the 9th June, 7th and 24th July, 1975. Minutes of these sittings form part of the Report and are at Appendix.

3. The Committee considered the composition, character, functions, etc. of 105* Committees|Boards|Corporations, etc. constituted by the Central and State Governments and the emoluments and allowances payable to their members.

4. Detailed information regarding the composition, character, functions etc. of the Committees/Boards/Corporations, etc. and emoluments and allowances payable to their members was furnished by the respective Ministries/Departments of the Central Government and State Governments on a request made by the Lok Sabha Secretariat.

5. The Committee considered and adopted the Report on the 24th July, 1975.

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

II. COMMITTEES/BOARDS/CORPORATIONS, ETC. CONSTITUTED BY THE CENTRAL AND STATE GOVERNMENTS

Children's Film Society of India (Ministry of Information and Broadcasting).

7. The Committee note that the functions of the Children's Film Society of India are mainly advisory in nature. However, the non-official members of the Society are entitled to a sitting fee of Rs. 75/-, in addition to D.A. of Rs. 20/-, which exceeds the 'compensatory

*These include 17 Committees/Boards/Corporations, etc. considered by the Joint Committee at their sitting held on the 29th April, 1975. The Minutes of that sitting form part of the Thirteenth Report of the Committee presented on the 30th April, 1975.

allowance'. As such, the Committee feel that the membership of the Society in so far as it is an 'office of profit' under the Government ought not to be exempt from disqualification.

Board of Directors of the Hotel Corporation of India Limited (Ministry of Tourism and Civil Aviation)

8. The Committee note that the non-official Directors of the Hotel Corporation of India Ltd. are reimbursed actual incidental expenditure upto a maximum of Rs. 50/- per meeting, besides free boarding and lodging for two days and free transportation by Air India Services to Bombay. Also the Board of Directors exercises executive and financial powers. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Directors of the State Farms Corporation of India Limited (Ministry of Agriculture and Irrigation)

9. The Committee note that the non-official Directors of the State Farms Corporation of India Ltd. are entitled to a sitting fee of Rs. 100/- for each meeting of the Board. In addition, they are paid as incidental expenses and halting allowance for each meeting a fixed sum of Rs. 50/- for the first day and Rs. 25/- for each subsequent day, alongwith Travelling Allowance as admissible to Grade I Officers of the Government of India. The total amount thus payable to the Directors exceeds the 'compensatory allowance'. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the non-official Directors, if any, appointed on the Board, ought not to be exempt from disqualification.

Board of Directors of the National Seeds Corporation Ltd. (Ministry of Agriculture and Irrigation)

10. The Committee note that the non-official Directors of the National Seeds Corporation Ltd. are entitled to a sitting fee of Rs. 100/- for each meeting of the Board. In addition, they are entitled to incidental expenses of Rs. 50/- for the first day and Rs. 25/- for the subsequent day if the meeting extends beyond one day, alongwith T.A./D.A. as admissible to Grade I Officers of the Government of India. Thus, the total amount payable to the non-official Directors exceeds the 'compensatory allowance'. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the non-official Directors ought not to be exempt from disqualification.

*Board of Directors of the Central Fisheries Corporation Ltd.,
Calcutta (Ministry of Agriculture and Irrigation)*

11. The Committee note that the non-official Directors of the Central Fisheries Corporation Ltd. are entitled to T.A./D.A., which is less than the 'compensatory allowance'. But as the Board of Directors exercises executive and financial powers, the Committee feel that the non-official Directors ought not to be exempt from disqualification.

*Executive Council of the National Institute of Health Administration
and Education (Ministry of Health and Family Planning)*

12. The Committee note that the non-official members of the Executive Council of National Institute of Health Administration and Education are entitled to T.A./D.A., which is less than the 'compensatory allowance'. The Executive Council, however, exercises executive and financial powers and is in a position to wield influence. As such, the Committee feel that the non-official members, nominated by Government, ought not to be exempt from disqualification.

*Governing Body of the Central Council for Research in Indian
Medicine and Homoeopathy (Ministry of Health and Family
Planning)*

13. The Committee note that the non-official members of the Governing Body of the Central Council for Research in Indian Medicine and Homoeopathy are entitled to T.A./D.A., which is less than the 'compensatory allowance'. But the Governing Body exercises executive and financial powers and is in a position to wield influence. As such, the Committee feel that the non-official members nominated by Government ought not to be exempt from disqualification.

Andhra Pradesh Khadi and Village Industries Board

14. The Committee note that the Chairman of the Andhra Pradesh Khadi and Village Industries Board is entitled to an honorarium of Rs. 750/- per month which does not come within the ambit of 'compensatory allowances', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Other non-official members of the Board are entitled to a daily allowance of Rs. 21/- (Rs. 28/- in certain cases) and a sitting fee of Rs. 50/- per day. It is not clear from the material furnished by the State Government whether both D.A. and sitting fee are admissible for the days of the meetings. In case both D.A. and sitting fee are admissible for the same days, the total payment admissible to the non-official members

per day would exceed the 'compensatory allowance'. If both D.A. and sitting fee are not admissible for the same days, the total payment payable per day would not exceed the 'compensatory allowance'. However, as the Board exercises both executive and financial powers, the Committee feel that the membership of the Board (including the chairmanship) ought not to be exempt from disqualification.

Committee for the Management of the Government Handicrafts and Cottage Industries Emporium, Hyderabad (Andhra Pradesh)

15. The Committee note that the payment admissible to the non-official members of the Management Committee of the Government Handicrafts and Cottage Industries Emporium, Hyderabad, does not exceed the 'compensatory allowance'. However, the functions of the Committee are executive in nature. These include, *inter alia*, selection of candidates for appointment to posts in the Emporium. As such, the Committee feel that the membership of the Committee ought not to be exempt from disqualification.

Board of Directors of the Haryana Financial Corporation

16. The Committee note that the elected Directors of the Haryana Financial Corporation are entitled to a sitting fee of Rs. 75/- for attending the Board meetings, which is more than the 'compensatory allowance'. The Managing Director gets remuneration, which does not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Directors nominated by the State Government are entitled to a payment, which is less than the 'compensatory allowance'. The Directors nominated by other authorities such as by the Reserve Bank of India and the Industrial Finance Corporation of India are entitled to T.A./D.A. as per their own rules, the precise amount of which has not been indicated by the State Government. But as the Board of Directors of the Corporation exercises executive and financial powers, the Committee feel that the Directorship of the Corporation in so far as it is an office of profit under the Government ought not to be exempt from disqualification.

State Planning Board (Haryana)

17. The Committee note that the Deputy Chairman of the State Planning Board (Haryana) gets a salary of Rs. 1500/- per mensem and is also entitled to D.A. of Rs. 35/- per day. Other non-official members are entitled to a sitting fee which does not exceed the 'compensatory allowance'. The Board's functions are advisory in nature, and it does not exercise any executive or financial powers.

As such, the Committee feel that while ordinary non-official members of the Board ought to be exempt from disqualification, the Deputy Chairman, who *inter alia*, gets a salary, ought not to be exempt from disqualification.

State Working Committee on National Foundation for Teachers Welfare (Haryana)

18. The Committee note that the payment admissible to the non-official members of the State Working Committee on National Foundation for Teachers Welfare (Haryana) is less than the 'compensatory allowance'. But the Committee has financial powers. *Inter alia*, it has the power to make appointments, to grant financial assistance (including scholarships). As such, the Committee feel that the membership of the State Working Committee ought not to be exempt from disqualification.

Tripura State Labour Advisory Board

19. The Committee note that the rate of T.A./D.A., etc. payable to non-official members of the Tripura State Labour Advisory Board has not yet been fixed. According to the State Government, the Board does not exercise any executive or financial powers. As such, the Committee feel that the non-official members of the Board ought to be exempt from disqualification so long as the total payment per day in the form of T.A./D.A., etc. payable to them does not exceed the 'compensatory allowance'.

Evaluation Committee (Tripura)

20. The Committee note that the rate of T.A./D.A., etc. payable to non-official members of the Evaluation Committee (Tripura) has not yet been fixed. According to the State Government, the Committee does not exercise any executive and financial powers. As such, the Committee feel that the non-official members of the Committee ought to be exempt from disqualification so long as the total payment per day in the form T.A./D.A., etc. payable to them does not exceed the 'compensatory allowance'.

Advisory Board under the Maintenance of Internal Security Act, 1971 (Punjab)

21. The Committee note that the payment admissible to the non-official members of the Advisory Board under the Maintenance of Internal Security Act, 1971 (Punjab) exceeds the 'compensatory allowance'. Also, the functions of the Board are primarily judicial in character. As such, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Area Committees (Kerala)

22. The Committee note that the T.A./D.A. admissible to the non-official members of the Area Committees (Kerala) is less than the 'compensatory allowance'. But the Committees exercise executive and financial powers. However, the functions and powers of an Area Committee are similar to those of a State Wakf Board constituted under the Wakfs Act, 1954, section 24 of which declares that the offices of Chairman and members of a Wakf Board shall not disqualify for being members of Parliament. As such the Committee feel that the non-official members of an Area Committee also ought to be exempt from disqualification.

Kerala Toddy Workers Welfare Fund Board (Kerala)

23. The Committee note that the T.A./D.A. admissible to the non-official members of the Kerala Toddy Workers Welfare Fund Board (Kerala) is less than the 'compensatory allowance'. However, the Board exercises executive and financial powers. As such, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Kerala State Housing Board

24. The Committee note that the non-official Chairman of the Kerala State Housing Board gets an honorarium of Rs. 500/- per mensem which does not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Other non-official members are entitled to get T.A./D.A., which is less than the 'compensatory allowance'. However, as the functions of the Board are mainly executive and financial in nature, the Committee feel that the membership (including the chairmanship) of the Board ought not to be exempt from disqualification.

Kerala State Rural Development Board

25. The Committee note that the Chairman of the Kerala State Rural Development Board is *inter alia* paid an honorarium of Rs. 500/- per mensem which does not come within the ambit of 'compensatory allowance', as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Other non-official members are paid T.A./D.A. as admissible to Class I officers. They are also paid a sitting fee of Rs. 50/- per meeting. It is not clear from the information furnished by the State Government whether D.A. is admissible to the non-official members even on the days they are paid a sitting fee of Rs. 50/-. If it is admissible, the total payment

per day would exceed the 'compensatory allowance'. If D.A. is not payable on the days of sittings, the total payment would be less than the 'compensatory allowance'. However, as the Board exercises executive and financial powers, the Committee feel that the membership (including the chairmanship) of the Board ought not to be exempt from disqualification.

Joint Town Planning Committee, Calicut Region.

26. The Committee note that the T.A.|D.A. admissible to the non-official members of the Joint Town Planning Committee, Calicut Region is less than the 'compensatory allowance'. However, as according to the State Government the Joint Town Planning Committee exercises executive and financial powers, the Committee feel that its membership ought not to be exempt from disqualification.

Board of Directors of the Kerala Shipping Corporation Ltd.

27. The Committee note that the amount payable to the non-official Directors of the Kerala Shipping Corporation Ltd. in the form of fee exceeds the 'compensatory allowance'. Besides, the functions of the Board of Directors of the Corporation are executive and financial in nature. As such, the Committee feel that the Directorship of the Corporation, in so far as it is an office of profit under the Government, ought not to be exempt from disqualification.

Board of Directors of the Kerala Urban Development Finance Corporation Ltd. Calicut.

28. The Committee note that the Directors of the Kerala Urban Development Finance Corporation Ltd. are entitled to a sitting fee of Rs. 50|-. In addition to sitting fee, they are also entitled to TA|DA. Thus, the total payment per day admissible to them exceeds the 'compensatory allowance'. Besides, the functions of the Corporation are mainly financial in nature. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Kutch Wakf Board, Gujarat

29. The Committee note that the payment admissible to the non-official members of the Kutch Wakf Board, Gujarat is less than the 'compensatory allowance'. But the Board exercises financial powers. It has also the power to appoint *mutawallis* in certain cases. It can also be vested with the powers of a Civil Court while holding an enquiry under the Act. However, under section 24 of the Wakf Act, the offices of Chairman and members of the Board shall not disqualify, and shall be deemed never to have disqualified, the holders

thereof for being chosen as, or for being, Members of Parliament. As such, the Committee feel that the membership of the Board ought to be exempt from disqualification.

Advisory Board under the Maintenance of Internal Security Act, 1971-Gujarat.

30. The Committee note that the Chairman and other members of the Advisory Board under Maintenance of Internal Security Act, 1971, Gujarat are entitled to Rs. 60/- for every case of a detainee considered and advice given to Government. They are also entitled to travelling and daily allowance as admissible to a High Court Judge in addition to free conveyance, boarding and lodging on each occasion of their meeting for review of cases of detentions. The total amount admissible to the Chairman and members thus exceeds the 'compensatory allowance'. Also, the functions of the Board are judicial in nature. As such, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Board of Directors of the Gujarat Tribal Development Corporation

31. The Committee note that the payment admissible to the non-official Directors of the Gujarat Tribal Development Corporation exceeds the 'compensatory allowance'. Also, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Gujarat State Board of School Text Books

32. The Committee note that the payment admissible to the non-official members of the Gujarat State Board of School Text Books is less than the 'compensatory allowance'. However, the functions of the Board are mainly executive in nature. It has also the power to raise money and to spend it. As such, the Committee feel that non-official members of the Board ought not to be exempt from disqualification.

Board of Examiners for the State of Gujarat

33. The Committee note that the payment admissible to the members of the Board of Examiners for the State of Gujarat exceeds the 'compensatory allowance'. Also, the main function of the Board is to conduct examinations, which is in the nature of an executive function. As such, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Committee for the scrutiny of applications for loans for production of films on social, cultural, historical and other aspects of Gujarat

34. The Committee note that the payment admissible to non-official members of the Committee for the scrutiny of applications for loans for production of films on social, cultural, historical and other aspects of Gujarat is less than the 'compensatory allowance'. However, the Committee scrutinises applications for grant of loans for production of films on social, cultural, historical and other aspects and is thus in a position to wield influence. As such, the Committee feel that the non-official members of the Committee ought not to be exempt from disqualification.

State Industrial Research Committee (Gujarat).

35. The Committee note that the payment admissible to the non-official members of the State Industrial Research Committee, Gujarat is less than the 'compensatory allowance'. However, one of the functions of the Committee is to scrutinise applications for research grants, and to make suitable recommendations to Government. It is thus in a position to wield influence. As such, the Committee feel that the membership of the Committee ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Industries Corporation Ltd.

36. The Committee note that the payment admissible to the non-official Directors of the Tamil Nadu Industries Corporation Ltd., is less than the 'compensatory allowance'. However, the Board of Directors of the Corporation exercises executive and financial powers. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Small Industries Development Corporation Ltd.

37. The Committee note that the payment admissible to the non-official Directors of the Tamil Nadu Small Industries Development Corporation Ltd. is less than the 'compensatory allowance'. However, the Board of Directors of the Corporation exercises executive and financial powers. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Industrial Investment Corporation Ltd.

38. The Committee note that the non-official Directors of the Tamil Nadu Industrial Investment Corporation Ltd. are paid DA of Rs. 150/- and sitting fee of Rs. 25/-. Thus the payment admissible

to them exceeds the 'compensatory allowance'. Besides, the functions of the Corporation are executive and financial in nature. As such, the Committee feel that the Directorship of the Corporation, in so far as it is an office of profit under the Government, ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Sugarcane Farm Corporation Pvt. Ltd.

39. The Committee note that the non-official Director of the Tamil Nadu Sugarcane Farm Corporation Pvt. Ltd. is entitled to a sitting fee of Rs. 25/- and D.A. of Rs. 35/-. If both are admissible for the same day, the total sum would exceed the 'compensatory allowance'. If not, it would be less than the 'compensatory allowance'. However, as the Board of Directors of the Corporation exercises executive and financial powers, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

State Wakf Boards

40. The Joint Committee on Offices of Profit, while examining character, composition, etc. of the State Wakf Boards in general at their sitting held on the 4th December, 1974, had noted that section 24 of the Wakfs Act, 1954 declared that the offices of Chairman and Members of a State Wakf Board shall not disqualify and shall be deemed never to have disqualified, the holders thereof for being chosen as, or for being, Members of Parliament.

However, Part II of Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973 contained the following entry:

'Bihar Subai Majlis Awqaf'

That is, in terms of Section 2 of the Bill, if enacted, the Chairmanship of the Bihar Subai Majlis Awqaf would not be exempt from disqualification for Membership of Parliament.

The Committee had desired that the Ministry of Law, Justice and Company Affairs (Legislative Department) should be asked to reconcile the above anomaly.

The Ministry of Law, Justice and Company Affairs (Legislative Department) who were addressed in the matter have stated as follows in reply:

".....the entry 'Bihar Subai Majlis Awqaf' is an entry existing in the Parliament (Prevention of Disqualification) Act, 1959. Although the Wakf Act is of the year 1954

the Act was brought into force in the State of Bihar only on April 12, 1973.

Necessary amendment for deleting the said entry from the Parliament (Prevention of Disqualification) Amendment Bill, 1974, as passed by Lok Sabha will be moved when the Bill is taken up for consideration in Rajya Sabha."

The Committee agree with the action proposed to be taken by the Ministry of Law, Justice and Company Affairs (Legislative Department).

Bodies recommended for exemption from disqualification.

41. In regard to the following bodies, the Committee note that the non-official members thereof are either not entitled to any remuneration or the payment admissible to them is less than the 'compensatory allowance'. Besides, the functions of these bodies are mainly advisory in nature. As such, the Committee feel that the membership of these bodies ought to be exempt from disqualification:—

1. Informal Advisory Committee for Youth Programmes at 12 Radio Stations viz. Vijayawada, Bangalore, Indore, Gauhati, Shillong, Madras, Rajkot, Cuttack, Simla, Jullundur, Calicut and Dharwar (Ministry of Information and Broadcasting).
2. Advisory Board for the Collected Works of Mahatma Gandhi (Ministry of Information and Broadcasting).
3. Central Board of Forestry (Ministry of Agriculture and Irrigation).
4. Board of Agricultural Machinery and Implements (Ministry of Agriculture and Irrigation).
5. State Advisory Committee of the National Cadet Corps in the State of Himachal Pradesh (Ministry of Defence).
6. National Council set up under the Scheme for Joint Consultative Machinery and Compulsory Arbitration for Central Government Employees (Cabinet Secretariat).
7. Homeopathic Pharmacopoeia Committee (Ministry of Health and Family Planning).
8. Indian Pharmacopoeia Committee (Ministry of Health and Family Planning).
9. Drugs Technical Advisory Board (Ministry of Health and Family Planning).

10. Essential Drugs Committee (Ministry of Health and Family Planning).
11. Central Haj Advisory Board (Ministry of External Affairs).
12. State Advisory Board on Correctional Services (Andhra Pradesh).
13. District Probationary Advisory Committees (Andhra Pradesh).
14. Advisory Board at Central Prisons (Andhra Pradesh).
15. State Handicrafts Advisory Board (Andhra Pradesh).
16. Invention Advisory Committee (Pondicherry).
17. National Savings State Advisory Committee (Pondicherry).
18. State Advisory Board for Correctional Administration (Pondicherry).
19. Pondicherry State Planning Board.
20. Board of Visitors (Pondicherry).
21. Advisory Board (Pondicherry).
22. Management Committee for Service Home and Children's Home (Pondicherry).
23. Flood Control Board, Haryana.
24. The Haryana State Soldiers' Sailors' and Airmen's Board.
25. Freedom Fighter Relief Committee, Haryana.
26. Committee constituted for the purpose of revision of minimum rates of wages in the employment of Agriculture (Tripura).
27. Block Development Committee (Tripura).
28. Minimum Wages Committee (Andamans).
29. Minimum Wages Committee (Wood-based Industry) (Andamans).
30. Medical Sub-Committee (Andamans).
31. Price Control and Food Supplies Advisory Committee (Andamans).
32. Departmental Evaluation Committee for Forest Department (Andamans).
33. Central Library Committee (Punjab).

34. Press Accreditation Committee (Punjab).
35. Punjab State Submontane Areas Advisory Council.
36. Punjab State Border Areas Advisory Council.
37. Tapioka Market Expansion Board (Kerala).
38. Kerala State Social Welfare Advisory Board.
39. State Advisory Committee for Housing Department (Haryana).
40. High Level State Agricultural Production and Coordination Committee (Haryana).
41. State Advisory Committee for the Jails Department, (Haryana).
42. State Fertiliser Review Committee, (Haryana).
43. State Labour Advisory Board, (Haryana).
44. State Advisory Committee on Forests and Wild Life Preservation (Haryana).
45. Haryana State Social Welfare Advisory Board.
46. State Advisory Committee for the Town and Country Planning and Urban Estate Departments (Haryana).
47. State Council for Women Education (Haryana).
48. High Power Commission for Land Reforms (Gujarat).
49. Traffic Advisory Committee for Ahmedabad City (Gujarat).
50. Agricultural shrdlu wmetaoin shrdlu cmfwyp shrdlu mw operative Farming Societies under New Structure (Gujarat).
51. State Advisory Committee for Rabari and Bharwad Rehabilitation Scheme (Gujarat).
52. State Level Committee for Cooperative Consumers Stores (Gujarat).
53. Advisory Board for Kotar Reclamation and Afforestation Scheme (Gujarat).
54. Hybrid 4 cotton seed Production Programme—State level and District level Committee. (Gujarat).
55. Gujarat State Co-operative Council.
56. State Advisory Board on Correctional Administration (Gujarat).

57. Board of Visitors (Gujarat).
58. Committee for the award of prizes to films in Gujarat (Gujarat).
59. Committee for Gujarat State Press Accreditation.
60. Minimum Wages Advisory Committee for employment in various Trades (Tamil Nadu).
61. Press Consultative Committee (Tamil Nadu).
62. Press Accreditation Committee (Tamil Nadu).
63. State Level Advisory Committee for Co-operative Sugar Mills (Tamil Nadu).
64. Minimum Wages Advisory Committees (12 in all for various Industries)—(Gujarat).
65. Gujarat State Minimum Wages Advisory Board.
66. Panel of Assessors (Gujarat).

NEW DELHI;

S.B.P. PATTABHI RAMA RAO

July 24, 1975.

Chairman,

Joint Committee on Offices of Profit.

APPENDIX

(Vide para 2 of the Report)

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

I

Forty-Second Sitting

The Committee sat on Monday, the 9th June, 1975 from 16.00 to 16.30 hours.

PRESENT

Shri S. B. P. Pattabhi Rama Rao—Chairman

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Jagannathrao Joshi
4. Shri Z. M. Kahandole
5. Shri Arjun Sethi
6. Shri Ramavatar Shastri
7. Shri Ram Shekhar Prasad Singh

Rajya Sabha

8. Shri N. M. Kamble
9. Shri A. K. Refaye
- 10 Shri Yogendra Sharma.

SECRETARIAT

Shri Y. Sahai—Chief Legislative Committee Officer.

2. The Committee took up for consideration memoranda Nos. 637 to 682 relating to certain Committees|Boards| Corporations, etc. constituted by the Government of India|State Governments| Union Territory Administrations.

Haryana Financial Corporation—(Memo. No. 637)

3. The Committee noted that the elected Directors of the Haryana Financial Corporation were entitled to a sitting fee of Rs. 75 for

attending the Board meetings, which was more than the 'compensatory allowance'. The Managing Director got remuneration, which did not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Directors nominated by the State Government were entitled to a payment, which was less than the 'compensatory allowance'. The Directors nominated by other authorities such as by the Reserve Bank of India and the Industrial Finance Corporation of India were entitled to TA|DA as per their own rules, the precise amount of which had not been indicated by the State Government. But as the Board of Directors exercised executive and financial powers, the Committee felt that the Directorship of the Corporation in so far as it was an office of profit under the Government ought not to be exempt from disqualification.

Tripura State Labour Advisory Board (Memorandum No. 641)

4. The Committee noted that the rate of TA|DA, etc. payable to non-official members of the Tripura State Labour Advisory Board had not yet been fixed. According to the State Government, the Board did not exercise any executive or financial powers. As such, the Committee felt that the non-official members of the Board ought to be exempt from disqualification so long as the total payment per day in the form of TA|DA, etc., payable to them did not exceed the 'compensatory allowance'.

Evaluation Committee (Tripura) (Memorandum No. 642)

5. The Committee noted that the rate of TA|DA, etc., payable to non-official members of the Evaluation Committee (Tripura) had not yet been fixed. According to the State Government, the Committee did not exercise any executive and financial powers. As such, the Committee felt that the non-official members of the Committee ought to be exempt from disqualification so long as the total payment per day in the form of TA|DA, etc., payable to them did not exceed the 'compensatory allowance'.

Advisory Board under the Maintenance of Internal Security Act, 1971 (Punjab) (Memorandum No. 650)

6. The Committee noted that the payment admissible to the non-official members of the Advisory Board under the Maintenance of Internal Security Act, 1971 (Punjab) exceeded the 'compensatory allowance'. Also, the functions of the Board were primarily judicial in character. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

Area Committees (Kerala)—Memorandum No. 656

7. The Committee noted that the T.A./D.A. admissible to the non-official members of the Area Committees (Kerala) was less than the 'compensatory allowance'. But the Committees exercised executive and financial powers. However, the functions and powers of an Area Committee were similar to those of a State Wakf Board constituted under the Wakfs Act, 1954 section 24 of which declared that the offices of Chairman and members of a Wakf Board shall not disqualify for being members of Parliament. As such, the Committee felt that the non-official members of an Area Committee also ought to be exempt from disqualification.

Kerala Toddy Workers Welfare Fund Board (Kerala)—Memorandum No. 658

8. The Committee noted that the TA/DA admissible to the non-official members of the Kerala Toddy Workers Welfare Fund Board (Kerala) was less than the 'compensatory allowance'. However, the Board exercised executive and financial powers. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

Kerala State Housing Board—Memorandum No. 659

9. The Committee noted that the non-official Chairman of the Kerala State Housing Board got an honorarium of Rs. 500 per mensem which did not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Other non-official members were entitled to get TA/DA, which was less than the 'compensatory allowance'. However, as the functions of the Board were mainly of executive and financial nature, the Committee felt that the membership including Chairmanship of the Board ought not to be exempt from disqualification.

Kerala State Rural Development Board—Memorandum No. 660

10. The Committee noted that the Chairman of the Kerala State Rural Development Board was, *inter alia* paid an honorarium of Rs. 500 per mensem which did not come within the ambit of 'compensatory allowance', as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The other non-official members were paid TA/DA admissible to Class I officers. They were also paid a sitting fee of Rs. 50 per meeting. It was not clear from the information furnished by the State Government whether D.A. was admissible to the non-official members even on the days

they were paid a sitting fee of Rs. 50. If it was admissible, the total payment per day would exceed the 'compensatory allowance'. If DA was not payable on the days of sittings, the total payment would be marginally less than the 'compensatory allowance'. However, as the Board exercised executive and financial powers, the Committee felt that the membership (including Chairmanship) of the Board ought not to be exempt from disqualification.

Joint Town Planning Committee, Calicut Region—Memorandum No. 661

11. The Committee noted that the TA/DA admissible to the non-official members of the Joint Town Planning Committee, Calicut Region was less than the 'compensatory allowance'. However, in reply to a question, the State Government had clarified that the Committee exercised executive and financial powers. As such, the Committee felt that the membership of the Joint Town Planning Committee ought not to be exempt from disqualification.

Board of Directors of the Kerala Shipping Corporation Ltd.—Memorandum No. 663

12. The Committee noted that the amount payable to the non-official Directors in form of fee exceeded the 'compensatory allowance'. Besides, the functions of the Board of Directors were executive and financial in nature. As such, the Committee felt that the Directorship of the Corporation, in so far as it was an office of profit under the Government, ought not to be exempt from disqualification.

Board of Directors of the Kerala Urban Development Finance Corporation Ltd., Calicut—Memorandum No. 664

13. The Committee noted that the Directors of the Kerala Urban Development Finance Corporation Ltd. were entitled to a sitting fee of Rs. 50. In addition to sitting fee, they were also entitled to TA/DA. Thus, the total payment per day admissible to them exceeded the 'compensatory allowance'. Besides, the functions of the Corporation were mainly financial in nature. As such, the Committee felt that the Directorship of the Corporation ought not to be exempt from disqualification.

State Planning Board (Haryana)—Memorandum No. 665

14. The Committee noted that the Deputy Chairman of the State Planning Board got a salary of Rs. 1,500 per mensem and was also entitled to a DA of Rs. 35 per day. Besides, he was entitled to all other privileges admissible to a Minister of the Cabinet rank. Other

non-official members were entitled to a sitting fee which did not exceed the 'compensatory allowance'. The Board's functions were advisory in nature, and it did not exercise any executive or financial powers. As such, the Committee felt that while ordinary non-official members of the Board ought to be exempt from disqualification, the Deputy Chairman, who *inter alia*, got a salary, ought not to be exempt from disqualification.

State Working Committee on National Foundation for Teachers Welfare—(Haryana)—Memorandum No. 674

15. The Committee noted that the payment admissible to the non-official members of the State Working Committee on National Foundation for Teachers Welfare was less than the 'compensatory allowance'. But the Committee had financial powers. *Inter alia*, it had the power to make appointments, to grant financial assistance (including scholarship). As such, the Committee felt that the membership of the State Working Committee ought not to be exempt from disqualification.

Board of Directors of the State Farms Corporation of India Limited (Ministry of Agriculture and Irrigation) Memorandum No. 676

16. The Committee noted that the non-official Directors of the State Farms Corporation of India Ltd. were entitled to a sitting fee of Rs. 100 for each meeting of the Board. In addition, they were paid as incidental expenses and halting allowance for each meeting a fixed sum of Rs. 50 for the first day and Rs. 25 for each subsequent day, alongwith TA as admissible to Grade I Officer. The total amount thus payable to the Directors exceeded the 'compensatory allowance'. Besides, the Board of Directors exercised executive and financial powers. As such, the Committee felt that the non-official Directors, if any, appointed on the Board, ought not to be exempt from disqualification.

National Seeds Corporation Ltd.. (Ministry of Agriculture and Irrigation) Memorandum No. 680

17. The Committee noted that the non-official Directors of the National Seeds Corporation Ltd., were entitled to a sitting fee of Rs. 100 for each meeting of the Board of Directors. In addition, they were entitled to incidental expenses of Rs. 50 for the first day and Rs. 25 for the subsequent day if the meeting extended beyond one day, alongwith TA/DA as admissible to Grade I officers of Government of India. Thus, the total amount payable to the non-official Directors exceeded the 'compensatory allowance'. Besides, the Board of Directors exercised executive and financial powers. As such, the Committee felt that the non-official Directors (including Chairman) ought not to be exempt from disqualification.

Central Fisheries Corporation Ltd., Calcutta (Ministry of Agriculture and Irrigation)—Memorandum No. 681

18. The Committee noted that the non-official Directors of the Central Fisheries Corporation Ltd., were entitled to TA|DA, which was less than the 'compensatory allowance'. But the Board of Directors exercised executive and financial powers. As such, the Committee felt that non-official Directors ought not to be exempt from disqualification.

State Wakf Board—Memorandum 682

19. The Joint Committee on Offices of Profit, while examining Memorandum No. 447 relating to State Wakf Boards at their sitting held on the 4th December, 1974, had noted that section 24 of the Wakfs Act, 1954 declared that the offices of Chairman and Members of a State Wakf Board shall not disqualify, and shall be deemed never to have disqualified, the holders thereof for being chosen as or for being, Members of Parliament.

However, Part II of Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973 contained the following entry:

'Bihar Subai Majlis Awqaf'

That is, in terms of Section 2 of the Bill, if enacted, the Chairmanship of the Bihar Subai Majlis Awqaf would not be exempt from disqualification for membership of Parliament.

The Committee had desired that the Ministry of Law, Justice and Company Affairs (Legislative Department) should be asked to reconcile the above anomaly.

The Ministry of Law, Justice and Company Affairs (Legislative Department) who were addressed in the matter stated as follows in reply:

"....the entry 'Bihar Subai Majlis Awqaf' is an entry existing in the Parliament (Prevention of Disqualification) Act, 1959. Although the Wakf Act is of the year 1954 the Act was brought into force in the State of Bihar only on April 12, 1973.

Necessary amendment for deleting the said entry from the Parliament (Prevention of Disqualification) Amendment Bill, 1974, as passed by Lok Sabha will be moved when the Bill is taken up for consideration in Rajya Sabha."

The Committee agreed with the action proposed to be taken by the Ministry of Law, Justice and Company Affairs (Legislative Department).

In regard to the following bodies, the Committee noted that the non-official members thereof either did not get any TA/DA, etc., or the amount of TA/DA admissible to them was less than the 'compensatory allowance'. Besides, the functions of these bodies were mainly advisory in nature. As such, the Committee recommended that the membership of these bodies ought to be exempt from disqualification:—

- (1) Flood Control Board, Haryana (Memo. No. 638).
- (2) The Haryana State Soldiers' Sailors and Airmens' Board. (Memo. No. 639).
- (3) Freedom Fighter Relief Committee, Haryana (Memo. No. 640).
- (4) Committee constituted for the purpose of revision of minimum rates of wages in the employment of Agriculture (Tripura) (Memo. No. 643).
- (5) Block Development Committee (Tripura) (Memo. No. 644).
- (6) Minimum Wages Committee (Andamans) (Memo. No. 645).
- (7) Minimum Wages Committee (Wood-based Industry) (Andamans) (Memo. No. 646).
- (8) Medical Sub-Committee (Andamans) (Memo. No. 647).
- (9) Price Control and Food Supplies Advisory Committee (Andamans) (Memo. No. 648).
- (10) Departmental Evaluation Committee for Forest Department (Andamans) (Memo. No. 649).
- (11) Central Library Committee (Punjab) (Memo. No. 651).
- (12) Press Accreditation Committee (Punjab) (Memo. No. 652).
- (13) Punjab State Submontane Areas Advisory Council (Memo. No. 653).
- (14) Punjab State Border Areas Advisory Council (Memo. No. 654).
- (15) Central Haj Advisory Board (Ministry of External Affairs) (Memo. No. 655).

- (16) Tapioka Market Expansion Board (Kerala) (Memo. No. 657).
- (17) Kerala State Social Welfare Advisory Board (Memo. No. 662).
- (18) State Advisory Committee for Housing Department, Haryana (Memo. No. 666).
- (19) High Level State Agricultural Production and Co-ordination Committee (Haryana) (Memo. No. 667).
- (20) State Advisory Committee for the Jails Department, Haryana (Memo. No. 668).
- (21) State Fertiliser Review Committee, Haryana (Memo. No. 669).
- (22) State Labour Advisory Board, Haryana (Memo. No. 670).
- (23) State Advisory Committee on Forests and Wild Life Preservation (Haryana) (Memo. No. 671).
- (24) Haryana State Social Welfare Advisory Board (Memo. No. 672).
- (25) State Advisory Committee for the Town and Country Planning and Urban Estate Departments (Haryana) (Memo. No. 673).
- (26) State Council for Women Education (Haryana) (Memo. No. 675).
- (27) Central Board of Forestry (Ministry of Agriculture and Irrigation) (Memo. No. 677).
- (28) Board of Agricultural Machinery and Implements (Ministry of Agriculture and Irrigation) (Memo. No. 678).
- (29) State Advisory Committee of the National Cadet Corps in the State of Himachal Pradesh (Ministry of Defence) (Memorandum No 679).

The Committee then adjourned.

II

Forty-third Sitting

The Committee sat on Monday, the 7th July, 1975 from 11.00 to 12.00 hrs.

PRESENT

Shri S. B. P. Pattabhi Rama Rao—*Chairman*

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Z. M. Kahandole
5. Shri S. M. Siddayya
6. Shri Arjun Sethi
7. Shri Ramavatar Shastri
8. Shri Ram Shekhar Prasad Singh

Rajya Sabha

9. Shri N. M. Kamble
10. Shri A. K. Refaye
11. Shri Venigalla Satyanarayana
12. Shri Yogendra Sharma

SECRETARIAT

Shri Y. Sahai—*Chief Legislative Committee Officer.*

2. The Committee took up for consideration memoranda Nos. 683 to 724 relating to certain Committees|Boards|Corporations, etc. constituted by the Government of India and State Governments.

Kutch Wakf Board-(Memorandum No. 683)

3. The Committee noted that the payment admissible to the non-official members of the Kutch Wakf Board, Gujarat was less than the 'compensatory allowance'. But the Board exercised financial powers. It had also the power to appoint mutawallis in certain cases. It could also be vested with the powers of a Civil Court while holding an enquiry under the Act. However, under section 24 of the Wakf Act the offices of Chairman and members of the Board would not disqualify and would be deemed never to have disqualified, the holders thereof for being chosen as, or for being Member.

of Parliament. As such, the Committee felt that the membership of the Board ought to be exempt from disqualification.

Advisory Board under the Maintenance of Internal Security Act, 1971-Gujarat (Memorandum No. 686)

4. The Committee noted that the Chairman and other members of the Advisory Board under Maintenance of Internal Security Act, 1971, Gujarat were entitled to Rs. 60/- for every case of a detainee considered and advice given to Government. They were also entitled to travelling and daily allowance as admissible to a High Court Judge in addition to free conveyance, boarding and lodging on each occasion of their meeting for review of cases of detentions. The total amount admissible to the Chairman and members (including the monetary value of the perquisites) thus exceeded the 'compensatory allowance'. Also, the functions of the Board were judicial in nature. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

Minimum Wages Advisory Committees (12 in all for various industries) (Gujarat)-(Memorandum No. 687)

5. The Committee noted that the TA/DA admissible to the non-official members of the Minimum Wages Advisory Committees, Gujarat was less than the 'compensatory allowance'. The Chairman was, however, entitled to a payment of Rs. 100/- per mensem, in addition to TA/DA. The amount of Rs. 100/- per mensem did not come within the ambit of 'compensatory allowance'. However, the amount was too small to constitute 'profit' and it might be treated as a sum for meeting out-of-pocket expenses. The Committee also noted that the functions of the Committees were mainly advisory in nature. As such, the Committee felt that the membership (including Chairmanship) of the Committees ought to be exempt from disqualification.

Gujarat State Minimum Wages Advisory Board—(Memorandum No. 688)

6. The Committee noted that the TA/DA admissible to the non-official members of the Gujarat State Minimum Wages Advisory Board was less than the 'compensatory allowance'. The Chairman was, however, entitled to a payment of Rs. 100/- per mensem as honorarium, in addition to TA/DA. The amount of Rs. 100/- per mensem did not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. However, the amount was too small to constitute profit and it might be treated as a sum for meeting out-of-pocket

expenses. Besides, the functions of the Committee were mainly advisory in nature. As such, the Committee felt that the membership (including Chairmanship) of the Board ought to be exempt from disqualification.

**Board of Directors of the Gujarat Tribal-Development Corporation—
(Memorandum No. 689)**

7. The Committee noted that the payment admissible to the non-official Directors of the Gujarat Tribal Development Corporation exceeded the 'compensatory allowance'. Also, the Board of Directors exercised executive and financial powers. The Corporation might *inter alia* give on hire agricultural or industrial machinery or equipment to the members of Scheduled Tribes or Scheduled Tribes Organisations. It might also give grants and subsidies to the members of the Scheduled Tribes and was in a position to wield influence. As such, the Committee felt that the Directorship of the Corporation ought not to be exempt from disqualification.

The Gujarat State Board of School Text Books—(Memorandum No. 690)

8. The Committee noted that the payment admissible to the non-official members of the Gujarat State Board of School Text-Books was less than the 'compensatory allowance'. However, the functions of the Board were mainly executive in nature. It had also the power to raise money and to spend it. As such, the Committee felt that the non-official members of the Board ought not to be exempt from disqualification.

Panel of Assessors (Gujarat)—(Memorandum No. 691)

9. The Committee noted that no remuneration was paid to members of the Panel of Assessors, Gujarat. As 'pecuniary gain' had been held to be an essential ingredient of 'profit' the membership of the Panel would not constitute an office of profit within the meaning of Article 102(1)(a) of the Constitution. Also, the functions of the Panel were only advisory. As such, the Committee felt that the membership of the Panel ought to be exempt from disqualification.

Board of Examiners for the State of Gujarat—(Memorandum No. 692)

10. The Committee noted that the payment admissible to the members of the Board of Examiners for the State of Gujarat exceeded the 'compensatory allowance'. Also, the main function of the Board was to conduct examinations, which was in the nature of an executive function. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

The Committee for the scrutiny of applications for loans for production of films on social, cultural, historical and other aspects of Gujarat-(Memorandum No. 704).

11. The Committee noted that the payment admissible to non-official members of the Committee for the scrutiny of applications for loans for production of films on social, cultural, historical and other aspects of Gujarat was less than the 'compensatory allowance'. However, the Committee scrutinised applications for grant of loans for production of films on social, cultural, historical and other aspects and was thus in a position to wield influence. As such, the Committee felt that the non-official members of the Committee ought not to be exempt from disqualification.

State Industrial Research Committee (Gujarat)-Memorandum No. 705)

12. The Committee noted that the payment admissible to the non-official members of the State Industrial Research Committee, Gujarat was less than the 'compensatory allowance'. The Committee further noted that one of the functions of the Committee was to scrutinise applications for research grants, and to make suitable recommendations to Government. It was thus in a position to wield influence. As such the Committee felt that the membership of the Committee ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Industries Corporation Ltd.— (Memorandum No. 706)

13. The Committee noted that the payment admissible to the non-official Directors of the Tamil Nadu Industries Corporation Ltd. was less than the 'compensatory allowance'. However, the Board exercised executive and financial powers. As such, the Committee felt that the directorship of the Corporation ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Small Industries Development Corporation Ltd.-(Memorandum No. 707)

14. The Committee noted that the payment admissible to the non-official directors of the Tamil Nadu Small Industries Development Corporation Ltd. was less than the 'compensatory allowance'. However, the Board of Directors of the Corporation exercised executive and financial powers. As such, the Committee felt that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Directors of the Tamil Nadu Industrial Investment Corporation Ltd.—(Memorandum No. 708)

15. The Committee noted that the non-official Directors of the Tamil Nadu Industrial Investment Corporation Ltd. were paid DA of Rs. 150/- and sitting fee of Rs. 25/-. Thus the payment admissible to them exceeded the 'compensatory allowance'. Besides, the functions of the Corporation were executive and financial in nature. As such, the Committee felt that the Directorship of the Corporation, in so far as it was an office of profit under the Government, ought not to be exempt from disqualification.

The Board of Directors of the Tamil Nadu Sugarcane Farm Corporation Pvt. Ltd.—(Memorandum 714).

16. The Committee noted that the non-official Director who is an M.L.A. was entitled to a sitting fee of Rs. 25/- and a D.A. of Rs. 35/-. If both were admissible for the same day, the total sum would exceed the 'compensatory allowance'. However, the Board of Directors of the Corporation exercised executive and financial powers. As such, the Committee felt that the Directorship of the Corporation ought not to be exempt from disqualification.

Executive Council of National Institute of Health Administration and Education (Ministry of Health and Family Planning)—(Memorandum No. 717).

17. The Committee noted that the non-official members of the Executive Council of National Institute of Health Administration and Education were entitled to TA/DA which was less than 'compensatory allowance'. The Executive Council, however, exercised executive and financial powers and was in a position to wield influence. As such, the Committee felt that the non-official members, nominated by Government ought not to be exempt from disqualification.

Governing Body of India Council of Medical Research (Ministry of Health and Family Planning)—(Memorandum No. 719).

18. The Committee noted that the non-official members of the Governing Body of Indian Council of Medical Research were entitled to TA/DA which was less than the 'compensatory allowance'. The Governing Body, however, exercised executive and financial powers. But as all the non-official members were either elected or nominated by various bodies, they would not incur disqualification as envisaged under Article 102 of the Constitution. The Committee, therefore, felt that the membership of the Governing Body ought to be exempt from disqualification.

Governing Body of the Central Council for Research in Indian Medicine and Homoeopathy (Ministry of Health and Family Planning)—(Memorandum No. 720).

19. The Committee noted that the non-official members of the Governing Body of the Central Council for Research in Indian Medicine and Homoeopathy were entitled to TA/DA which was less than the 'compulsory allowance'. But the Governing Body exercised executive and financial powers and was in a position to wield influence. As such, the Committee felt that the non-official members nominated by Government ought not to be exempt from disqualification.

20. The Committee deferred consideration of the following Memoranda pending receipt of further information on certain points from the State Governments Ministry concerned:—

- (1) Memorandum No. 694 regarding Advisory Committee at State level for Planning orders of Plants and Machinery for sugar factories (Government of Gujarat).
- (2) Memorandum No. 709 regarding Central Board of Indian Medicine (Government of Tamil Nadu).
- (3) Memorandum No. 716 regarding General Council of the National Institute of Health Administration and Education (Ministry of Health and Family Planning).
- (4) Memorandum No. 721 regarding New Drug Committee (Ministry of Health and Family Planning).

21. In regard to the following bodies, the Committee noted that the non-official members thereof were either not entitled to any remuneration or were entitled to TA and DA which was less than the 'compensatory allowance'. Besides, the functions of these bodies were mainly advisory in nature. As such, the Committee recommended that the membership of these bodies ought to be exempt from disqualification:—

- (1) High Power Commission for Land Reforms (Gujarat) (Memorandum No. 684).
- (2) Traffic Advisory Committee for Ahmedabad City (Gujarat) (Memorandum No. 685).
- (3) Agricultural Advisory Committee for organisation of Co-operative Farming Societies under New Structure (Gujarat) (Memorandum No. 693).

- (4) State Advisory Committee for Rabari and Bharwad Rehabilitation Scheme (Gujarat) (Memorandum No. 695).
- (5) State Level Committee for Cooperative Consumers Stores (Gujarat) (Memorandum No. 696).
- (6) Advisory Board for Kotar Reclamation and Afforestation Scheme (Gujarat) (Memorandum No. 697).
- (7) Hybrid 4 cotton seed Production programme—State level and District level Committee (Memorandum No. 698).
- (8) Gujarat State Co-operative Council (Memorandum No. 699).
- (9) State Advisory Board on Correctional Administration (Gujarat) (Memorandum No. 700).
- (10) Board of Visitors (Gujarat) (Memorandum No. 701).
- (11) Committee for the award of prizes to films in Gujarati (Gujarat) (Memorandum No. 702).
- (12) Committee for Gujarat State Press Accreditation (Memorandum No. 703).
- (13) Minimum Wages Advisory Committees for employment in various Trades (Tamil Nadu) (Memorandum No. 711).
- (14) Press Consultative Committee (Tamil Nadu) (Memorandum No. 711).
- (15) Press Accreditation Committee (Tamil Nadu) (Memorandum No. 712).
- (16) State Level Advisory Committee for Co-operative Sugar Mills (Tamil Nadu) (Memorandum No. 713).
- (17) National Council set up under the Scheme for Joint Consultative Machinery and Compulsory Arbitration for Central Government Employees (Cabinet Secretariat) (Memorandum No. 715).
- (18) Homoeopathic Pharmacopoeia Committee (Ministry of Health and Family Planning) (Memorandum No. 718).
- (19) Indian Pharmacopoeia Committee (Ministry of Health and Family Planning) (Memorandum No. 722).
- (20) Drugs Technical Advisory Board (Ministry of Health and Family Planning) (Memorandum No. 723).

(21) Essential Drugs Committee (Ministry of Health and Family Planning) (Memorandum No. 724).

22. The Committee then adjourned.

III

FORTY-FOURTH SITTING

The Committee sat on Thursday, the 24th July, 1975 from 10.30 hrs. to 10.50 hrs.

PRESENT

Shri S. B. P. Pattabhi Rama Rao—*Chairman*

MEMBERS

Lok Sabha

2. Shri Jagannathrao Joshi
3. Shri Z. M. Kahandole
4. Shri S. M. Siddayya
5. Shri Arjun Sethi
6. Shri Ramavatar Shastri

Rajya Sabha

7. Shri N. M. Kamble
8. Shri Venigalla Satyanarayana
9. Shri Yogendra Sharma

SECRETARIAT

Shri H. S. Kohli—*Legislative Committee Officer.*

2. The Committee considered their draft Fourteenth Report and adopted it.

3. The Committee decided that the Report might be presented to Lok Sabha on the 25th July, 1975 and laid on the Table of Rajya Sabha on the same day.

4. The Committee authorised the Chairman and, in his absence, Shri Arjun Sethi to present the Report to Lok Sabha on their behalf.

5. The Committee authorised Shri N. M. Kamble and, in his absence, Shri Venigalla Satyanarayana to lay the Report on the Table of Rajya Sabha.

6. The Committee then adjourned to meet again on Wednesday, the 6th August, 1975.