

JOINT COMMITTEE ON OFFICES OF PROFIT

(FIFTH LOK SABHA)

SEVENTH REPORT

(Presented on the 21st December, 1973)



LOK SABHA SECRETARIAT
NEW DELHI

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

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

COMPOSITION OF THE JOINT COMMITTEE

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

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Jagannathrao Joshi
5. Shri Z. M. Kahandole
6. Shri Pratap Singh
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 S. A. Khaja Mohideen
13. Shri Sanda Narayanappa
14. Shri Venigalla Satyanarayana
- **15. Shri Yogendra Sharma

SECRETARIAT

Shri P. K. Patnaik—Joint Secretary.

Shri H. G. Paranjpe—Deputy Secretary.

*Elected by Lok Sabha on the 6th December, 1973, vice Shri Dharindhar 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.

REPORT OF THE JOINT COMMITTEE

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 Seventh Report of the Committee.

2. The Committee held three sittings on the 27th October and 10th and 19th December, 1973. At their sitting held on the 27th October, 1973, the Committee heard the evidence of the representatives of the Ministries of Defence, Home Affairs, Information & Broadcasting and Planning Commission on the question of delayed and incomplete furnishing of information. Minutes of the sittings form part of the Report and are at Appendix III.

3. The Committee considered the composition, character, functions etc. of 50 Committees|Boards|Corporations, etc. constituted by the Central Government|State Governments and Union Territories and the emoluments and allowances payable to their members. Their views on 36 bodies are contained in this Report.

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 and State Governments and Union Territories on a request made by the Lok Sabha Secretariat.

5. The Committee considered and adopted the Report on the 19th December, 1973.

6. The recommendations of the Committee in respect of the Committees|Boards|Corporations, etc. examined by them and the question of delayed|incomplete supply of information are given in the succeeding paragraphs.

II. COMMITTEES|BOARDS|CORPORATIONS ETC., CONSTITUDED BY CENTRAL AND STATE GOVERNMENTS|UNION TERRITORIES.

Hindustan Aeronautics Ltd., Bangalore

7. The Committee note that the non-official Directors of the Company are entitled to a sitting fee of Rs. 150/- for each meeting of the

Board of Directors. They are also entitled to incidental expenses and halting allowance for each meeting a fixed sum of Rs. 100/- for the first day and Rs. 50/- for each subsequent day of meeting. Besides, the Board of Directors exercise executive and financial powers.

As such, the Committee recommend that the Directorship of the Company ought not to be exempted from disqualification.

Aeronautics (Research and Development) Board

8. The Committee note that the non-official members of the Board are entitled to T.A. and D.A. as per rules issued by the Ministry of Finance in this regard and as made applicable on the Defence side by the Ministry of Defence, which amounts to less than 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. However, the Committee further note that the Board exercises wide powers—both executive and financial—and is in a position to wield influence and patronage.

As such, the Committee recommend that the membership of the Board ought not to be exempted from disqualification.

Film Finance Corporation Ltd., Bombay

9. The Committee note that the non-official Directors of the Corporation are entitled to a sitting fee of Rs. 50/- plus incidental expenses and halting allowance of Rs. 50/- for the first day and Rs. 25/- for the subsequent day of the meeting which exceeds the compensatory allowance. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee recommend that the Directorship of the Corporation, including Chairmanship, ought not to be exempted from disqualification.

Panel Committee, Films Division, Bombay

10. The Committee note that the non-official members of the above Committee are not entitled to any remuneration other than T.A. and D.A. according to Ministry of Finance rules which is less than compensatory allowance.

The Committee, however, further note that the said Committee does exercise power and is in a position to wield influence.

As such, the Committee recommend that the membership of the Committee ought not to be exempted from disqualification.

(i) *Consultative Committee for National Programmes of Music, A.I.R.*

- (ii) *Consultative Committee for National Programmes of Talks| Discussions in English, A.I.R.*
- (iii) *Consultative Committee for National Programmes of Talks| Discussions in Hindi, A.I.R.*

11. The Committee note that the non-official members of the above three Committees are entitled to an honorarium of Rs. 50/- each plus T.A. and D.A. according to the Ministry of Finance rules in this regard which will exceed the compensatory allowance.

As such, the Committee recommend that the membership of these Consultative Committees ought not to be exempted from disqualification.

Informal Consultative Panel for Documentary Films and Newsreels, Bombay.

12. The Committee note that the non-official members of the Panel are entitled to a Consultancy fee of Rs. 100/- per meeting which is more than compensatory allowance.

As such, the Committee recommend that the membership of the Panel ought not to be exempted from disqualification.

Advisory Committee in Irrigation, Flood Control and Power Projects

13. The Committee note that the two non-official members of the above Committee, as and when appointed, will be paid an honorarium of Rs. 5000/- each per annum besides T.A. and D.A. as admissible to Grade I Officers of the Government of India which will exceed the compensatory allowance. The Committee also note that though advisory in nature, the said Committee appears to wield influence and power.

As such, the Committee recommend that the non-official members (as and when appointed) ought not to be exempted from disqualification.

Metropolitan Transport Team

14. The Committee note that the non-official Chairman of the Metropolitan Transport Team is getting an honorarium of Rs. 1500/- per month alongwith T.A. and D.A. which is ~~more~~ than compensatory allowance. The Committee further note that other non-official members are entitled to T.A. and D.A. (Rs. 30/-) only.

As such, the Committee recommend that the Chairmanship of the Team ought not to be exempted from disqualification but membership ought to be

Pradesh Council of Arunachal Pradesh

15. The Committee note that the Council is constituted of two Members of Parliament—(1 for each House) both representing Arunachal Pradesh; the Vice-President of all the five Zila Parishads; three representatives from each of the Zila Parishads to be elected by the Members thereof from amongst themselves and three persons to be nominated by the Administrator to provide representation for such tribes or communities as have not obtained any representation in the Council. The Committee feel that the members of the first three categories either hold office *ex-officio* or are elected and thus do not hold office under the Government. The Committee are, however, of the opinion that the persons to be nominated by the Administrator (last category) will hold an office of profit as they will be entitled to a salary of Rs. 250/- per mensem. As such, the Committee recommend that only nominated members, if non-officials, ought not to be exempted from disqualification.

Committee to Implement Schemes under the Educated Unemployed Programme

16. The Committee note that the non-official members of the above Committee are entitled to T.A. and D.A. which is less than compensatory allowance.

The Committee further note that the said Committee exercises executive powers in selecting suitable candidates for setting up Small Scale Industries Units. The said Committee also assists the candidates in getting finance and is thus in a position to wield influence and patronage. As such, the Committee recommend that the membership of the said Committee ought not to be exempted from disqualification.

Fisheries Advisory Board

17. At their sitting held on the 16th August, 1973, the Joint Committee on Offices of Profit, while examining the character, composition and functions of the Board had desired to get clarification from the Government of Tamil Nadu whether the Board functioned in advisory capacity with regard to the assistance rendered in money, material and equipment or it was responsible for their disburse-

ment to fishermen as well. In their reply, the Government of Tamil Nadu stated as under:—

“The State Fisheries Advisory Board is only an advisory body. It has no authority for executing its recommendations nor is it vested with powers to disburse any assistance to fishermen. The recommendations of the Board are examined by the Government and are accepted wherever feasible.”

In the light of the above reply the Committee are definitely of the view that the members of the Fisheries Advisory Board cannot wield any influence or patronage.

The Committee further note that the non-official members of the Board are entitled to T.A. at the rate admissible to non-official members of a First Class Committee and D.A. at the rate of Rs. 10/- per day which is less than the compensatory allowance.

As such, the Committee recommend that the membership of the Board ought to be exempted from disqualification.

18. In regard to the bodies specified in Appendix I, the Committee note that the non-official members thereof are entitled to T.A. and D.A. which is less than compensatory allowance.

Besides, the functions of these bodies are mainly advisory in nature. As such, the Committee recommend that the membership of these bodies ought to be exempted from disqualification.

III. NON-SUPPLY|DELAYED SUPPLY|INCOMPLETE SUPPLY OF INFORMATION BY THE MINISTRIES|DEPARTMENTS OF GOVERNMENT OF INDIA IN RESPECT OF BODIES CONSTITUTED BY THEM

19. In July, 1971—soon after their constitution, the Joint Committee on Offices of Profit (Fifth Lok Sabha) desired all the Ministries|Departments of Government of India to furnish information in respect of the following categories of Committees|Boards|Corporations, etc. constituted by Government for which they were responsible:—

- (i) the existing committees|Boards|Corporations, etc. constituted by Government which had not so far been examined by the Joint Committee on Offices of Profit;
- (ii) the existing committees|Boards|Corporations, etc. constituted by Government which, although had already been examined by the Joint Committee on Offices of Profit, but

whose constitution (including payment of TA|DA etc. to the members) had undergone any change since their examination by the Committee in the past; and

(iii) the committees|Boards|Corporations, etc. which might be constituted|established by Government in future.

The Ministries|Departments were asked not to furnish information in respect of the committees|Boards|Corporations, etc. which were composed wholly of officials or which had been constituted for a temporary period or which had ceased to exist.

20. At their sitting held on 29-6-1973, the Committee noted with regret that as many as 12 Ministries|Departments of Government (Appendix II) had not furnished any information to the Committee till March, 1973—i.e., nearly 21 months after the Committee had addressed them in this regard. Three of the Ministries—Ministries of Health and Family Planning, Industrial Development and External Affairs—had not given any reply, despite two reminders issued to them—one in April, 1973 and the other in May, 1973. The Committee desired the Chairman to write to the Ministers-in-charge of these Ministries in the matter.

21. The Chairman accordingly addressed the Ministers concerned in July, 1973. Thereafter, information in respect of 24 bodies was received from the Ministry of Health and Family Planning and information in respect of 22 bodies from the Ministry of Industrial Development. The Ministry of External Affairs intimated that they had not constituted any Committee|Corporation|Board, etc. in respect of which information was required to be furnished.

22. With a view to finding out whether the other Ministries|Departments had furnished information in respect of all the bodies constituted by them, a selective study of Gazette Notifications and Annual Reports of four Ministries—Ministries of Defence, Home Affairs, Planning (Planning Commission) and Information and Broadcasting—was taken up. The study indicated that the Ministries had failed to furnish information in respect of all the bodies constituted by them. The Committee took the evidence of their representatives on 27-10-1973. The position in respect of each of these Ministries is briefly set forth in the succeeding paragraphs.

(a) Ministry of Defence

23. In their O.M. dated the 28th August, 1972, addressed to the Lok Sabha Secretariat, the Ministry of Defence wrote to say that "the Joint Committee on Offices of Profit had already examined all the Committees|Boards, etc. constituted under the Ministry of

Defence except Cantonment Boards." On being pointed out to them the Ministry, however, furnished on the 16th October, 1973 information in respect of State Advisory Committees for N.C.C. for as many as 17 States/Union Territories. It was noticed that 10 of these Committees had been constituted by the Ministry during the *period December, 1970—February, 1972.

24. During evidence, the Committee enquired how could the Ministry in their O.M. of 28-8-72 state that the Joint Committee on Offices of Profit had already examined all the Committees/Boards, etc. constituted by the Ministry of Defence except Cantonment Boards, when information in respect of quite a number of bodies set up by that Ministry had not been furnished to them. The representative of the Ministry during evidence stated that they had not furnished information about these bodies as they considered them to be innocuous.

25. In a written reply furnished after evidence the Ministry have stated as follows:

“.....it is found that when the coordinating officer in the Ministry of Defence asked for the requisite information the authorities concerned with the National Cadet Corps failed to supply the requisite information in respect of the State Advisory Committees under a misapprehension of the position in relation to these bodies. In May, 1973, when Lok Sabha Secretariat specifically drew attention of this Ministry to S.R.O. No. 42 constituting the State Advisory Committee in the State of Orissa, the authorities concerned were asked to furnish full information in respect of all the State Advisory Committees which had been constituted since the dissolution of the 4th Lok Sabha in December, 1970 and during the life of the 5th Lok Sabha to date in order to ensure that complete information was furnished to Lok Sabha Secretariat. The authorities concerned took unduly long time in collecting and furnishing the requisite information; hence the delay in supplying the same to Lok Sabha Secretariat.”

26. Even after delayed submission it was observed that information was not complete. The Committee enquired whether there were any other States/Union Territories, Advisory Committees of the N.C.C. in respect of which had been constituted by the Ministry but information in respect thereof had not yet been furnished to

*i.e. after the Fourth Lok Sabha.

the Joint Committee on Offices of Profit. In a written reply, the Ministry have stated:—

"It is confirmed that....State Advisory Committees of the N.C.C. exist in the under-mentioned States/Union Territories:—

Bihar, Himachal Pradesh, Jammu and Kashmir and Delhi.

These State Advisory Committees were constituted during the period 1962 to 1968. When Lok Sabha Secretariat had asked for information in respect of the bodies constituted by the Ministry of Defence for examination by the Joint Committee on Offices of Profit (5th Lok Sabha), information in respect of these bodies was not furnished on the belief that information in respect of these bodies had been furnished for examination by the Joint Committee of the earlier Lok Sabha. It is regretted that information in respect of these bodies had not been supplied earlier."

27. The Committee then enquired why the Ministry of Defence had not furnished information in respect of the following bodies mentioned in the Annual Reports* of the Ministry:—

- (i) Defence Research and Development Council;
- (ii) Aeronautics (Research and Development) Board; and
- (iii) Board of Directors of the Hindustan Aeronautics Ltd.

In a written reply, the Ministry have stated that information in respect of the first two bodies was not furnished to the Joint Committee on Offices of Profit through oversight. The information in respect of the Hindustan Aeronautics Limited had been examined by the Joint Committee on Offices of Profit when the company was known as the Hindustan Aircraft Ltd. However, since there had subsequently been some change in the terms relating to the payment of remuneration to the members of the Board of Directors, information was again being furnished. The Ministry have regretted the omission.

28. In sum, prior to the representatives of the Ministry being called to appear for evidence, information in respect of only Cantonment Boards in general had been received. But after the representatives of the Ministry had been called for evidence, information was furnished for more bodies, out of which at least two bodies have been considered by the Joint Committee as not fit for exemption (*vide* paras 7 and 8 *ante*).

*Annual reports for 1971-72 (pp. 84 and 103) and 1972-73, (p. 171).

(b) Ministry of Home Affairs

29. In December, 1971, the Ministry of Home Affairs furnished information in respect of the following bodies constituted by the Ministry/Union Territories:—

- (i) Delhi Sikh Gurdwaras Board;
- (ii) National Integration Council and its two Committees;
- (iii) Bodies constituted by the Union Territory of Laccadives;
- (iv) Bodies constituted by the Government of Pondicherry.

Information in respect of no other body constituted by the Ministry/Union Territories was received.

30. During evidence the Committee referred to the following bodies mentioned in the Annual Report* of the Ministry, in respect of which no information had been received:—

- (i) Hill Areas Committee of Manipur.
- (ii) Arbitration Board for Delhi.

The representative of the Ministry promised to collect the requisite information, and forward the same to the Committee.

31. The Committee then enquired whether there were any bodies set up by the Union Territories of Mizoram and Arunachal Pradesh. The representative of the Ministry stated that due to inadequacy of communication facilities, information was not received quickly from the Union Territories. He, however, promised to collect complete information in respect of these bodies set up by the Union Territories and forward the same to the Joint Committee.

32. Prior to evidence information in respect of only two bodies constituted by the Ministry and those relating to two Union Territories had been received. Subsequently, information in respect of about 50 more bodies set up by the Ministry of Home Affairs/Union Territories (including the Union Territories of Mizoram and Arunachal Pradesh) was received.

(c) Ministry of Planning (Planning Commission)

33. In February, 1972, the Planning Commission sent to the Secretariat a List of 10 bodies constituted by them, but did not furnish any information in respect thereof. On the 19th July, 1973, the Commission were reminded to expedite the submission of the requisite information in respect of these bodies. Information in respect of the

*Annual Report for 1972-73 (pp. 29 and 47).

following four bodies—which were still existing and had non-official members—was received on 4-10-1973—a day after the Commission were asked to appear before the Committees:—

- (i) Advisory Committee on Irrigation, Flood Control and Power Projects;
- (ii) The India Committee for Studies on Economic Development in India and Japan;
- (iii) Expert Committee on Population Projects; and
- (iv) Metropolitan Transport Team.

(The other bodies either consisted wholly of officials or had ceased to exist.)

It was, however, seen that the remuneration payable to the members of the Advisory Committee on Irrigation, Flood Control and Power Projects had not been indicated and in respect of another body—Expert Committee on Population Projections, the Planning Commission had merely stated that the remuneration payable to the members was as per rules.

34. The Committee desired to know during evidence the reasons for not indicating the precise amount of remuneration payable to the members of the Advisory Committee on Irrigation, Flood Control and Power Projects. The representative of the Planning Commission stated that this was a technical committee and a provision had been made for appointment of two non-official members thereon. These two members would get an honorarium of Rs. 5000 each as and when appointed. He admitted that this relevant information should have been submitted to the Committee earlier.

35. The Committee then enquired why the requisite information in respect of certain bodies mentioned in the Annual Report* of the Planning Commission had not been given. The representative of the Planning Commission stated that these bodies were constituted for internal working of the Planning Commission. These were technical Committees comprising experts and that no non-officials or Members of Parliament were appointed thereon.

36. In a subsequent written reply, the Planning Commission have, however, conceded that the following bodies mentioned in the Annual Reports of the Commission comprised officials as well as non-officials:—

- (i) Task Force on Multi-level Planning and Spatial Analysis and its working Groups; and

*Annual Report for 1972-73 (pp. 16, 17, 5, 6; 9 and 46).

(ii) Task Force on Employment Services for reviewing the different programmes undertaken by the National Employment Service.

The Commission have furnished information in respect of 13 Task Forces on various subjects constituted by them.

(d) Ministry of Information and Broadcasting

37. The requisite information about bodies constituted by the Ministry of Information and Broadcasting had not been received till the 9th and 17th October, 1973—(6 and 14 days respectively after the Ministry had been asked to appear before the Committee) when information in respect of as many as 40 bodies was received from them.

38. During evidence, the representative of the Ministry expressed apology for the delay that had occurred in furnishing information to the Committee. Explaining the reasons for delay, the representative of the Ministry stated that the Lok Sabha Secretariat letter dated 28th July, 1971 was not received in the Ministry. Thereafter, when a reminder was received by the Ministry in April, 1973, it took them some time to understand it and furnish the information in a particular way.

39. The Committee enquired whether the constitution of none of the bodies already examined by the Joint Committee during the Second, Third and Fourth Lok Sabha had undergone a material change. The representative of the Ministry promised to furnish the requisite information later.

40. From a note since received from the Ministry, the Committee observe that there had been a change in the constitution of two bodies—Audition Committee, Films Division had been replaced by the 'Selection Committee for Musicians'. There had been a change in the functions of the Committee for approval of Scripts and Gandhi Films. Under Government's letter dated 9-12-1958, the Committee was originally set up to approve the scripts and Gandhi Films. However, the functions of the Committee were revised in July, 1971 in consultation with the Gandhi Samarak Nidhi. "Now the functions of the Committee are somewhat of an executive character."

41. It was seen that although the Ministries were requested to specify the actual rates of remuneration payable to the members

of the bodies constituted by them, in a large number of cases, the Ministry had not given the precise amount of remuneration payable to members, but simply stated that the travelling and daily allowance admissible to members would be as per rules or simply written the words "Travelling allowance."

42. The Committee are distressed over the instances of non-supply/delayed supply of information desired by the Committee, as revealed in the preceding paragraphs. It is regrettable that some of the Ministries/Departments should have failed to move till the matter was taken up by the Committee with the Ministers concerned or called their representatives to give evidence. The Committee note in this connection that two of the Ministries, which had not even cared to give replies to the reminders issued by the Secretariat, had furnished information in respect of over 20 bodies each, after the Chairman had addressed the Ministers concerned in the matter. Another Ministry had furnished information in respect of 23 bodies, and still another in respect of about 50 bodies, after their representatives had been called for evidence. Information in respect of some of the bodies was furnished five to eleven years after their constitution. The Committee cannot help strongly deplored this.

43. The Committee are not satisfied with the explanations of the Ministries for their failure to give prompt information to the Committee. In their opinion, the lapse in this regard was by and large due to negligence on the part of the Ministries concerned. The Committee will like the Department of Parliamentary Affairs to evolve, in consultation with the Ministries concerned, a suitable procedure to ensure that information in respect of bodies constituted by the Ministries/Departments of Government of India is furnished to the Committee soon after their constitution. The Committee desire that, save in exceptional circumstances, information in respect of bodies constituted by Ministries/Departments should reach them within two months of their constitution. Further, it should not be left to the Ministries to decide whether certain bodies were innocuous or important. The type of bodies for which information has to be furnished is clearly laid down in the communication issued after the Committee's formation and those instructions should be strictly complied with.

44. The preceding paragraphs have also revealed a few cases where there had been a material change in the constitution of a body after it had been examined by the Joint Committee. Information in respect of these bodies was furnished only after the Committee had pointedly taken up the matter during evidence. The Committee need

hardly point out that in terms of para 3 of Lok Sabha Secretariat Office Memorandum dated 28th July, 1971, issued at the instance of the Committee, Ministries|Departments are required to furnish information even in respect of those bodies, which although had already been examined by the Joint Committee but whose constitution (including payment of T.A.|D.A.:, etc. to members) had undergone a change since their examination by the Committee. The Committee trust that the Ministries/Departments concerned will take care to promptly intimate material changes, if any, in the constitution of the bodies set up by them.

45. The Committee also note that in a fairly large number of cases incomplete information was furnished to the Committee, in particular, the precise amount of remuneration payable to members had not been indicated. Such deficiencies, the Committee need hardly point out, result in unnecessary to and fro references, causing an all-round waste of time. The Committee urge that the Ministries/Departments concerned, before sending information in respect of bodies constituted by them, should ensure that the information being sent by them is complete in all respects.

46. The Committee will like to make it clear, that in the preceding paragraphs, they have drawn attention to non-receipt|delayed receipt of information from only those Ministries which had either not furnished any information at all upto March, 1973 or those which had been subjected to a selective study based on Annual Reports and Gazette Notifications. The Committee will like all the remaining Ministries to check up whether there are any bodies under their control information in respect of which has not yet been furnished to the Joint Committee. The Committee will like complete information in respect of such bodies to be submitted to them within a period of three months from the presentation of this Report.

IV. IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE

47. In para 17 of their Fifth Report, the Committee had noted with regret that the Draft Parliament (Prevention of disqualification) Amendment Bill, 1971 had not so far been introduced although about a year had elapsed since the Committee had submitted their Report. The Committee were informed on the 10th May, 1973 (the date on which they adopted Fifth Report) by the Ministry of Law, Justice and Company Affairs that the Bill would be finalised and introduced in the first week of the next session i.e. English Session. The Committee had expressed the hope that there will be no further delay.

48. The Committee had expected that the Bill would be introduced in the Eighth Session. (The Bill had also been included in the provisional programme of Legislative Business for the Eighth Session). On 29th August, 1973, when the Committee were considering their draft Sixth Report, they were apprised of the contents of a D.O. letter dated the 29th August, 1973, from the Minister of Law, Justice and Company Affairs that the Ministry considered it desirable to refer the modified draft Bill to the Ministries etc. before its consideration. After the modification, the Bill was likely to be introduced in the next session, i.e., Ninth Session of Parliament.

49. While the Committee observe that the Bill has been included in the Legislative Programme of the current Session (Ninth Session), they cannot help taking note of a time-lapse of 17 months taken by Government to introduce it.

NEW DELHI;
December 19, 1973.

S. B. P. PATTABHI RAMA RAO,
Chairman,
Joint Committee on Offices of Profit.

APPENDIX I

(Vide para 18 of the Report)

Committees, Boards, Corporations, etc. whose Chairmanship, Secretaryship or Membership ought to be exempted from disqualification

UNDER CENTRAL GOVERNMENT

1. Telephone Advisory Committee.
2. Advisory Committee for the National Atlas Organisation.
3. Advisory Committee for the Territorial Army in the States of Assam, Tripura, Manipur and Meghalaya.
4. Advisory Committee for the Territorial Army in the State of Andhra Pradesh.
5. Advisory Committee for Territorial Army in the State of Haryana.
6. Advisory Committee for Territorial Army in the State of Himachal Pradesh.
7. Advisory Committee for Territorial Army in the State of Kerala.
8. Advisory Committee for Territorial Army in the State of Madhya Pradesh.
9. Advisory Committee for the Territorial Army in the State of Mysore.
10. Advisory Committee for the Territorial Army in the State of Orissa.
11. Advisory Committee for the Territorial Army in the State of Punjab.
12. Committee to review the working of the National Calet Corps.
13. Defence Research and Development Council.
14. Publicity Advisory Group.
15. Committee to review the performance of the Indian Institute of Mass Communication.

16. Informal Consultative Panel for documentary films and Newsreels, Delhi.
17. Film Material Imports and Distribution Consultative Panel.
18. Expert Committee on Population Projections.
19. The India Committee for Studies on Economic Development in India and Japan.
20. (i) National Integration Council.
- (ii) Standing Committee of the National Integration Council.
- (iii) Sub-Committee of the National Integration Council on Communalism.

UNDER STATE GOVERNMENTS

Haryana

21. Allotment Committee.

Himachal Pradesh

22. State Level Advisory-cum-Project Implementation Committee for the Rural Industrial Projects, Mahasu and Palampur.
23. State Level Co-ordination Committee on Tea Development.

APPENDIX II
(Vide para 20 of the Report)

Ministries|Departments of the Government of India from whom no information was received by the Committee till March, 1973

1. Department of Atomic Energy.
2. Department of Parliamentary Affairs.
3. Ministry of Health and Family Planning.
4. Ministry of Industrial Development.
5. Ministry of Information and Broadcasting.
6. Ministry of External Affairs.
7. Ministry of Finance. ..
8. Department of Science and Technology.
9. Department of Space.
10. Department of Electronics.
11. Prime Minister's Secretariat.
12. Ministry of Heavy Industry.

APPENDIX III

(Vide para 2 of the Report)

MINUTES OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

I

Nineteenth Sitting

The Committee sat on Saturday, the 27th October, 1973 from 11.00 to 13.30 hours.

PRESENT

Shri Sanda Narayanappa—In the Chair.

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Jagannathrao Joshi
5. Shri Z. M. Kahandole
6. Shri Pratap Singh
7. Shri S. B. P. Pattabhi Rama Rao
9. Shri Arjun Sethi
10. Shri Ramavatar Shastri

Rajya Sabha

11. Shri Venigalla Satyanarayana
12. Shri Yogendra Sharma

I. REPRESENTATIVE OF THE MINISTRY OF DEFENCE

Shri P. Krishnamurti, Additional Secretary.

II. REPRESENTATIVES OF THE MINISTRY OF INFORMATION AND BROADCASTING

1. Shri M. A. S. Rajan, Joint Secretary.
2. Shri H. C. Khanna, Special Officer Films Projects.
3. Shri S. Ghose, Deputy Secretary.
4. Shri A. V. Narayanan, Deputy Secretary.
5. Shri R. Balakrishnan, Deputy Director General, AIR.
6. Shri V. Krishnamurti, Director of Programmes, AIR.

III. REPRESENTATIVES OF THE MINISTRY OF PLANNING (PLANNING COMMISSION)

1. Shri R. K. Trivedi,—*Additional Secretary.*
2. Shri B. N. Baliga,—*Adviser (Power).*
3. Dr. M. K. Ganguli,—*Adviser (Transport).*
4. Shri O. P. Chadha,—*Chief (Irrigation).*
5. Shri R. P. Sachdev,—*Chief.*
6. Shri M. Y. Kazi,—*Director.*
7. Shri Y. P. Rajput,—*Director.*
8. Shri R. C. Sharma,—*Secretary, Metropolitan Transport Team.*

IV. REPRESENTATIVES OF THE MINISTRY OF HOME AFFAIRS

1. Shri T. C. A. Srinivasavardan,—*Additional Secretary.*
2. Shri G. K. Bhanot,—*Joint Secretary.*
3. Shri J. Sagar,—*Collector, Dadra and Nagar Haveli.*
4. Shri Sunder Lal Bhargava,—*Secretary (Coord) Delhi Administration.*
5. Shri T. R. Kalia,—*Deputy Secretary, Delhi Administration.*

SECRETARIAT

Shri H. G. Parunjpee—Deputy Secretary.

2. In the absence of the Chairman of the Committee, Shri Sanda Narayananappa, M.P. was elected Chairman for the sitting under Rule 258(3).

3. The Committee first examined the representative of the Ministry of Defence regarding incomplete nature of information in respect of Committees|Boards|Corporations, etc. constituted by them.

4. The representative of the Ministry apologized for the delay in submitting information about the N.C.C. State Advisory Committees. Explaining the reasons for delay, he stated that the names sent by the States were first processed by the Ministry. The processing was rather lengthy before publication of the notification. A copy of the Notification was thereafter sent to Lok Sabha Secretariat.

5. In reply to a question whether it was not considered necessary to send the information to the Joint Committee regarding State Advisory Committee of N.C.C. for the State of Orissa since 1971 or the Joint Committee was being by-passed, the representative of the

Ministry explained that the delay was due to some difficulty in processing the information and the Ministry had no intention to show any disrespect to the Joint Committee.

6. In reply to a question whether the Ministry replied only when the Secretariat sent them some communication or the Ministry knew that whenever a Committee was formed, the information had to be furnished automatically, the representative of the Ministry said that they did not require a reminder. According to the procedure as soon as a Committee was formed detailed particulars had to be sent to the Joint Committee. The representative further stated that there was one section viz. 'D Coordination Section' in the Ministry which was responsible for sending communication to the Joint Committee. He further explained that there were two hundred Sections in the Ministry and to gather information from all those Sections had become unworkable. As such, he proposed to decentralise the work in the Ministry so that each Department or each Section should be able to send a copy of the Notification whenever issued by them, direct to the Joint Committee. He assured the Committee that all possible steps would be taken to send the copies of notification in future.

7. The attention of the representative of the Ministry was then drawn to their O.M. dated 28th August, 1972 wherein they had stated that the Joint Committee on Offices of Profit had already examined all the Committees, Boards etc. constituted under the Ministry of Defence except the Cantonment Boards, which was apparently incorrect as so many other Committees had been constituted by the Ministry since 1971. The representative of the Ministry stated that they had not furnished information about them because they were innocuous bodies. It was explained to the representative of the Ministry that it was for the Committee and not for the Ministry to decide so to the nature and character of the Committees constituted by them. The representative of the Ministry agreed to furnish information/notification to the Joint Committee as soon as any Committee was constituted.

8. In reply to a question whether Advisory Committees of the N.C.C. for the States/Union Territories of Bihar, Himachal Pradesh, Jammu and Kashmir, Meghalaya, Andaman and Nicobar Islands, Dadra and Nagar Haveli, Delhi, Laccadive, Minicoy and Amindivi Islands, Mizoram and Arunachal Pradesh had not been constituted, the representative of the Ministry promised to check up and furnish the information within a month.

9. To a question as to why requisite information in respect of certain bodies about which there was a mention in the Gazette Notifications and Annual Reports had not been furnished to the

Committee, the representative of the Ministry replied that some of these bodies consisted of only officials or had been constituted for a temporary period or had ceased to exist and so no information in regard to these was required to be furnished. He named the following bodies which came in this category:

- (1) Services Sports Control Board.
- (2) Raksha Utpadan Board.
- (3) High Power Committee to evaluate the N.C.C. Programme.
- (4) Defence Research and Development Council.

10. As regards Hindustan Aeronautics Ltd., the representative of the Ministry promised to furnish information in writing. The representative of the Ministry also agreed to furnish information in respect of those bodies, which though examined earlier, their constitution (including payment of T.A./D.A. etc. to Members) had undergone a material change.

The representative of the Ministry also promised to furnish information in respect of State Advisory Committees of the Territorial Army for those States/Union Territories which had not so far been examined by the Committee.

(The witness then withdrew).

11. The Committee then examined the representative of the Ministry of Information and Broadcasting.

The representative of the Ministry expressed apology for the delay that had occurred in furnishing information to the Committee. Explaining the reasons for delay the representative stated that the Lok Sabha Secretariat letter dated 28th July, 1971 was not received in the Ministry. Thereafter, when a reminder was received by the Ministry in April, 1973, it took them some time to understand it and furnish the information in a particular way.

12. To a question whether there were bodies constituted by the Ministry in respect of which information was yet to be furnished, the representative of the Ministry replied in the negative. He added that to the best of his knowledge information in respect of all the Committees had been submitted upto date.

13. In reply to a question as to why requisite information was not furnished to the Committee in respect of the following bodies,

mentioned in the Annual Reports of the Ministry, the representative of the Ministry stated that there was particular reason for each of them:

- (1) Advisory Committee on Policy Planning.
- (2) Advisory Committee to give A.I.R. expert advice about its programmes.
- (3) Consultative Panels for Industrial and Rural programmes.
- (4) Publicity Advisory Group.
- (5) Review Committee to review the performance of the Indian Institute of Mass Communication.
- (6) Official Language Implementation Committee.

As regards Advisory Committee on Policy Planning, he informed that it was a Committee of Officials only. When the Lok Sabha Secretariat circular was received, all these Committees were about to be re-constituted. A sort of anticipatory statement was made in the Annual Report. The representative of the Ministry further stated that the names of various Committees had been finalised since 1970-71 and in the next three or four months names of all these Committees would be announced.

14. When the attention of the representative of the Ministry was drawn to the Annual Report of the Ministry for 1971-72 wherein it was stated that there were advisory Committees to provide A.I.R. with expert advice about its programme structure and thus his statement that the constitution of these Committees was anticipated in the Annual Report was misleading, the representative of the Ministry expressed his apology to the Committee and promised to look into the matter. He also gave assurance to the Committee that he would give details in writing about all such bodies mentioned in the Annual Reports of the Ministry about which no information had been given to the Committee.

15. To a question whether there was any officer who had been entrusted with the job in the Ministry, the representative of the Ministry stated that a regular Parliament Cell was responsible for the same.

16. In reply to a question whether the constitution (including T.A. and D.A. payable to Members) of none of the bodies already examined by the Joint Committee of Second, Third and Fourth Lok Sabha had undergone a material change, the representative of the Ministry promised to give the information in writing within a month's time in this regard.

17. In reply to a question as to why the precise amount of remuneration payable to Members of a number of bodies constituted by the Ministry had not been given, the representative of the Ministry stated that in future they would specify the amount payable to Members as T.A./D.A. in terms of rupees annas and pies.

18. In case of the Films Materials Imports and Distribution Consultative Panel it had been stated by the Ministry that the amount of remuneration payable to members had not been decided. In reply to the query whether a decision had been taken in regard to that, the representative of the Ministry replied in the negative. He further stated that the contour of the Committee was changing and it was most likely that the members of this consultative Panel may not get any remuneration other than T.A. and D.A. He promised that the decision in this regard would be intimated the moment it was arrived at.

19. To a question as to why in case of Panel Committee Films Division, Bombay; Informal Consultative Panels for documentary Films and newsreels, Bombay and Delhi, the authority under which these had been constituted was not given, the representative of the Ministry replied that these were informal and *ad hoc* Committees which were not operating under a formal rule or order. The responsibility and the discretion in these bodies was that of the head of the Films Division.

(The witness then withdrew)

20. The Committee thereafter examined the representative of the Ministry of Planning (Planning Commission). The representative of the Planning Commission apologised for the delay in supplying the information. (

21. To a question as to what could be the possible reason for not dealing with the letter sent by Lok Sabha Secretariat on 28th July, 1971 till February, 1972 and then sending a reply to a letter dated 19th July, 1973 till three months were over, the representative of the Planning Commission stated that there were a large number of Divisions from whom information had to be collected and sometimes reminders had to be sent to them before the information was received.

22. In reply to a question whether any arrangements had been made in the Commission to ensure that requisite information in respect of the bodies constituted by them was furnished to the Committee soon after their constitution the representative of the Planning Commission said that they would take care that some sort of

fool-proof arrangement was devised so that all the Divisions should know that the moment a Committee was formed its information had to be sent to Lok Sabha Secretariat and for that somebody would be made responsible.

23. As regards the incomplete nature of information furnished by the Commission in respect of certain bodies, the representative of the Commission was asked to give reasons for not indicating the precise amount of remuneration payable to the members of the Advisory Committee on Irrigation, Flood Control and Power Projects and Expert Committee on Population Projections. The representative of the Planning Commission stated that this was technical committee and a provision had been made for appointment of two non-official members therein. These two members would get an honorarium of Rs. 5000/- each as and when appointed.

24. In reply to a question as to why requisite information in respect of certain bodies about which a mention has been made in the Annual Reports of the Planning Commission, had not been given, the representative of the Planning Commission stated that these bodies were constituted for internal working of the Planning Commission. These were technical Committees comprising experts and that no non-official or Members of Parliament were appointed thereon.

25. About Official Language Implementation Committee the representative of the Planning Commission stated that it was purely an internal Group of two to three officers to check up whether the orders issued in connection with the Official Language etc. are being implemented. The Committee had nothing to do with the over-all implementation of the Official Language etc.

26. When enquired whether the constitution of none of the bodies already examined by the Joint Committee on Offices of Profit, Second, Third and Fourth Lok Sabha had undergone a change, the representative of the Planning Commission stated that most of these Committees did not exist because these were for the purposes of Second and Third Plans and therefore, there was no question of any change in their constitution. He further added that the Committee on Land Reforms was existing but the same had been transferred to the Department of Agriculture and so the Planning Commission were not dealing with it. Similarly, National Advisory Committee on Public Cooperation had been transferred to the Department of Community Development and there was no change so far they were concerned.

27. The representative of the Planning Commission was then told to confirm in writing that no material change was there in the

amount of T.A. and D.A. paid to the members of the Committees already examined by the Joint Committee. He promised to respond quickly in future in regard to information called for by Lok Sabha Secretariat relating to the Committees/Bodies constituted by the Planning Commission.

(*The witness then withdrew*)

28. The Committee in the last examined the representative of the Ministry of Home Affairs regarding supply of incomplete nature of information relating to Committees|Boards|Corporations etc. constituted by the Ministry.

29. As regards arrangements existing in the Ministry for furnishing requisite information in respect of bodies constituted by the Ministry|Union Territories, the representative of the Ministry explained that the bodies under the Ministry were broadly of two categories—the first category was of the bodies set up by the Ministry proper and the second category was of the bodies constituted by the Governments of the Union Territories (Administration) which in these matters functioned more or less as State Governments. As regards bodies set up by the Ministry, he stated, a copy of the constitution of the body whenever constituted was straight-way endorsed to the Lok Sabha Secretariat, but in regard to the bodies set up by Union Territories, the practice was not so uniform. As such, they had decided that once in six months a complete list of whatever bodies might have been set up would be sent.

30. Referring to the following bodies, information in respect of which was furnished by the Ministry in December, 1971, the representative of the Ministry stated that they thought it to be complete but to avoid the incomplete list in future they proposed to do as mentioned above i.e. furnish an upto-date list once in six months:

- (1) Delhi Sikh Gurdwara Board.
- (2) National Integration Council and its two Committees.
- (3) Bodies constituted by the Union Territory of Laccadives.
- (4) Bodies constituted by the Government of Pondicherry.

He promised to furnish upto-date information in January, 1974.

31. In reply to a question whether any body had been set up by the Union Territories of Mizoram and Arunachal Pradesh, the representative of the Ministry stated that due to inadequacy of communication facilities, the information was not received quickly from these Union Territories. However, he assured the Committee that he would gather complete information including the payment

of T. A. | D. A. etc. to the Members of the bodies constituted by these Union Territories and forward the same to the Committee.

32. As regards the bodies constituted by the Ministry itself, the representative of the Ministry stated that there had been some changes which would be communicated later on. Information in respect of Steering Committee at the National Integration Council (already constituted) and such other bodies, as and when constituted, would also be endorsed to Lok Sabha Secretariat.

33. In reply to a question as to why information in respect of the following three bodies about which there was a mention in the Annual Reports of the Ministry, was not furnished to the Joint Committee:—

- (1) Standing Fire Advisory Committee.
- (2) Hill Areas Committee of Manipur constituted under Art. 371 of the Constitution.
- (3) Arbitration Promotion Board for Delhi,

the representative of the Ministry stated that the Committee at (1) above consisted of Officers drawn from different States primarily to advise on technical matters relating to fire fighting and as such no information was furnished.

34. As regards the Committee at S. No. (2) above, the representative of the Ministry said that requisite information would be collected and furnished to the Committee quickly.

35. In regard to Arbitration Promotion Board at S. No. (3) above, the representative of the Ministry said that the information was not readily available. It would, however, be collected and passed on to the Committee.

36. When asked whether the constitution of none of the bodies already examined by the Joint Committee during Second, Third and Fourth Lok Sabha had undergone a material change (including payment of T. A. and D. A. etc. to members), the representative of the Ministry stated that so far the Committees constituted by the Ministry were concerned, there had not been any material change in the composition of the Committees other than the change of names of members which was being communicated to Lok Sabha Secretariat. As regards bodies constituted by the Union Territories—two for the Andaman and Nicobar Islands and two for the Laccadive, Minicoy and Aminidivi Islands—the representative of the Ministry said that the composition had changed in the Lac-

cadive Island. Similarly, persons were being changed in the Andaman Islands but so far as T. A. and D. A. payable to their Members was concerned, the old rules were still prevailing.

37. The Committee then adjourned.

II

Twentieth Sitting

The Committee sat on Monday, the 10th December, 1973 from 10.00 to 11.00 hours.

PRESENT

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

MEMBERS

Lok Sabha

2. Shri Somnath Chatterjee
3. Shri Pratap Singh
4. Shri Ram Shekhar Prasad Singh

Rajya Sabha

5. Shri Sanda Narayanappa
6. Shri Venigalla Satyanarayana
7. Shri Yogendra Sharma

SECRETARIAT

Shri H. G. Paranjpe—*Deputy Secretary*.

2. At the outset the Committee felicitated Shri S. B. P. Pattabhi Rama Rao for his appointment as Chairman of the Joint Committee.

3. The Committee took up for consideration Memoranda Nos. 145 to 194 relating to Committees|Boards|Corporations, etc. constituted by the Central|State Governments.

Fisheries Advisory Board

(MEMORANDUM No. 148)

4. At their sitting held on the 16th August, 1973, the Joint Committee on Offices of Profit, while considering Memorandum regarding Fisheries Advisory Board, Tamil Nadu, had desired to get clar-

fication from the Government of Tamil Nadu whether the Board functioned in advisory capacity with regard to the assistance rendered in money, material and equipment or it was also responsible for their disbursement to fishermen as well.

In their reply, the Government of Tamil Nadu stated as follows:—

“the State Fisheries Advisory Board is only an advisory body. It has no authority for executing its recommendations nor is it vested with powers to disburse any assistance to Fishermen. The recommendations of the Board are examined by the Government and are accepted wherever feasible.”

In the light of the above reply, the Committee decided that the non-official members of the Board ought to be exempted from disqualification.

Hindustan Aeronautics Ltd. Bangalore
(MEMORANDUM No. 160)

5. The Committee noted that the non-official Directors of the Company were entitled to a sitting fee of Rs. 150/- for each meeting of the Board of Director. They were also entitled to incidental expenses and halting allowance for each meeting a fixed sum of Rs.100 for the first day and Rs. 50/- for each subsequent day of meeting. Besides, the Board of Directors exercised executive and financial powers.

As such, the Committee recommended that the Directorship of the Company ought not to be exempted from disqualification.

Aeronautics (Research and Development) Board
(MEMORANDUM No. 163)

6. The Committee noted that the non-official members of the Board were entitled to T.A. and D.A. as per rules issued by the Ministry of Finance in this regard and as made applicable on the Defence side by the Ministry of Defence, which amounted to less than 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. However, the Committee further noted that the Board exercised wide powers—both executive and financial—and was in a position to wield influence and patronage.

As such, the Committee recommended that the membership of the Board ought not to be exempted from disqualification.

*Film Finance Corporation Ltd., Bombay***(MEMORANDUM No. 164)**

7. The Committee noted that the non-official Directors of the Corporation were entitled to a sitting fee of Rs. 50/- plus incidental expenses and halting allowance of Rs. 50/- for the first day and Rs. 25/- for the subsequent day of the meeting which exceeded the compensatory allowance. Besides, the Board of Directors exercised executive and financial powers. As such, the Committee recommended that the Directorship of the Corporation including Chairmanship ought not to be exempted from disqualification.

*Panel Committee, Films Division, Bombay***(MEMORANDUM No. 168)**

8. The Committee noted that the non-official members of the Committee were not entitled to any remuneration other than T.A. and D.A. according to Ministry of Finance rules which was less than compensatory allowance.

The Committee, however, further noted that the Committee did exercise power and was in a position to wield influence.

As such, the Committee recommended that the membership of the Committee ought not to be exempted from disqualification.

- (i) *Consultative Committee for National Programmes of Music, AIR (Memo. No. 170).*
- (ii) *Consultative Committee for National Programmes of talks|Discussions in English, All India Radio (Memo. No. 171).*
- (iii) *Consultative Committee for National Programmes of Talks|Discussions in Hindi, All India Radio (Memo No. 172).*

9. The Committee noted that the non-official members of the above Committees were entitled to an honorarium of Rs. 50/- each plus T.A. and D.A. according to the Ministry of Finance Rules in this regard which would exceed the compensatory allowance.

As such, the Committee recommended that the membership of these Consultative Committees ought not to be exempted from disqualification.

*Information Consultative Panel for Documentary Films and News-reels, Bombay***(MEMORANDUM No. 176)**

10. The Committee noted that the non-official members of the Panel were entitled to a Consultancy fee of Rs. 100/- per meeting which was more than compensatory allowance

As such, the Committee recommended that the membership of the Panel ought not to be exempted from disqualification.

Advisory Committee in Irrigation, Flood Control and Power Projects
(MEMORANDUM No. 185)

11. The Committee noted that the two non-official members, as and when appointed, would be paid an honorarium of Rs. 5,000 each per annum besides T.A. and D.A. as admissible to Grade I Officers of the Government of India which would exceed the compensatory allowance. The Committee also noted that though advisory in nature, the said Committee appeared to wield influence and power.

As such, the Committee recommended that the non-official members (as and when appointed) ought not to be exempted from disqualification.

Metropolitan Transport Team
(MEMORANDUM No. 186)

12. The Committee noted that the non-official Chairman was getting an honorarium of Rs. 1500 per month alongwith T.A. and D.A. which was more than compensatory allowance. The Committee further noted that other non-official members were entitled to T.A. and D.A. (Rs. 30) only.

As such, the Committee recommended that the Chairmanship of the Team ought not to be exempted from disqualification but membership ought to be

Pradesh Council of Arunachal Pradesh (Memorandum No. 193).

13. The Committee noted that the Council was constituted of two Members of Parliament—(1 for each House) both representing Arunachal Pradesh; the Vice-President of all the five Zila Parishads; three representatives from each of the Zila Parishads to be elected by the Members thereof from amongst themselves and three persons to be nominated by the Administrator to provide representation for such tribes or communities as have not obtained any representation in the Council. The Committee felt that the members of the first three categories either held office *ex-officio* or were elected and thus did not hold office under the Government. The Committee were, however, of the opinion that the persons to be nominated by the Administrator (last category) would hold an office of profit as they would be entitled to a salary of Rs. 250 per mensem.

As such, the Committee recommended that only nominated members, if non-officials, ought not to be exempted from disqualification.

Committee to Implement Schemes under the Educated Unemployed Programme
(MEMORANDUM No. 193)

14. The Committee noted that the non-official members were entitled to T.A. and D.A. which was less than compensatory allowance.

The Committee further noted that the above Committee exercised executive powers in selecting suitable candidates for setting up Small Scale Industries Units. The said Committee also assisted the candidates in getting finance and was thus in a position to wield influence and patronage. As such, the Committee recommended that the membership of the said Committee ought not to be exempted from disqualification.

15. The Committee deferred consideration of the following memoranda pending receipt of further information on points noted against each from the Ministries concerned:—

(i) Memo No. 167 re. Selection Committee for Musicians in Film Division.	Whether the Committee recommended names of candidates to be selected for appointment by Government as Musicians or final selection was done by the Committee itself?
(ii) Memo No. 169 re. Consultative Panels for University-cum-Science and Technology broadcasts, A.I.R.	Whether the total amount of honorarium and D.A. to which non-official members were entitled exceeded the compensatory allowance, i.e. Rs. 51/- or not?
(ii) Memo No. 173 re. Local Audit Committee of All India Radio at 35 stations.	(i) Whether the total amount of honorarium and D.A. to which non-official members were entitled exceeded the compensatory allowance, i.e. Rs. 51/- or not?
	(ii) Whether the Committees have final say in the selection of artists and their gradation or it was done by Government on their recommendation?
(iv) Memo No. 174 re. Consultative Panels for Farm, Home and Family Planning Programmes, A.I.R.	Whether the total amount of honorarium/sitting fee and D.A. to which the non-official members of these bodies were entitled exceeded the compensatory allowance or
(v) Memo No. 175 re. Consultative Panels for School broadcasts, A.I.R.	

- (vi) Memo. No. 179 re. Committee to review the programmes of the External Services, All India Radio.
- (vii) Memo. No. 180 re. Consultative Panels for Tribal Programme attached to A.I.R.
- (viii) Memo. No. 181 re. Consultative Panel for Industrial Programmes (11 in number) attached to stations of AIR.
- (ix) Memo. No. 182 re. Programme Advisory Committee located at 41 stations of AIR.
- (x) Memo. No. 183 re. Music Auditio-n Board, Directorate General, All India Radio, New Delhi.

not? Please give the totals in each case separately.

(i) Whether the total amount of honorarium and D.A. to which the non-official members of the Board were entitled exceeded the compensatory allowance or not?

(ii) The precise powers of the Board may also be clearly stated.

(i) **DELHI SIKH GURDWARAS BOARD**—(Memo No. 188).

(ii) **BOARDS OF INDUSTRIES, CHANDIGARH**—(Memo No. 190).

(iii) **STATE TRANSPORT AUTHORITY**—(Memo No. 191).

(iv) **CHANDIGARH UNION TERRITORY MANAGING COMMITTEE FOR THE MANAGEMENT OF SPECIAL FUND FOR RECONSTRUCTION AND REHABILITATION OF EX-SERVICEMAN**—(Memo No. 192).

16. The Committee noted that the non-official members of the above bodies did not get any remuneration but the members/directors thereof exercised powers and were in a position to wield influence and patronage. The Committee, while considering the above matter noted the decision of the Supreme Court in *Ravana Subanna Vs. G.S. Kageerappa* (A.I.R. 1954, S.C. p. 653) wherein it had been decided that pecuniary gain was essential to attract disqualification for membership of Parliament. On the analogy of the same, the membership/directorship of the above bodies would also not attract disqualification. However, the Committee did not take the final decision in the matter and decided to further consider whether pecuniary gain was an essential condition or an office could be declared an office of profit on the basis of executive and financial powers enjoyed or influence and patronage wielded by that office.

17. In regard to the following bodies, the Committee noted that the non-official members thereof were entitled to T.A. and D.A. which was less than 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 exempted from disqualification:—

1. Allotment Committee (Government of Haryana).
2. State Level Advisory-cum-Project Implementation Committee for the Rural Industrial Projects, Mahasu and Palampur (Government of Himachal Pradesh).
3. State Level Co-ordination Committee on Tea Development (Government of Himachal Pradesh).
4. Telephone Advisory Committees (Ministry of Communications).
5. Advisory Committee for the National Atlas Organisation (Department of Science and Technology).
6. Advisory Committee for the Territorial Army in the States of Assam, Tripura, Manipur and Meghalaya.
7. Advisory Committee for the Territorial Army in the State of Andhra Pradesh.
8. Advisory Committee for Territorial Army in the State of Haryana.
9. Advisory Committee for Territorial Army in the State of Himachal Pradesh.
10. Advisory Committee for Territorial Army in the State of Kerala.
11. Advisory Committee for Territorial Army in the State of Madhya Pradesh.
12. Advisory Committee for the Territorial Army in the State of Mysore.
13. Advisory Committee for the Territorial Army in the State of Orissa.
14. Advisory Committee for the Territorial Army in the State of Punjab.
15. Committee to review the working of the National Cadet Corps.
16. Defence Research and Development Council.
17. Publicity Advisory Group (Ministry of Information and Broadcasting).
18. Committee to review the performance of the Indian Institute of Mass Communication.
19. Informal Consultative Panel for documentary films and Newsreels, Delhi.
20. Film Material Imports and Distribution Consultative Panel.

21. Expert Committee on Population Projections (Planning Commission).
22. The India Committee for Studies on Economic Development in India and Japan (Planning Commission).
23. (i) National Integration Council.
 (ii) Standing Committee of the National Integration Council.
 (iii) Sub-Committee of the National Integration Council on Communalism.
18. The Committee noted that as a result of the evidence of the representatives of the Ministries of Home Affairs, Information and Broadcasting, Defence and Planning Commission further information about the bodies already intimated and information about bodies not earlier informed had been furnished by these Ministries. The Committee desired this fact to be reported to the House through their report, so that Ministries would in future be careful to furnish timely all information.
19. The Committee then adjourned to meet again on Wednesday, the 19th December, 1973 to consider their draft Seventh Report.

III

Twenty-First Sitting

The Committee sat on Wednesday, the 19th December, 1973 from 17.00 to 17.30 hours.

PRESENT

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

MEMBERS

Lok Sabha

2. Shri Somnath Chatterjee
3. Shri Jagannathrao Joshi
4. Shri Pratap Singh
5. Shri Ramavtar Shastri
6. Shri Ram Shekhar Prasad Singh

Rajya Sabha

7. Shri Sanda Narayanappa
8. Shri Venigalla Satyanarayana

SECRETARIAT

Shri H. G. Paranjpe—Deputy Secretary.

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

3. The Committee decided that the Report might be presented to Lok Sabha on the 21st December, 1973 and laid on the Table of Rajya Sabha on the same day.

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

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

6. The Committee noted that some States|Union Territories had not yet furnished information regarding certain important bodies, which, by their nature, normally ought to exist in all States|Union Territories, such as, the Khadi and Village Industries Board, State Agro-Industries Corporation, State Warehousing Corporation, State Transport Authority|Corporation. The Committee desired that a list of such bodies together with the names of States/Union Territories which had furnished information in respect thereof, may be circulated to Members.

7. The Committee then adjourned to meet again on Friday, the 1st February, 1974.
