

JOINT COMMITTEE ON OFFICES OF PROFIT

FOURTH REPORT

(TENTH LOK SABHA)



*Presented to Lok Sabha on 4 August, 1993
Laid in Rajya Sabha on 4 August, 1993*

**LOK SABHA SECRETARIAT
NEW DELHI**

June, 1993/Jyaistha 1915 (Saka)

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CONTENTS

APPENDIX

Minutes of the sittings of the Joint Committee 8

REPORT OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

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 Fourth Report of the Committee.

1.2. The matters covered by the Report were considered by the Committee at their sittings held on 4 and 18 January, 1 February, 8 April and 25 May, 1993. Minutes of these sittings which form part of the Report, are appended to it.

1.3. The Committee examined the composition, character, functions etc. of 19 Committees/Bodies etc. constituted by the Central or State Governments and the emoluments and allowances payable to their members, non-official Directors, Chairmen etc. with a view to consider whether holders of offices on these bodies would incur disqualification under Article 102 of the Constitution of India.

1.4. The detailed information regarding the composition, character, functions, emoluments and allowances payable to the members of these bodies was furnished by the concerned Ministries/Departments of the Central Government or State Governments, as the case might be.

1.5. The Committee considered and adopted the Report at their sitting held on 7 June, 1993.

1.6. The Committee wish to express their thanks to the Ministries/Departments of the Central and the State Governments for furnishing the information desired by the Committee.

NEW DELHI;
7 June, 1993

17 Jyayisha, 1915 (S)

CHIRANJI LAL SHARMA
Chairman,
Joint Committee on Offices of Profit.

Joint Committee on Offices of Profit
(Tenth Lok Sabha)

COMPOSITION OF THE COMMITTEE

Shri Chiranjit Lal Sharma—*Chairman*

MEMBERS

Lok Sabha

2. Prof. Susanta Chakraborty
3. Shri Harisinh Pratapsinh Chavda
- *4. Shri Mohan S. Delkar
5. Shri Dau Dayal Joshi
6. Shri D. K. Naikar
7. Shri Ram Chandra Rath
8. Shri Roshan Lal
9. Shri Thota Subba Rao
- **10. Shri S.B. Thorat

Rajya Sabha

11. Shri E. Balanandan
- @12. Shri Shiv Pratap Mishra
- @13. Shri Sarada Mohanty
- @14. Shri S.K.T. Ramachandran
15. Shri Subramanian Swamy

SECRETARIAT

1. Shri G.L. Batra
2. Shri S.C. Gupta
3. Shri R.K. Chatterjee
4. Shri Ram Kumar

— *Additional Secretary*
— *Joint Secretary*
— *Deputy Secretary*
— *Under Secretary*

* Elected by Lok Sabha on 5.12.1991 vice Shri C.K. Kuppuswamy resigned

** Elected by Lok Sabha on 30.4.1992 vice Shri Mukul Wasnik resigned

@ Elected by Rajya Sabha on 12.8.1992 vice Smt. Kailashpati and
Shri Santosh Kumar Sahu resigned.

@@ Elected by Rajya Sabha on 21.5.1993 vice Shri Soni Pal resigned

CHAPTER I

NOMINATION OF MEMBERS OF PARLIAMENT ON THE STATE PLANNING BOARD OF HARYANA

2.1 The Government of Haryana, in a communication dated 24 July, 1992, stated as under:—

“...the State Planning Board, Haryana was constituted on 3.9.91 in which Shri Tara Singh, Member Parliament, Kurukshetra and Pandit Chiranjit Lal Sharma, Member Parliament, Karnal were nominated as members of the said Board.

In pursuance of your letter No. 21/2/1/88-CII, dated 12.10.88 approval of the Speaker of the Lok Sabha is required for nomination of Member of Parliament on Committees/Bodies constituted by Central Government/State Governments. It is regretted that prior approval could not be sought (however a copy of the notification was sent to you.) It is, therefore, requested that *ex-post facto* approval of the Speaker of Lok Sabha be conveyed to the State Government immediately.”

2.2 In this connection, the Committee note that the non-official members of the State Planning Board are entitled to draw TA/DA as admissible for attending the meetings of the Board. The main function of the Board is to help in formulation of the State plans. The function of the Board is thus advisory in nature.

2.3 The Committee, therefore, recommend that the non-official members of the State Planning Board, Haryana *should be exempted* from disqualification for being chosen as or for being Members of Parliament provided the amount of TA/DA does not exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

CHAPTER II

NON-INCURRING OF DISQUALIFICATION BY NON-OFFICIAL MEMBERS OF CERTAIN BODIES CONSTITUTED BY CENTRAL/ STATE GOVERNMENTS.

(1) *Central Consumer Protection Council (Ministry of Civil Supplies, Consumer Affairs and Public Distribution)*

3.1 The Committee note that the non-official members of the Consumer Protection Council are paid First Class rail fare as TA and Rs. 100/- per day as DA for attending the meetings of the Council. The Members of Parliament are paid TA/DA as per their entitlements. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Council is to promote and protect the rights of the Consumers. Thus, the function is advisory in nature. The Council has no financial powers.

3.2 The Committee recommend that the non-official members of the Council **should be exempted from disqualification for being chosen as or for being Members of Parliament.**

(2) *Empowered Committee on National Environmental Awareness (Ministry of Environment and Forests)*

3.3 The Committee note that the non-official members of the Empowered Committee are paid TA/DA as admissible under the Central Government Rules which is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee are to identify priority projects and recommend suitable agencies/organisations for implementation of programmes and also to examine the projects related to National Environment Awareness Campaign and Environmental Education and recommend quantum of financial assistance. The functions of the Committee are stated to be advisory in nature.

3.4 The Committee feel that the non-official members of the Committee **may be exempted from disqualification for being chosen as or for being Members of Parliament.**

(3) *Central Board of Forestry (Ministry of Environment & Forests)*

3.5 The Committee note that the non-official members of the Central Board of Forestry are paid TA/DA as per their entitlements for attending the meetings which are covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification)

Act, 1959. The main functions of the Board are to aid and advise the Central and State Governments in regard to forest conservation and management and the related matters which may arise from time to time. The functions are thus advisory in character.

3.6 The Committee, therefore, feel that the non-official members of the said Board *may be exempted* from disqualification for being chosen as or for being Members of Parliament.

(4) *Media Committee (Ministry of Environment and Forests)*

3.7 The Committee note that the non-official member of the Media Committee is paid only TA/DA as admissible under the Central Government Rules which is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Committee has been set up to make effective use of media for creating environmental consciousness among all sections of the society and to scrutinise the various film proposals and recommend the films-documentaries/audio-visuals in the field of environmental and related areas for their commissioning. The functions of the Committee are stated to be advisory in nature.

3.8 The Committee feel that the non-official member of the Committee *should be exempted* from disqualification for being chosen as or for being a Member of Parliament.

(5) *Hindi Sahakar Samiti (Ministry of Mines)*

3.9 The Committee note that the non-official members (Members of Parliament) of the Hindi Sahakar Samiti are paid TA/DA as allowed to them by the Ministry of Parliamentary Affairs from time to time. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Samiti is to render advice in regard to implementation of various provisions relating to Official Language Policy of the Union. As such, the function is only advisory.

3.10 In this connection, the Committee find that Joint Committee on Offices of Profit in their Third and Fourth Reports (Seventh Lok Sabha) have examined similar bodies and held that non-official members of Hindi Advisory Committees of Ministry of Planning and Railways *should be exempted* from disqualification.

3.11 The Committee are of the view that the non-official members of the Samiti *should be exempted* from disqualification for being chosen as or for being Members of Parliament.

(6) Mineral Advisory Council (Ministry of Mines)

3.12 The Committee note that the non-official members of the Mineral Advisory Council are paid TA/DA as per Central Government Rules. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Council are to advise on exploration of minerals in land and in offshore areas and also to advise on the measures necessary for protection/restoration of environment and ecology against adverse effects caused by mining operations. As such, the functions are advisory.

3.13 The Committee, therefore, feel that the non-official members of the said Council **should be exempted from disqualification for being chosen as or for being Members of Parliament.**

(7) Hindi Advisory Committee (Ministry of Urban Development—Parliament Cell)

3.14 The Committee note that the non-official members of the Hindi Advisory Committee are paid TA/DA as admissible under the Central Government Rules. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee is to render advice in regard to the implementation of the provisions relating to Official Language and the progressive use of Hindi in the Ministry. The function is advisory in nature.

3.15 The Committee are of the view that the non-official members of the said Committee **should be exempted from disqualification for being chosen as or for being Members of Parliament.**

(8) State Consumer Protection Council, Assam

3.16 The Committee note that the non-official members of the State Consumer Protection Council are paid only Travelling Allowance as admissible under the State Government Rules. The payment of TA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Council is to promote and protect the rights of the Consumers. Thus, the function is advisory in nature.

3.17 In a similar case of the State Level Consumer Protection Committee (Goa, Daman and Diu), the Joint Committee on Offices of Profit, in their Eighth Report (Eighth Lok Sabha) have held that non-official members **should be exempted from disqualification.**

3.18 The Committee, therefore, feel that the non-official members of the Council **should be exempted from disqualification.**

(9) Commemorative Projects Committee, Punjab

3.19 The Committee note that the non-official members other than MLAs will be paid TA/DA at the rates as applicable to Class I Officers of the Government of Punjab which are covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee is to look after the projects, statues to be installed at various places and construction of Martyrs' Memorial Parks. As such, the function is advisory in character.

3.20 The Committee, therefore, hold that the non-official members of the Committee *should be exempted* from disqualification for being chosen as or for being Members of Parliament.

(10) Consultative Committee, Punjab

3.21 The Committee note that the non-official member of the Consultative Committee is entitled to draw TA/DA under rules as applicable to Class I Officers of the Government of Punjab which are covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee is to discuss the items proposed by various members of State Advisory Council relating to the Department of Information and Public Relations. The function of the Committee is thus advisory in nature.

3.22 The Committee, therefore, feel that the non-official member of the said Committee *should be exempted* from disqualification for being chosen as or for being a member of Parliament.

(11) Public Relations Advisory Committee, Punjab

3.23 The Committee note that the non-official members of the Public Relations Committee will be paid TA/DA at the rates applicable to Class I Officers of the Government of Punjab. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee is to advise the Department of Information and Public Relations on ways and means of improving the image of the Government through media by projecting its policies and programmes amongst the masses. The function is thus advisory in nature.

3.24 The Committee, therefore, hold that the non-official members of the said Committee *should be exempted* from disqualification for being chosen as or for being Members of Parliament.

(12) State Level Disaster Advisory Committee, Punjab

3.25 The Committee note that the non-official members of the State Level Disaster Advisory Committee will be entitled to draw TA/DA at the rates as admissible under the rules. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the

Advisory Committee will be to review the situation arising out of floods and other natural calamities and evaluate the progress of relief measures. The Committee may also consider ways of utilising the services of voluntary organisations in relief work. As such, the functions are of advisory nature.

3.26 The Committee, therefore, feel that the non-official members of the said Committee should be exempted from disqualification for being chosen as or for being Members of Parliament.

(13) Rajasthan Standing Labour Committee

3.27 The Committee note that no remuneration is paid to the non-official member. The main functions of the Rajasthan Standing Labour Committee are to advise the State Government on maintaining the industrial peace and on the various labour policy matters like wage policy etc. or any other matter as may be referred to it by the Rajasthan Labour Advisory Board.

3.28 The Committee, therefore, recommend that the non-official member of the Rajasthan Standing Labour Committee should be exempted from disqualification for being chosen as or for being a Member of Parliament.

(14) Advisory Committee for Piramalai Kallars, Tamil Nadu

3.29 The Committee note that the non-official members of advisory Committee for Piramalai Kallars are to be treated as Class II Officers for the purpose of TA and DA. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee is to assist in the formulation of schemes and other matters relating to Kallars Reclamation. The function is thus advisory in nature.

3.30 The Committee, therefore, hold that the non-official members of the said Committee should be exempted from disqualification for being chosen as or for being Members of Parliament.

(15) Tamil Nadu State Level Prohibition Propaganda Committee

3.31 The Committee note that the non-official members of Tamil Nadu State Level Prohibition Propaganda Committee are paid TA/DA as admissible to Class I Officers of the State Government which are covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee are to suggest effective steps to propagate the public on evils of drink and drug abuse and to highlight the advantages of prohibition. Thus, the functions of the said Committee are advisory in nature.

3.32 The Committee, therefore, recommend that the non-official members of the Committee should be exempted from disqualification for being chosen as or for being Members of Parliament.

(16) Advisory Committee on Equal Remuneration, Tripura under Equal Remuneration Act

3.33 The Committee note that the non-official members of the Advisory Committee constituted under the Equal Remuneration Act are paid TA/DA at the rates applicable to Class I Officers of the Government of Tripura. The payment of TA/DA is covered by 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The function of the Board is advisory in nature.

3.34 The Committee hold the view that the non-official members of the Board should be exempted from disqualification for being chosen as or for being Members of Parliament.

(17) State Advisory Board on Contract Labour, Tripura under the Contract Labour Act

3.35 The Committee note that the non-official members of the State Advisory Board constituted under the Contract Labour Act are paid TA/DA at the rates applicable to Class I Officers of the Government of Tripura. The payment of TA/DA is covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The function of the Board is advisory in nature.

3.36 The Committee, therefore, feel that the non-official members of the Board should be exempted from disqualification for being chosen as or for being Members of Parliament.

(18) Animal Welfare Board, Dadra and Nagar Haveli

3.37 The Committee note that no remuneration of any kind is paid to the non-official members of the Animal Welfare Board. The main function of the Board is to advise the Administration on matters relating to the care of animals. As such, the function is advisory in nature.

3.38 The Committee, therefore, recommend that the non-official members of the Board should be exempted from disqualification for being chosen as or for being Members of Parliament.

NEW DELHI;

7 June, 1993

17 Jyaistha, 1915 (S)

CHIRANJI LAL SHARMA,
Chairman,
Joint Committee on Offices of Profit.

APPENDIX

(*Vide* Para 1.2 of the Report)

XVI

MINUTES OF THE SIXTEENTH SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (TENTH LOK SABHA)

The Committee met on Monday, 4 January, 1993 from 1510 to 1540 hours.

PRESENT

Shri Chiranjee Lal Sharma — *Chairman*

MEMBERS

2. Shri Harisinh Pratapsinh Chavda
3. Shri Dau Dayal Joshi
4. Shri Roshan Lal
5. Shri Thota Subba Rao
6. Shri E. Balanandan
7. Shri Shiv Pratap Mishra
8. Shri Som Pal

SECRETARIAT

(1) Shri S.C. Gupta — *Joint Secretary*
(2) Shri Ram Kumar — *Under Secretary*

2. The Committee took up for consideration Memoranda Nos. 37 to 41 regarding certain Committees/Bodies etc. constituted by the Central/State Governments as follows.

Rajasthan Standing Labour Committee

(*Memorandum No. 37*)

3. The Committee noted that no remuneration was paid to the non-official Member. The main functions of the Rajasthan Standing Labour Committee were to advise the State Government on maintaining the industrial peace and on the various labour policy matters like wage policy etc. or any other matter as might be referred to it by the Rajasthan Labour Advisory Board. As such, the functions were advisory in nature. The Committee, therefore, recommended that the non-official member of the Rajasthan Standing Labour Committee should be exempted from disqualification for being chosen as or for being a Member of Parliament.

Animal Welfare Board, Dadra and Nagar Haveli
(Memorandum No. 38)

4. The Committee noted that no remuneration of any kind was paid to members of the Animal Welfare Board. The main function of the Board was to advise the Administration on matters relating to the care of animals. As such, the function was advisory in nature. The Committee, therefore, recommended that the non-official members of the Board should be exempted from disqualification for being chosen as or for being Members of Parliament.

Tamil Nadu State Level Prohibition Propaganda Committee
(Memorandum No. 39)

5. The Committee noted that the non-official members of Tamil Nadu State Level Prohibition Propaganda Committee were paid TA/DA as admissible to Class I Officers of the State Government which were covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee were to suggest effective steps to propagate the public on evils of drink and drug abuse and to highlight the advantages of prohibition. Thus, the functions of the said Committee were advisory in nature. The Committee, therefore, recommended that the non-official members of the Committee should be exempted from disqualification for being chosen as or for being Members of Parliament.

Central Consumer Protection Council (Ministry of Civil Supplies, Consumer Affairs and Public Distribution)

(Memorandum No. 40)

6. The Committee noted that the non-official members of the Consumer Protection Council were paid First Class rail fare as TA and Rs. 100/- per day as DA for attending the meetings of the Council. The Members of Parliament were paid TA/DA as per their entitlements. The payment of TA/DA was covered under the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Council was to promote and protect the rights of the Consumers. Thus, the function was advisory in nature. The Council had no financial powers. The Committee recommended that the non-official members of the Council should be exempted from disqualification for being chosen as or for being Members of Parliament.

Hindi Advisory Committee (Ministry of Urban Development— Parliament Cell)

(Memorandum No. 41)

7. The Committee noted that the non-official members of the Hindi Advisory Committee were paid TA/DA as admissible under the Central Government Rules. The payment of TA/DA was covered under the

'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee was to render advice in regard to the implementation of the provisions relating to Official Language and the progressive use of Hindi in the Ministry. The function was advisory in nature. The Committee were of the view that the non-official members of the said Committee should be exempted from disqualification for being chosen as or for being Members of Parliament.

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The Committee then adjourned.

XVII

MINUTES OF THE SEVENTEENTH SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (TENTH LOK SABHA)

The Committee met on Monday, 18 January, 1993 from 15.10 to 15.45 hours.

PRESENT

Shri ChirANJI Lal Sharma—Chairman

MEMBERS

2. Shri Harisinh Pratapsinh Chavda
3. Shri Dau Dayal Joshi
4. Shri Ram Chandra Rath
5. Shri Roshan Lal
6. Shri E. Balanandan
7. Shri Shiv Pratap Mishra
8. Shir S.K.T. Ramachandran

SECRETARIAT

1. Shri S.C. Gupta—*Joint Secretary*
2. Shri R.K. Chatterjee—*Deputy Secretary*
3. Shri Ram Kumar—*Under Secretary*

2. The Committee took up for consideration Memoranda Nos. 42-43 as follows.

Ex-post Facto approval of the Hon'ble Speaker, Lok Sabha for appointment of M.Ps on State Planning Board, Haryana—(Memorandum No. 42)

3. The Committee considered the request of the Government of Haryana for *ex-post facto* approval of the Speaker, Lok Sabha for nomination of Shri Tara Singh and Pandit ChirANJI Lal Sharma, M.Ps as non-official members on the State Planning Board. The Committee noted that the non-official members of the State Planning Board were entitled to draw TA/DA, as admissible, for attending the meetings of the Board. The main function of the Board was to help in formulation of State Plans. The function of the Board was thus advisory in nature. The Committee, therefore, decided to recommend that the non-official members of the State Planning Board, Haryana *should be exempted* from disqualification

for being chosen as or for being Members of Parliament provided the amount of TA/DA did not exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

* * *

The Committee then adjourned.

XVIII

MINUTES OF THE EIGHTEENTH SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (TENTH LOK SABHA)

The Committee met on Monday, 1 February, 1993 from 15.00 to 16.10 hours.

PRESENT

Shri Chiranjit Lal Sharma—*Chairman*

MEMBERS

2. Shri Harisinh Pratapsinh Chavda
3. Shri Dau Dayal Joshi
4. Shri Ram Chandra Rath
5. Shri Roshan Lal
6. Shri E. Balanandan
7. Shri Shiv Pratap Mishra
8. Shri S.K.T. Ramachandran
9. Shri Subramanian Swamy

SECRETARIAT

- 1 Shri S.C. Gupta—*Joint Secretary*
2. Shri R.K. Chatterjee—*Deputy Secretary*
3. Shri Ram Kumar—*Under Secretary*
- • •

2. The Committee then took up for consideration Memoranda Nos. 44 to 47 regarding the following Committees constituted by the Government of Punjab—

- (i) *Consultative Committee, Punjab*
(Memorandum No. 44)

The Committee noted that the non-official member of the Consultative Committee was entitled to draw TA/DA under rules as applicable to Class-I officers which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee was to discuss the items proposed by various members of State Advisory Council relating to the Department of Information and Public Relations. The function of the Committee was thus advisory in nature. The Committee, therefore, felt that the non-official member of the said Committee should be exempted

* Omitted portions of the Minutes are not covered by this Report

from disqualification for being chosen as or for being a Member of Parliament.

(ii) *Public Relations Advisory Committee, Punjab*
(Memorandum No. 45)

The Committee noted that the non-official members of the Public Relations Advisory Committee would be paid TA/DA at the rates applicable to Grade-I Officers of the Punjab Government. The payment of TA/DA was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee was to advise the Department of Information and Public Relations on ways and means of improving the image of the Government through media by projecting its policies and programmes amongst the masses. The function was thus advisory in nature. The Committee, therefore, held that the non-official members of the said Committee *should be exempted* from disqualification for being chosen as or for being a Member of Parliament.

(iii) *Commemorative Projects Committee, Punjab*
(Memorandum No. 46)

The Committee noted that the non-official members other than MLAs would be paid TA/DA at the rates as applicable to Class-I officers of the Punjab Government which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee was to look after the projects, statues to be installed at various places and construction of Martyrs' Memorial Parks. As such, the function was advisory in character. The Committee therefore, held that the non-official members of the Committee *should be exempted* from disqualification for being chosen as or for being a Member of Parliament.

(iv) *State Level Disaster Advisory Committee, Punjab*
(Memorandum No. 47)

The Committee noted that the non-official members of the State Level Disaster Advisory Committee would be entitled to draw TA/DA at the rates as admissible under the rules. The payment of TA/DA was covered by the 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Advisory Committee would be to review the situation arising out of floods and other natural calamities and evaluate the progress of relief measures. The Committee might also consider ways of utilising the services of voluntary organisations in relief work. As such, the functions were of advisory nature. The Committee, therefore, felt that the non-official members of the said Committee *should be exempted* from disqualification for being chosen as or for being a Member of Parliament.

The Committee then adjourned.

MINUTES OF THE NINETEENTH SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (TENTH LOK SABHA)

The Committee met on Thursday, 8 April, 1993 from 1500 to 1540 hours.

PRESENT

Shri Chiranjit Lal Sharma — Chairman

MEMBERS

2. Prof. Susanta Chakraborty
3. Shri Dau Dayal Joshi
4. Shri Roshan Lal
5. Shri S.B. Thorat
6. Shri E. Balanandan
7. Shri Shiv Pratap Mishra
8. Shri S.K.T. Ramachandran

SECRETARIAT

- (1) Shri R.K. Chatterjee — *Deputy Secretary*
- (2) Shri Ram Kumar — *Under Secretary*

2. The Committee took up for consideration Memoranda Nos. 48 to 52 on the following Committees/Councils/Boards constituted by the Central Government/State Governments:—

- (i) *Mineral Advisory Council (Ministry of Mines)*
(Memorandum No. 48)

The Committee noted that the non-official members of the Mineral Advisory Council were paid TA/DA as per Central Government Rules. The payment of TA/DA was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Council were to advise on exploration of minerals in land and in offshore areas and also to advise on the measures necessary for protection/restoration of environment and ecology against adverse effects caused by mining operations. As such, the functions were advisory. The Committee, therefore, felt that the non-official members of the said Council should be exempted from disqualification for being chosen as or for being Members of Parliament.

- (ii) *Hindi Sahakar Samiti (Ministry of Mines)*
(Memorandum No. 49)

The Committee noted that the non-official members (Members of Parliament) of the Hindi Sahakar Samiti were paid TA/DA as allowed to them by the Ministry of Parliamentary Affairs from time to time. The payment of TA/DA was covered by the 'compensatory allowance' as

defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Samiti was to render advice in regard to implementation of various provisions relating to Official Language Policy of the Union. As such, the function was only advisory. The Committee, were of the view that the non-official members of the Samiti should be exempted from disqualification for being chosen as or for being Members of Parliament.

In this connection, the Committee found that Joint Committee on Offices of Profit (Seventh Lok Sabha) in their Third and Fourth Reports, had examined similar bodies and held that non-official members of Hindi Advisory Committees of Ministry of Planning and Railways should be exempted from disqualification.

*(iii) Central Board of Forestry (Ministry of Environment & (Forests))
(Memorandum No. 50)*

The Committee noted that the non-official members of the Central Board of Forestry were paid TA/DA as per their entitlements for attending the meetings which were covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Board were to aid and advise the Central and State Governments in regard to forest conservation and management and the related matters which might arise from time to time. The functions were thus advisory in character. The Committee, therefore, felt that the non-official members of the said Board might be exempted from disqualification for being chosen as or for being Members of Parliament.

*(iv) State Consumer Protection Council (Assam)
(Memorandum No. 51)*

The Committee noted that the non-official members of the State Consumer Protection Council were paid only Travelling Allowance as admissible under the State Government Rules. The payment of TA was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Council was to promote and protect the rights of the Consumers. Thus, the function was advisory in nature. The Committee, therefore, felt that the non-official members of the Council should be exempted from disqualification for being chosen as or for being Members of Parliament.

In a similar case of the State Level Consumer Protection Committee (Goa, Daman and Diu) the Joint Committee on Offices of Profit (Eighth Lok Sabha), in their Eighth Report, had held that non-official members should be exempted from disqualification.

*(v) Advisory Committee for Piramalai Kallars (Tamil Nadu)
(Memorandum No. 52)*

The Committee noted that the non-official members of Advisory Committee for Piramalai Kallars were to be treated as second grade officers for the purpose of TA and DA. The payment of TA/DA was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main function of the Committee was to assist in the formulation of schemes and other matters relating of Kallars Reclamation. The function was thus advisory in nature. The Committee, therefore, held that the non-official members of the said Committee should be exempted from disqualification for being chosen as or for being Members of Parliament.

The Committee then adjourned.

**MINUTES OF THE TWENTIETH SITTING OF THE JOINT
COMMITTEE ON OFFICES OF PROFIT (TENTH LOK SABHA)**

The Committee met on Tuesday, 25 May, 1993 from 1500 to 1540 hours.

PRESENT

Shri Chiranjit Lal Sharma — Chairman

MEMBERS

2. Shri Harisinh Pratapsinh Chavda
3. Shri Dau Dayal Joshi
4. Shri Roshan Lal
5. Shri Sarada Mohanty
6. Shri S.K.T. Ramachandran

SECRETARIAT

- (1) Shri R.K. Chatterjee — *Deputy Secretary*
- (2) Shri Ram Kumar — *Under Secretary*

2. The Committee took up for consideration Memoranda Nos. 53 to 56 on certain Boards/Committees constituted by the State Government of Tripura/Central Government as follows.

(i) *State Advisory Board on Contract Labour, Tripura under the Contract Labour Act.*

(Memorandum No. 53)

3. The Committee noted that the non-official members of the State Advisory Board constituted under the Contract Labour Act were paid TA/DA at the rates applicable to Class I Officers of the Government of Tripura. The payment of TA/DA was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The function of the Board was advisory in nature. The Committee, therefore, felt that the non-official members of the Board should be exempted from disqualification for being chosen as or for being Members of Parliament.

(ii) *Advisory Committee on Equal Remuneration, Tripura under Equal Remuneration Act*

(Memorandum No. 54)

4. The Committee noted that the non-official members of the Advisory Committee constituted under the Equal Remuneration Act were paid TA/DA at the rates applicable to Class I Officers of the Government of Tripura. The payment of TA/DA was covered by 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The function of the Board was advisory in

nature. The Committee held the view that the non-official members of the Board *should be exempted* from disqualification for being chosen as or for being Members of Parliament.

*(iii) Media Committee (Ministry of Environment and Forests)
(Memorandum No. 55)*

5. The Committee noted that the non-official member of the Media Committee was paid only TA/DA as admissible under the Central Government Rules which was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Committee had been set up to make effective use of media for creating environmental consciousness among all sections of the society and to scrutinise the various film proposals and recommend the films/documentaries/audio-visuals in the field of environmental and related areas for their commissioning. The functions of the Committee were stated to be advisory in nature. The Committee felt that the non-official member of the Committee *should be exempted* from disqualification for being chosen as or for being a Member of Parliament.

*(iv) Empowered Committee on National Environmental Awareness
(Ministry of Environment and Forests)
(Memorandum No. 56)*

6. The Committee noted that the non-official members of the Empowered Committee were paid TA/DA as admissible under the Central Government Rules which was covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The main functions of the Committee were to identify priority projects and recommend suitable agencies/organisations for implementation of programmes and also to examine the projects related to National Environment Awareness Campaign and Environmental Education and recommend quantum of financial assistance. The functions of the Committee were stated to be advisory in nature. The Committee felt that the non-official members of the Committee *might be exempted* from disqualification for being chosen as or for being Members of Parliament.

The Committee then adjourned.

MINUTES OF THE TWENTY-FIRST SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (TENTH LOK SABHA)

The Committee met on Monday, 7 June, 1993 from 1130 to 1215 hours.

PRESENT

Shri Chiranjit Lal Sharma — *Chairman*

MEMBERS

2. Prof. Susanta Chakraborty
3. Shri Harisinh Pratapsinh Chavda
4. Shri Dau Dayal Joshi
5. Shri D.K. Naikar
6. Shri Roshan Lal
7. Shri S.B. Thorat
8. Shri E. Balanandan
9. Shri Shiv Pratap Mishra
10. Shri Sarada Mohanty
11. Shri S.K.T. Ramachandran

SECRETARIAT

(1) Shri R.K. Chatterjee — *Deputy Secretary*

(2) Shri Ram Kumar — *Under Secretary*

2. The Committee considered their Draft Fourth Report and adopted it.

3. The Committee authorised the Chairman to present the Report to Lok Sabha on a convenient date during the ensuing session. The Committee also authorised the Chairman to arrange for laying the Report in the Rajya Sabha simultaneously.

The Committee then adjourned.

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