



**JOINT COMMITTEE ON OFFICES OF PROFIT**

**SEVENTEENTH LOK SABHA**

**MINISTRY OF HEALTH AND FAMILY WELFARE  
(DEPARTMENT OF HEALTH AND FAMILY WELFARE)**

Examination of election of Members of Parliament to the non-exempt Statutory Body,  
namely, the 'Central Committee of the Tuberculosis Association of India' (CCTAI)

**FIFTH REPORT**



**LOK SABHA SECRETARIAT**

**NEW DELHI**

July, 2022 / *Shravana*, 1944 (Saka)

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Presented to Lok Sabha on 26-07-2022

Laid on the Table of Rajya Sabha on 26-07-2022



**LOK SABHA SECRETARIAT**

**NEW DELHI**

July, 2022 / *Shravana*, 1944 (Saka)

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

**Dr. Satya Pal Singh**

*Chairperson*

**Members**

***Lok Sabha***

2. Shrimati Aparajita Sarangi
3. Shri Balashowry Vallabbhaneni
4. Shri Benny Behanan
5. Shri L.S. Tejasvi Surya
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***Rajya Sabha***

11. Ms. Dola Sen
12. Shri Hardwar Dubey
13. Vacant\*
14. Vacant\*
15. Vacant\*

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- |    |                            |   |                     |
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| 3. | Shri Uttam Chand Bharadwaj | - | Additional Director |
| 4. | Ms. Vandana                | - | Executive Officer   |

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\* Shri V. Vijayasai Reddy, MP (RS) retired w.e.f 21<sup>st</sup> June, 2022; Dr. Sasmit Patra, MP (RS) retired w.e.f. 01<sup>st</sup> July, 2022 and Shri Mahesh Poddar, MP (RS) retired w.e.f. 07<sup>th</sup> July, 2022 *vide* CB-I note dated 03<sup>rd</sup> February, 2022. A motion to fill up the casual vacancy in the Committee, consequent upon retirement of these three Members, has already been moved and adopted by the Lok Sabha on 15<sup>th</sup> March, 2022.

## INTRODUCTION

I, the Chairperson, Joint Committee on Offices of Profit, having been authorized by the Committee to submit the Report on its behalf, present this Fifth Report on the examination of election of Members of Parliament to the non-exempt Statutory Body, namely, the Central Committee of the Tuberculosis Association of India (CCTAI) of the Ministry of Health and Family Welfare (Department of Health and Family Welfare).

2. At its sitting held on Wednesday, 22 December, 2021, the Committee examined the term, composition, character, functions, etc., of the Central Committee of the Tuberculosis Association of India (CCTAI) with a view to consider as to whether the election of Members of Parliament to the CCTAI would attract disqualification from the angle of 'Office of Profit' under Article 102(1)(a) of the Constitution of India. The Report was considered and adopted by the Committee at its Sitting held on 29 March, 2022.

3. For facility of reference and convenience, the Recommendations / Observations of the Committee have been printed in bold letters in Part-II of the Report.

4. The Committee wishes to express its thanks to the Officials of the Health and Family Welfare (Department of Health and Family Welfare) and the Ministry of Law and Justice (Legislative Department and Department of Legal Affairs) for appearing before the Committee and furnishing the information in connection with the examination of the CCTAI.

5. The Committee would also like to place on record its deep sense of appreciation for the invaluable assistance rendered by the officials of Lok Sabha Secretariat attached to the Committee.

**NEW DELHI;**  
**07 July, 2022**  
**16 Asadha, 1944 (Saka)**

**DR. SATYA PAL SINGH**  
**Chairperson,**  
**Joint Committee on Offices of Profit**

**Examination of election of Members of Parliament to the non-exempt Statutory Body, namely, the 'Central Committee of the Tuberculosis Association of India' (CCTAI) under the Administrative Control of Ministry of Health and Family Welfare (Department of Health and Family Welfare).**

### **REPORT**

A communication dated 23<sup>rd</sup> December 2020 (**Annexure-I**) was received from the Rajya Sabha Secretariat, referring five non-exempt statutory bodies which have no provisions in their parent Acts / Rules exempting Members from disqualification, for examination and recommendations of the Joint Committee on Offices of Profit (JCOP), as to whether the Membership of Members of Parliament, in these five bodies would entail any disqualification from the angle of 'Office of Profit'. The name of these five Statutory bodies are given below :-

- (i) Central Committee of the Tuberculosis Association of India;
- (ii) Central Supervisory Board(CSB) constituted under Section 7(1) of the Pre-Conception and Pre-Natal Diagnostic Techniques(Prohibition of Sex Selection) Act, 1994;
- (iii) Governing Council of North-Eastern Indira Gandhi Regional Institute of Health and Medical Sciences, Shillong (NEIGRIMHS);
- (iv) Indian Nursing Council; and
- (v) Sree Chitra Tirunal Institute for Medical Sciences & Technology, Trivandrum.

2. This report pertains to the '**Central Committee of the Tuberculosis Association of India**' (CCTAI). In this connection, replies as per a List of Points had been sought from the administrative Ministry i.e. the Ministry of Health and Family Welfare (Department of Health and Family Welfare) *vide* this Secretariat OM No. 21/14/1/2021/CH, dated 07<sup>th</sup> January, 2021. The replies had been received *vide* their OM No. H-11016/01/2021-TB dated 21<sup>st</sup> June, 2021 (**Annexure-II**) and the same were forwarded to the Ministry of Law and Justice (Legislative Department and Department of Legal Affairs) for their consolidated opinion in the matter i.e. to know whether the nomination of the Members of Parliament to the Central Committee of the Tuberculosis Association of India (CCTAI) would attract disqualification from membership of the Houses of Parliament from the angle of office of profit under sub-clause (a) of clause (1) of the Article 102 of the Constitution of India, which *inter-alia*, provides that-

*'(1) A person shall be disqualified for being chosen as, and for being, a member of*

*either House of Parliament—*

*(a) If he holds any office of profit under the Government of India or the Government of any State, other than an office declared by Parliament by law not to disqualify its holder;'*

3. As per the Ministry of Health and Family Welfare (Department of Health and Family Welfare), the Tuberculosis Association of India (TAI) is a Society, registered under the Act of Societies Registration Act, 1860. As per the reply furnished (reply to List of points 1), the general management of the affairs of the Association is vested in and rests with its Central Committee who for the purpose of Act XXI of 1860, acts as the governing Body of the Association. The Central Committee is the Standing Committee of the Tuberculosis Association of India. The President of India is the Patron of the Association. The Central Committee consists of 33 Members, among whom two members are to be chosen from the Lok Sabha and one from the Rajya Sabha through election. The Government does not have any control over the appointment to and removal from the office of the Committee.

4. As per the Memorandum of Association of the Tuberculosis Association of India, following are the powers and functions of the Central Committee :-

- (a) to collect moneys and raise funds for the objects of the Association in every legitimate way;
- (b) to control and administer the property and funds of the Association and to apply the same or any part thereof for such purposes as they may consider conducive to the objects of the Association and to invest any of such moneys and from time to time to realize and vary such investments provided nevertheless that no part of the corpus of the King George Thanks-giving (Anti-Tuberculosis) Fund or King Emperor 's Anti- Tuberculosis fund which may be transferred to the Association shall be expended without the direction in writing of the Patron and for the purpose the decision of the Patron as to what part of the Fund is corpus and what part is the income of the said Fund shall be final;
- (c) to appoint and at their discretion remove or suspend such officers , clerks and servants for permanent , temporary or special services as they may from time to time think fit and to determine their powers and duties and to fix their salaries or emoluments;
- (d) to associate any benefactor or benefactors of the association or of any State organization or affiliated bodies in any honorary capacity as Vice-Patrons, etc.;
- (e) to frame bye-laws on any matters which under these regulations are to be regulated



by such bye-laws and on matters on which there is an adequate provision under these regulations;

- (f) with the approval of the Patron to alter or amend these regulations;
- (g) subject to the same being certified by the Auditor to pass the accounts of the Association and consider any recommendations made in regard thereto at the Annual General Meeting;
- (h) to encourage the establishment throughout the country in States and Union Territories TB Associations and affiliate or become affiliated with bodies having the same objects and to take steps to coordinate and standardize the activities of such Associations; and
- (i) generally to do such things as they may consider necessary or expedient for the purpose of carrying out the objects of the Association.

5. As it may be seen, the functions of the Central Committee of the Association are not purely advisory in nature. The role of the members of the Central Committee is to participate in the meetings of the Committee and give their considered opinion on the matters placed before it for consideration and approval. When asked about the expenses payable to the Member of Parliament as a Member of the Committee, the Ministry of Health and family Welfare (MoH&FW), in their written submissions informed that the Central Committee does not pay any remuneration / allowances, etc. to the Members of Parliament as Members of the Committee.

6. Under Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, 'compensatory allowance' has been defined as any sum of 'money payable to the holder of an office by way of daily allowance (such allowance not exceeding the amount of daily allowance to which a Member of Parliament is entitled under the Salary, Allowances and Pension of Members of Parliament Act, 1954), any conveyance allowance, house-rent allowance or travelling allowance for the purpose of enabling him to recoup any expenditure incurred by him in performing the functions of that office'.

7. The expression 'holds any office of profit under the Government' occurring in Article 102(1)(a) has perhaps nowhere been defined precisely. However, in order to determine whether an office held by a person or a member is an office of profit under the Government, the Joint Committee on Offices of Profit, in their Tenth Report (7th Lok Sabha), presented to Lok Sabha on 7th May, 1984 (**Annexure – III**), laid down the following guiding principles: -

“ The broad criteria for the determination of the question whether an office held by a person is an office of profit have been laid down in judicial pronouncements. If the Government exercises control over the appointment to and dismissal from the office and over the performance and functions of the office and in case the remuneration or pecuniary gain, either tangible or intangible in nature, flows from such office irrespective of whether the holder for the time being receives such remuneration or gain or not, the office should be held to be an office of profit under the Government. Otherwise, the object of imposition of the disqualifications as envisaged in the Constitution will become frustrated. This first basic principle should be the guiding factor in offering positions to a member of the Legislature.”

8. The Joint Committee on Office of Profit in their above mentioned report gave the under noted criteria to test the Committees, Commissions, etc., for deciding the question as to which of the offices should disqualify and which should not disqualify a person for being chosen as, and for being, a Member of Parliament : -

“ (i) Whether the holder draws any remuneration, like sitting fee, honorarium, salary, etc. i.e. any remuneration other than the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959;

(The Principle thus is that if a member draws not more than what is required to cover the actual out of Pocket expenses and does not give him pecuniary benefit, it will not act as a disqualification).

(ii) Whether the body in which an office is held, exercises executive, legislative or judicial powers or confers powers of disbursement of funds, allotment of lands, issue of licences, etc., or gives powers of appointment, grant of scholarship, etc.; and

(iii) Whether the body in which an office is held wields influence or power by way of patronage.

If reply to any of the above criteria is in affirmative then the office in question may entail disqualification.”

9. The Ministry of Law and Justice (Legislative Department) vide their OM F. No.17(3)/2021-Leg.III dated 03<sup>rd</sup> August, 2021 (Annexure-IV) had submitted their consolidated opinion in the matter, which is as under :-

" 5 The subject matter was examined by the Department of Legal Affairs in the light of the Constitutional and statutory provisions and case laws and particularly, in the light of the clarifications from the Ministry of Health and Family Welfare (MoH&FW) on the nature and constitution of the Tuberculosis Association of India, it was observed that the general management of the affairs of the Association is vested in its Central Committee who for the purpose of the Act, acts as the Governing Body of the Association. It is also clarified that two Members of the Lok Sabha and one Member of the Rajya Sabha are part of the Central Committee. The comments of the MoH&FW have been examined in the light of the test laid down by the Hon'ble Supreme Court in Shivamurthy Swami Vs Agadi Sanganna Andanappa as under:-

- (i) Whether the Government makes the appointment;
- (ii) Whether the Government has the right to remove or dismiss the holder;
- (iii) Does the Government exercise any control over the performance of those functions?

As per the reply furnished by the MoH&FW, the Government does not exercise control over the appointment to and removal from the office and over the performance and functions of the Committee. In reply to the question regarding role of Government in paying remuneration, it was replied by the MoH&FW that absolutely no expenses are paid to the MP on CCTAI. The Members of the Central Committee including MPs are entitled to (a) attend and vote at all General Meetings of the Association, (b) receive a copy of the annual statement of accounts and report of the Association, (c) enjoy such other privileges of membership as may from time to time be conferred on membership by these regulations and the bye-laws of the Association which at present is none. Further, CCTAI does not pay any allowances etc., to the MPs and hence the question of allowances payable to MPs as a Member of the Committee falling under the compensatory allowances as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959 does not arise. Regarding the functions of the holder, as replied by the administrative Ministry, the powers and functions of the Central Committee are mainly related to internal function of the CCTAI, such

*as controlling and administering the property and funds of the association, collect money and raise funds for the association, appoint and remove the officers, clerks, servants for the functioning of the association, framing by-laws etc. Further attention was also invited to section 3(i) of the Parliament (Prevention of Disqualification) Act, 1959 where holder of certain offices are exempted from disqualification.*

6. *On the basis of the above discussions, it was opined by the Department of Legal Affairs that the CCTAI does not appear to be an Office under the Government of India or the Government of any State. It is a society registered under the Societies Registration Act, 1860 and the President of India is the patron of the Association. It is also noted that the Government does not exercise any control over appointment and removal of the Members including the MPs in the CCTAI. The Government also does not exercise any control over the functioning of the CCTAI and neither any pay nor any allowances etc. are admissible to the MPs on the CCTAI.*
7. *In the light of the above, it was concluded by the Department of Legal Affairs that appointment of MPs in the CCTAI may not attract disqualification for holding an Office of Profit.*
8. *The subject matter has also been examined by the Legislative Department in detail and attention is also drawn to section 3(i) of the Parliament (Prevention of Disqualification) Act, 1959 (the Act) which reads as under :-*

*3. Certain offices of profit not to disqualify – It is hereby declared that none of the following offices, in so far as it is an office of profit under the Government of India or the Government of any State, shall disqualify the holder thereof for being chosen as, or for being, a member of Parliament, namely –*

*The office of chairman, director or member of any statutory or non-statutory body other than any such body as is referred to in*

*clause (h), if the holder of such office is not entitled to any remuneration other than compensatory allowance, but excluding (i) the office of chairman of any statutory or non-statutory body specified in Part I of the Schedule 4, (ii) the office of chairman or secretary of any statutory body or non- statutory body specified in Part II of the Schedule and (iii) the office of deputy chairman of the non-statutory body specified in Part III of the Schedule:*

9. *As no allowance, no facility and remuneration are payable/ receivable by the Member of Parliament as member of the CCTAI, the provisions relating to Compensatory Allowance as per section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959 not attracted. Therefore by virtue of section 3(i) read with section 2(a) of the said Act, the Members of Parliament appointed as members of the Central Committee of the Tuberculosis Association of India may not attract disqualification from the angle of Office of Profit.*
10. *Thus, the Legislative Department is in concurrence with the opinion tendered by the Department of Legal Affairs on the subject. "*

10. During the oral evidence of Ministry of Law and Justice on 22.12.2021, the representative from the Department of Legal Affairs summarised their views in the following words:-

*"...we examined it on the parameters which have been laid down by the hon. Supreme Court from time to time on the issue of determining whether an office is an office of profit under the Government or otherwise. On the examination of all those issues on those parameters, we found that the membership of the CCTAI wherein the hon. Members of Parliament are nominated, it does not fall under any office which is under the Government. Neither the Government has a right to make the appointment, nor any right to dismiss the holder. Foremost importance is the fact that there is no remuneration payable which has been emphatically stated by the Ministry of Health and Family Welfare in their comments and also that no remuneration whatsoever is being paid to Members of Parliament. In the light of the factual and legal position, we have opined that the membership of CCTAI, insofar as the Members of Parliament are concerned, does not attract disqualification under the provisions of the office of profit."*

### Recommendations/Observations

11. The Committee note that the Central Committee on Tuberculosis Association of India (CCTAI) is a Society registered under the Societies Registration Act, 1860, under the administrative control of the Ministry of Health and Family Welfare. The Committee was informed that the President of India is the patron of the Association. The Central Committee of CCTAI consists of 33 Members, among whom two members are to be chosen from the Lok Sabha and one from the Rajya Sabha. As per the submissions of the MoH&FW, the Government does not have any control over the appointment to the office and removal of the Members from the office of the Committee and over the performance and functions of the Committee. The functions of the Committee though not purely advisory in nature, are *inter alia*, limited to participate in the meetings of the Committee and give their considered opinion on the matters placed before it for consideration and approval; collect money and raise funds for the objects of the Association; control and administer the property and funds of the Association; appoint and at their discretion remove or suspend staff of the Committee and fix their salaries or emoluments; associate with any benefactor of the Association; and frame bye-laws on any matters under the regulations etc. and to amend the regulations etc. It has been informed that the Members of Parliament as Members of the Central Committee are not paid any remuneration/allowances of whatsoever of any kind.

12. The Committee in view of the above facts, decisively concurs with the consolidated views submitted to them by the Department of legal Affairs and Legislative Department of the Ministry of Law and Justice that the CCTAI does not appear to be an Office under the Government of India or the Government of any State and in absence of any allowance, facility and remuneration payable/ receivable by the Member of Parliament as member of the CCTAI, the provisions relating to Compensatory Allowance as per section 2(a) of the Parliament (Prevention of

Disqualification) Act, 1959 are also not attracted in the extant case. The Committee therefore recommend that by virtue of section 3(i) read with section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, the Judicial pronouncements and the established principles of the Joint committee on Offices of profit (10<sup>th</sup> Report, 7<sup>th</sup> Lok Sabha) the Members of Parliament appointed as members of the Central Committee of the Tuberculosis Association of India may not incur disqualification under Article 102(1) (a) of the Constitution of India, from the angle of Office of Profit.

New Delhi;  
29 March, 2022  
08 Chaitra, 1944 (Saka)

DR. SATYA PAL SINGH  
Chairperson,  
Joint Committee on Offices of Profit

21/11/2020/00

Annexure - I

**RAJYA SABHA SECRETARIAT  
(COMMITTEE CO-ORDINATION SECTION)**

\*\*\*

**Sub: Referring 5 non-exempt Statutory Bodies to the Joint Committee on Offices of Profit (JCOP) for examination and recommendation on the 'Office of Profit' issue.**

Presently, other than National Khadi and Village Industries Board which has already been referred to the JCOP for their examination and opinion from the angle of 'Office of Profit' through this Secretariat's Note dated 15.09.2020, there are 5 Statutory Bodies which have no provisions in their parent Acts/Rules, exempting Members from disqualification from the membership of the House on the ground of holding an 'Office of Profit' under Article 102(1)(a) of the Constitution of India or in the Parliament (Prevention of Disqualification) Act, 1959. These Bodies also do not have JCOP's recommendations for exemption of membership of MPs therein from being an 'Office of Profit'. A brief memorandum *w.r.t.* these 5 Bodies is enclosed. Relevant extracts of the Acts/Rules of the respective Bodies, is also enclosed.

2. The Lok Sabha Secretariat, therefore, is requested to place the matter before the JCOP, for its consideration and recommendation on whether the membership of MPs in these 5 non-exempt Bodies would entail any disqualification from the 'Office of Profit' angle. It would be appreciated if the views/recommendations of that Committee could be expeditiously obtained, so as to enable this Secretariat to take further necessary action on the matter at the earliest.

3. Further, Lok Sabha Secretariat is also requested to ensure that notice with respect to meetings of JCOP on the aforesaid issues are invariably sent to this Secretariat, so that the Officers concerned may also remain present to assist the Committee on the scheduled date(s).



**(R.P. TIWARI)  
ADDITIONAL DIRECTOR  
PHONE: 23035434**

Encls: As above.

Lok Sabha Secretariat (Smt. B. Visala, Director)

R.S.S I.D. No. 5(3)/2016-Coord, dated 23<sup>rd</sup> December, 2020.


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Dir. (CB-II)

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Dir (CB-II)  CBM



**By Speed Post**  
**Parliamentary Matter****No.H-11016/01/2021-TB**  
**Ministry of Health and Family Welfare**  
**Department of Health and Family Welfare**  
**(Central TB Division)**Nirman Bhawan, New Delhi  
Date: 21st June, 2021**OFFICE MEMORANDUM****Subject: : Referring 5 non-exempt Statutory Bodies for examination from the angle of 'Office of Profit'-reg**

The undersigned is directed to refer to Lok Sabha Secretariate's OM No.21/14/1/2021/CII dated 07th January, 2021 on the above mentioned subject.

2. The point-wise information is as under:-

1. Please state whether the Central Committee of the Tuberculosis Association of India is a Standing or an Adhoc body.

**Reply:** The Tuberculosis Association of India (TAI) is a Society registered under the Act of Societies Registration Act. The general management of the affairs of the Association is vested in and rests with its Central Committee who for the purpose of Act, XXI of 1860 acts as the Governing Body of the Association. The Central Committee is the Standing Committee of the Tuberculosis Association of India.

2. Please furnish details of the composition of the Central Committee of the Tuberculosis Association of India indicating the number of officials and non-officials in the body.

**Reply:**

The President of India is the Patron of the Association and the Central Committee consists of:

- i) The President (ex-Officio).
- ii) Three persons to be nominated by the Patron.
- iii) Director-General of Health Services (ex-Officio).
- iv) Director-General of Armed Forces Medical Service in India (ex-Officio).
- v) Adviser-in-TB, Govt. of India (ex-Officio).
- vi) One member of the Managing Body of the Indian Red Cross Society chosen by that body i.e. Indian Red Cross Society.
- vii) (a) Two members of the Lok Sabha chosen by that body i.e. Lok Sabha.  
(b) One member of the Rajya Sabha chosen by that body i.e. Rajya Sabha.
- viii) Seven members to be chosen at that Annual General Meeting as may from time to time be prescribed by the bye-laws of the Association.
- ix) One member having such qualifications as may be prescribed by the bye-law of the Association and chosen by each State branch as its representative connected with the working of the State Association.
- x) Members not exceeding five to be co-opted by the Central Committee after taking into

*Jeena ji 29/6/21, Already put up on 21-06-2021. Received via mail. Jeena 1.6.2021 -1/-*

consideration the recommendations of the Executive Committee

xi) The Treasurer of the Association (ex-Officio).

xii) The Third Trustee of the Association.

xiii) Four representatives of the National Conference on Tuberculosis and Chest Diseases chosen at the open session of that conference every year.

xiv) The Chairman of the Standing Technical Committee who is also President of the National Conference on Tuberculosis and Chest Diseases co-opted for the year.

xv) The Director-General of Railway Health Services (ex-Officio).

xvi) The Hony. Technical Adviser, TAI

3. Please give in detail the powers and functions of the committee.

**Reply:**

The powers and functions of the Central Committee:

(a) to collect moneys and raise funds for the objects of the Association in every legitimate way,

(b) to control and administer the property and funds of the Association and to apply the same or any part thereof for such purposes as they may consider conducive to the objects of the Association and to invest any of such moneys and from time to time to realize and vary such investments provided nevertheless that no part of the corpus of the King George Thanks-giving (Anti-Tuberculosis) Fund or King Emperor's Anti-Tuberculosis fund which may be transferred to the Association shall be expended without the direction in writing of the Patron and for the purpose the decision of the Patron as to what part of the Fund is corpus and what part is the income of the said Fund shall be final,

(c) to appoint and at their discretion remove or suspend such officers, clerks and servants for permanent, temporary or special services as they may from time to time think fit and to determine their powers and duties and to fix their salaries or emoluments,

(d) to associate any benefactor or benefactors of the Association or of any State organization or affiliated bodies in any honorary capacity as Vice-Patrons, etc.,

(e) to frame bye-laws on any matters which under these regulations are to be regulated by such bye-laws and on matters on which there is an adequate provision under these regulations,

(f) with the approval of the Patron to alter or amend these regulations,

(g) subject to the same being certified by the Auditor to pass the accounts of the Association and consider any recommendations made in regard thereto at the Annual General Meeting,

(h) to encourage the establishment throughout the country in States and Union Territories TB Associations and affiliate or become affiliated with bodies having the same objects and to take steps to coordinate and standardize the activities of such Associations,

(i) Generally to do such things as they may consider necessary or expedient for the purpose of carrying out the objects of the Association.

4. whether the functions of the committee are purely advisory in nature.

**Reply:** No. The Central Committee acts as the Governing Body of the Association.

5. Please furnish details with respect to the following :-

(i) the term of the Member of Parliament as non-official Member in the Committee;

(ii) whether the Government exercise control over the appointment to and removal from the office and over the performance and functions of the Committee;

(iii) the qualifications for Membership; and

(iv) the role of the Member of Parliament as a Member in the Committee.

**Reply:**

Member of Parliament shall cease to be the Member of TAI on the dissolution of or expiration of the term of Lok Sabha or Rajya Sabha by which they were chosen.

Qualifications in respect of MP's is determined by the Government. The other member's terms are given in the Bye-laws of the TAI (copy enclosed), and

(iv) The role of the members of the Central Committee is to participate in the meetings of the Committee and give their considered opinion on the matters placed before the Central Committee for its consideration and approval.

6. Please also give a specific reply to each of the following:-

- (i) Whether the Committee exercise executive, legislative or judicial powers;
- (ii) Whether the Committee confers powers of disbursement of funds, allotment of lands, etc;
- (iii) Whether it would have powers of appointment/removal; and
- (iv) Whether the Committee would wield influence or power by way of patronage.

Reply:

- (i) The Central Committee exercise executive powers. It doesn't have any legislative or judicial power.
- (ii) The TAI has no role of disbursement of funds or allotment of lands. It's running on donations from the public and on its rental income.
- (iii) The Central Committee has powers of appointment/removal of TAI staff as per rules.
- (iv) No.

7. (i) Please indicate the details of expenses payable to the Member of parliament as a Member of the Committee specifying the actual rates of payment with break-up of sitting fee, daily allowance, travelling allowance, house-rent allowance, compensatory allowance, honorarium, etc.

(ii) Please specify the facilities, other than the remuneration given or proposed to be given to the Member of parliament as a Member of the committee.

(iii) Please state whether the allowances payable to the Member of Parliament as a Member of the Committee are covered under the Compensatory Allowance as defined in Section 2(a) of Parliament (Prevention of Disqualification) Act, 1959.

Reply:

(i) Absolutely no expenses whatsoever are paid to the Member of Parliament on TAI Committee.

(ii) The Members of Central Committee including MPs are entitled to:

- (a) Attend and vote at all General Meetings of the Association,
- (b) Receive a copy of the annual statement of accounts and report of the Association,
- (c) Enjoy such other privileges of membership as may from time to time be conferred on membership by these regulations and the bye-laws of the Association which at present is none.

(iii) Not applicable as stated above TAI doesn't pay any allowances etc. to the MP's.

8. Please furnish any information which the Institute wish to furnish on the subject.

Reply: The copy of Memorandum of Association and Bye-laws giving Rules regulations etc. of TAI are enclosed.

3. This issues with the approval of Hon'ble Minister for Health and Family Welfare.

Encl: As above

(Shanti Negi)  
Under Secretary to the Govt. of India  
Tel:23061875

The Additional Director,  
(Kind attn:Shri Munish Kumar Rewari),  
Committee Branch-II,  
Joint Committee on Offices of Profit,  
Parliament House Annexe,  
Lok Sabha Secretariat,  
New Delhi -110001.

Copy for information to: Under Secretary, Parliament Section, MoHFW w.r.t. their OM  
No.H.11021.01.2021-Part. dated 22.01.2021.

Digitally signed by SHANTI  
NEGI  
Date: Mon Jun 21 10:52:32 IST  
2021  
Reason: Approved

—19—

021/TB DIVISION

**THE TUBERCULOSIS ASSOCIATION OF INDIA**

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**MEMORANDUM OF ASSOCIATION  
WITH  
RULES & REGULATIONS  
AND  
BYE-LAWS**

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*Containing amendments made upto ~~10-4-84~~ 24-4-87*

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**HEADQUARTERS SECRETARIAT  
3, Red Cross Road, New Delhi-11 0001.**

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**MEMORANDUM OF ASSOCIATION**

The name of the Society is the Tuberculosis Association of India (incorporating the King Emperor's Anti-Tuberculosis Fund and King George Thanks-giving (Anti-Tuberculosis) Fund).

2. The objects for which the Association is established are :-
- a) The prevention, control, treatment and relief of tuberculosis.
  - b) The encouragement of and assistance in the establishment throughout India of State Associations having objects similar in whole or in part to those of the Association.
  - c) The affiliation or control of and the rendering of assistance to any institution having objects similar in whole or in part to the objects of the Association.
  - d) The taking over of such portion as may be entrusted to it of the King Emperor's Anti-Tuberculosis fund on such terms and conditions as may be agreed upon.
  - e) The taking over of the King George Thanks-giving Fund and administration thereof.
  - f) The taking over of the assets and/or activities of any person or body for the objects of the Association.
  - g) The Administration of endowments having for all or any of their objects the prevention, control, treatment and relief of tuberculosis.
  - h) The collection, management and disbursement of funds raised or to be raised for all or any of its objects.
  - i) The purchase or acquisition on lease or in exchange or by way of gift or otherwise of any real or personal or immovable or movable property and any rights or privileges necessary or convenient for its purposes.
  - j) The sale, improvement, management and development of all or any part of the property and rights of the Association.
  - k) The borrowing of money with or without security.
  - l) The establishment and maintenance of Provident Funds or Pension Funds for the benefit of the employees of the Association.
  - m) The undertaking of the Research and Investigation on subjects concerning tuberculosis and allied chest diseases.

**TB DIVISION**

- 2) The doing of all such things as are incidental or conducive to the attainment of the above objects or any of them or which may be conveniently done along with or as subsidiary to the said objects.
3. The names, addresses and occupation of the persons who are members of and form the Central Committee or Governing Body of the said Association for the time being are as follows:-

HER EXCELLENCY THE MARCHIONESS OF LINLITHGOW  
The Viceroy's House, New Delhi, (President) (ex-officio).

MAJOR-GENERAL E.W.C. BRADFIELD, CIE, OBE, KHS, IMS,  
Director-General, Indian Medical Services, Imperial Hotel, New Delhi, (Ex-officio)

COLONEL SIR A.J.H. RUSSELL, CBE, KHS, IMS,  
Public Health Commissioner, Imperial Hotel, New Delhi (ex-Officio ).

U.N.SEN, Esq., CBE,  
Member of the Managing Body of the Indian Red Cross Society, 9-A, Western Court, New Delhi

Mr. A.C. BADENOCH, CST, CIE, ICS,  
Honorary Treasurer of the Association, 4, York Place, New Delhi, (ex-officio),

4. A copy of the Rules and Regulations of the said Association is filed with this Memorandum of Association and the undersigned being members of the said Association do hereby certify that such copy of such rules and regulations is a correct copy of the rules and regulations of the Association.

As witness our several and respective hands and signatures this 23rd day of February, 1939.

(signed)

Doreen Linlithgow

Geo.G Tabutcau

U.N.Sen

E. Burdon

Aruna Asaf Ali

H.H.Elliot

C.L. Houlton

E.W.C. Bradfield

A.J.H. Russell

A.C. Badenoch

G.Kaula

E. Cotter

C. Frimodt-Moller

M.B. Kagal

D.N. Mitra

## TB DIVISION

and Regulations of the Tuberculosis Association of India (incorporating the King Emperor's Anti-Tuberculosis Fund and King George Thanks-giving (Anti-Tuberculosis) Fund).

### PATRON

1. The Patron of the TUBERCULOSIS ASSOCIATION OF INDIA (incorporating the King Emperor's Anti-Tuberculosis Fund) hereinafter called 'the Association' shall be the President of India.

### PRESIDENT

2. (a) Her Excellency the Marchioness of Linlithgow shall be the first President of the Association and shall hold office as such till she resigns.
- (b) Thereafter the Central Committee shall elect a President who need not be a member of the Association or its Central Committee and such President shall ordinarily hold office for a term not exceeding three years and shall be eligible for re-election.

Provided, however, that if the President so elected is unable for whatever reason to effectively function as such for a period exceeding six months, the Central Committee may by a resolution terminate his tenure earlier than the period for which he was elected.

- (c) On the determination of the term of Office of the outgoing President the Central Committee shall elect the incoming President and until an effective election is made, the outgoing President shall function as President notwithstanding the expiration of the said term of three years.

### CENTRAL COMMITTEE

- 3 The Central Committee shall consist of :-
- i) The President (ex-Officio).
  - ii) Three persons to be nominated by the Patron.
  - iii) Director-General of Health Services (ex-Officio).
  - iv) Director-General of Armed Forces Medical Service in India (ex-Officio).
  - v) Adviser-in-TB, Govt. of India (ex-Officio).
  - vi) One member of the Managing Body of the Indian Red Cross Society chosen by that body.

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## 1/TB DIVISION

- vii) (a) Two members of the Lok Sabha chosen by that body.
  - (b) One member of the Rajya Sabha chosen by that body.
  - viii) Seven members to be chosen at that Annual General Meeting as may from time to time be prescribed by the bye-laws of the Association.
  - ix) One member having such qualifications as may be prescribed by the bye-law of the Association and chosen by each State branch and anybody or institution affiliated to or otherwise connected with the Association.
  - x) Members not exceeding five to be co-opted by the Central Committee after taking into consideration the recommendations of the Executive Committee
  - xi) The Treasurer of the Association (ex-Officio)
  - xii) The Third Trustee of the Association.
  - xiii) Four representatives of the National Conference on Tuberculosis and Chest Diseases chosen at the open session of that conference every year.
  - xiv) The Chairman of the Standing Technical Committee who is also President of the National Conference on Tuberculosis and Chest Diseases co-opted for the year.
  - xv) The Director-General of Railway Health Services (ex-Officio).
  - xvi) The Hony. Technical Adviser, TAI
4. The Central Committee shall function notwithstanding any vacancy in its body and no act or proceedings of the Central Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members or of any defect in the appointment or election of any of its members.
5. The appointment of members of the Central Committee (other than ex-officio members), the mode of their appointment, and their tenure of Office shall be determined by the bye-laws of the Association from time to time.
6. The general management of the affairs of the Association shall be vested in and rest with Central Committee who for the purposes of Act XXI of 1860 shall be taken to be and shall act as the Governing Body of the Association.
7. The Central Committee may meet together for the despatch of business, adjourn and otherwise regulate their meetings and proceedings as they think fit. Unless otherwise determined five members shall be a quorum. A meeting of the Central Committee for the time being at which a quorum is present shall be competent to exercise all or any of the functions of the Committee

## TB DIVISION

Without prejudice to the general powers conferred on the Central Committee it is hereby expressly declared that the Central Committee shall have the following powers, that is to say:-

- (a) to collect moneys and raise funds for the objects of the Association in every legitimate way,
- (b) To control and administer the property and funds of the Association and to apply the same or any part thereof for such purposes as they may consider conducive to the objects of the Association and to invest any of such moneys and from time to time to realize and vary such investments provided nevertheless that no part of the corpus of the corpus of the King George Thanks-giving (Anti-Tuberculosis) Fund or King Emperor's Anti-Tuberculosis fund which may be transferred to the Association shall be expended without the direction in writing of the Patron and for the purpose the decision of the Patron as to what part of the Fund is corpus and what part is the income of the said Fund shall be final,
- (c) To appoint and at their discretion remove or suspend such officers, clerks and servants for permanent, temporary or special services as they may from time to time think fit and to determine their powers and duties and to fix their salaries or emoluments,
- (d) to associate any benefactor or benefactors of the Association or of any State organisation or affiliated bodies in any honorary capacity as Vice-Patrons, etc.,
- (e) to frame bye-laws on any matters which under these regulations are to be regulated by such bye-laws and on matters on which there is an adequate provision under these regulations,
- (f) with the approval of the Patron to alter or amend these regulations,
- (g) subject to the same being certified by the Auditor to pass the accounts of the Association and consider any recommendations made in regard thereto at the Annual General Meeting.
- (h) to encourage the establishment throughout the country in States and Union Territories TB Associations and affiliate or become affiliated with bodies having the same objects and to take steps to coordinate and standardise the activities of such Associations.
- (i) Generally to do such things as they may consider necessary or expedient for the purpose of carrying out the objects of the Association.

9. The Central Committee may delegate any of the powers to sub-committees consisting of such members of their body as they think fit, save and except the powers mentioned in 8(e), (f) and (g).

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The Central Committee may from time to time for management and transaction the affairs of any institution controlled by the Association.

- (a) establish a local Committee,
- (b) Delegate to such committee all or any of their powers in respect of such institution with such reservations as the Central Committee shall think fit,
- (c) Appoint any persons to be members of such local Committee, and
- (d) Make rules for regulating the constitutions, powers and procedure of such local Committee.

### TRUSTEES

11. All the moneys, investments and other assets of the Association shall vest in the Trustees of the Association who shall hold the same subject to the regulations and bye-laws of the Association and subject to the directions of the Central Committee. The Chairman, the Treasurer and the Third Trustee appointed under rule 3(xii) shall be the Trustees and shall hold office on such terms as may be determined by the bye-laws of Association.

### MEMBERS

12.
  - (a) The signatories to the memorandum shall be members of the Association.
  - (b) Members of the Central Committee shall be members of the Association for the duration of tenure as members of the Central Committee, and
  - (c) Subject to compliance with such conditions as may be laid down by the bye-laws of the Association members nominated by State organisations and other affiliated bodies shall become members of the Association.
13. A Members shall be entitled to:
  - (a) attend and vote at all General Meetings of the Association,
  - (b) receive a copy of the annual statement of accounts and report of the Association,
  - (c) enjoy such other privileges of membership as may from time to time be conferred on membership by these regulations and the bye-laws of the Association.

### CHAIRMAN AND VICE-CHAIRMAN

14. The Director-General of Health Services shall be the ex-officio Chairman of the Central Committee. The Central Committee shall also choose a Vice-Chairman. In the absence of the President, the Chairman, and in the absence of both, the Vice-Chairman shall preside at ordinary meetings of the Committees. In the absence of the President, Chairman or Vice-Chairman, a Chairman shall be appointed by the majority of the members present at any meeting.

## MTB DIVISION

### HONORARY TREASURER

15. The Central Committee shall subject to the approval of the Patron appoint the Honorary Treasurer of the Association for such period on such conditions and with such powers and duties as may with the approval of the Patron be entrusted to him by the Central Committee.

### THIRD TRUSTEE

16. The Central Committee shall subject to the approval of the Patron appoint the Third Trustee of the Association for such period on such conditions and with such powers and duties as may with the approval of the Patron be entrusted to him by the Central Committee.

### AUDITOR

17. The Auditor of the Association shall be appointed by the Central Committee and shall as soon as possible after the close of the financial year of the Association and may as often as he considers necessary audit the accounts of the Association.

### SECRETARY-GENERAL

18. The Central Committee shall appoint a Secretary-General for the Association. The Secretary-General shall be the Chief Executive Officer of the Association and be responsible for carrying out under the direction and control of the Executive Committee the programme and policies of the Association and shall be responsible for the proper maintenance of accounts and for the discharge of such other duties as may from time to time be entrusted to him. His power to incur expenditure is limited to the provision for specified detailed items in the approved budget.

19. The Secretary-General shall cause minutes to be duly entered in books provided for the purpose:-

- (a) of all appointments of officers and employees;
- (b) of the names of the members present at each meeting of the Central Committee; and of any sub-committee.
- (c) of all orders made by the Central Committee and sub-Committees;
- (d) of all resolutions and proceedings of General Meetings of the Association and of the Central Committee and sub-committee;

and every such minute of any meeting of the Association, of the Central Committee or of any sub-committee if purporting to be signed by the Chairman of the next succeeding meeting of the corresponding body shall be *prima facie* evidence of the matters stated in such minute.

## ANNUAL GENERAL MEETING

20. An Annual General Meeting of the Association shall be held once every year at such time and place as the Patron may appoint, Notice of such meeting shall be given by time and place as the Patron may appoint, Notice of such meeting shall be given by publication in two daily news-papers at least a month before the meeting. Besides the Annual General Meeting, the Executive Committee may call an extraordinary General Meeting for any specific purpose after due intimation to the Central Committee.

21. The proceedings of the annual General Meeting shall be regulated by the bye-laws of the Association. Such bye-laws may provide for voting by proxy. Unless otherwise determined by the bye-laws every question submitted to an Annual General Meeting shall be decided by a show of hands and in case of equality of votes the Chairman shall have a second or casting vote. A declaration by the Chairman that a resolution has been carried or lost and an entry to that effect in the books of the proceedings of the Association shall be conclusive evidence of that fact. Unless otherwise decided at an Annual General Meeting the quorum of an Annual General Meeting shall be six members present in person or by proxy as prescribed by the bye-laws.

22. In time before the said Annual General Meeting (a) the Finance Committee shall cause to be prepared a statement of accounts of the Association duly certified by the auditors in respect of the preceding financial year for submission through the Executive Committee to the Central Committee as required under rule 8 (g) of these Rules and (b) the Executive Committee shall cause to be prepared a report on the activities of the Association. At each Annual General Meeting the said accounts and report shall be submitted.

## EXECUTIVE COMMITTEE

23. At the first meeting after the Annual General Meeting each year, the Central Committee shall appoint from amongst its members an Executive Committee for the conduct of the affairs of the Association.

The Executive Committee shall exercise all the powers of the Central Committee save and except the powers mentioned in Rule 8 (e), (f) and (g).

The transactions of the Executive Committee shall be duly recorded by the Secretary-General and laid before the next meeting of the Central Committee for its information. The Executive Committee may however refer any specific item of business within its powers for decision by the Central Committee.

**Members:** The Executive Committee shall consist of (a) Chairman, Vice-Chairman, Honorary Treasurer and the Third Trustee of the Association and (b) such number of members of the Association as may be elected annually by the Central Committee.

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Meetings: The Executive Committee shall meet at such time and place as may be fixed by Chairman. Three members shall form a quorum.

Whenever necessary the Chairman may obtain the opinion of of the Executive Committee by circulation and any action taken shall be put up for confirmation before the next meeting of the Executive Committee or the Central Committee, whichever is earlier.

### FINANCE COMMITTEE

24. At the first meeting after the Annual General Meeting each year the Central Committee shall appoint a Finance Committee which shall consist of the Chairman, Vice-Chairman, Honorary Treasurer and the Third Trustee and such number of other members as recommended by the Executive Committee.

The Finance Committee shall exercise the following powers:-

- (a) All the matters affecting the finances of the Association shall be referred for advice to the Finance Committee before being determined ;by the Executive Committee or the Central Committee as the case may be.
- (b) It should be the function of the Finance Committee to settle current financial business provided that such business does not involve any departure from the settled policy of the Association. Questions which involve departure from the settled policy of the Association shall be referred to the Executive Committee.
- (c) The Finance Committee shall have power also to deal finally with all matters affecting the non-gazetted staff provided that it shall not create any permanent post other than post of class IV official.
- (d) The Finance Committee after considering the report of the Auditor shall scrutinise annually the accounts of the Association and shall in consultation with the Treasurer prepare the Annual Budget, which will be submitted by it through the Executive Committee to the Central Committee for consideration.
- (e) Whenever necessary the Chairman may obtain the pinion of the Finance Committee by circulation and any action taken shall be submitted to the next meeting of the Finance Committee for confirmation.
- (f) All proceedings of the Finance Committee shall be submitted to the Executive Committee for its information.

### TECHNICAL COMMITTEE

25. a) There shall be a Technical Committee to advise the Association and through it other agencies - official and non official on anti-tuberculosis

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- official and non-official - on anti-tuberculosis work and on questions which cover technical mater in regard to policy, personnel, planning, conferences, seminars, camps, medical education, health education, publications, etc.;
- b) The Technical Committee shall consist of not less than 15 members -- TB workers drawn from difference parts of India -- of whom six are ex-officio members, viz. (a) Chairman, S.T.C., (b) past Chairman, S.T.C., (c) Editor, Indian Journal of Tuberculosis, (d) Adviser in TB, Government of India, (e) Director, TB Research Centre, Madras and (f) Director, National TB Institute, Bangalore.
  - c) The Chairman of the Association will nominate members of the Technical Committee in consultation with the the Executive Committee;
  - d) One-third of the members of the Technical Committee will retire annually, but will be eligible for renomination;
  - e) The Chairman of the Association will nominate a Chairman for the Technical Committee every year in consultation with members of the Technical Committee and subject to the approval of the Executive Committee;
  - f) The person nominated as the Chairman of the Technical Committee will be the President of the National Conference on Tuberculosis and Chest Diseases during the tenure of his office as Chairman of the Technical Committee.

### ADVISORY AND RESEARCH COMMITTEE

26. a) The Technical Committee shall appoint an ad-hoc Advisory and Research Committee of such members as will be available in the Headquarters for frequent consultations and discussions;
  - b) The proceedings of the meetings of this Committee shall be submitted to the Technical Committee for further consideration or for its information;
  - c) This Committee shall elect its Chairman every year from among its members.
27. The proceedings of the Technical and Advisory and Research Committees shall be submitted to the Executive Committee for its information provided that financial liabilities on the Association arising from the decisions of these Committees shall be subject to the approval of the Executive Committee.

**EDITORIAL BOARD**

28. (a) The Executive Committee shall appoint an Editorial Board for the Indian Journal of Tuberculosis.
- (b) The Editorial Board shall advise the Executive Committee about the publication of the Journal, its revenues, etc.

**AFFILIATION**

29. The power to affiliate State Organisations or other institutions and bodies shall be vested in the Central Committee.
30. The Central Committee shall be entitled to prescribe from time to time the fees to be paid for affiliation and other conditions of affiliation and to remit or relax the same or any part thereof in their discretion in any particular case or cases.
31. Each branch and affiliated body shall remain independent in the administration of its funds and the conduct of its operations except as regards the control over the activities of such branch or affiliated body which are partially or wholly financed by the Central Committee.
32. Each branch and affiliated body shall furnish an annual report regarding its work and shall assist by correspondence and otherwise in the furtherance of the common objects of the Association.
33. Each branch and affiliated body shall be entitled to propaganda literature at cost price and to any expert advice, guidance, demonstration and other service which may be conveniently rendered by the Central Committee or any of its officers.

**DISAFFILIATION**

34. The Central Committee by resolution may disaffiliate an affiliated Association, Institution or Body if in its opinion such Association, Institution or Body does not conform to the required standards of work or does not keep regular accounts or use its funds for purposes other than anti-TB work, or does not generally satisfy the basic requirements for affiliation prescribed under Rule 29.



## BYE-LAWS OF THE TUBERCULOSIS ASSOCIATION OF INDIA

### GENERAL

Bye-laws of the Association shall be framed or amended by the Central Committee on the recommendations of the Trustees and the Executive Committee and come into force as soon as these are approved by the Patron. The Executive Committee shall appoint such Sub-Committees or *Ad-hoc* Committees as may be found necessary for furthering the interest of the Association and its activities.

1. **Interpretation** : In these bye-laws:-

- (a) the Association shall mean "The Tuberculosis Association of India",
- (b) the rules shall mean "the rules and regulations of the Association".
- (c) affiliated bodies shall mean "State Organisations and other affiliated bodies".

### MEMBERS OF THE ASSOCIATION

- 2. (a) The Central Committee may from time to time fix the number of members of the affiliated body to be members of the Tuberculosis Association of India.
- 3. (a) The Executive Committee shall prescribe the conditions for membership and qualifications of members to be nominated by affiliated bodies prescribed under rule 12 (c).
- 4. (a) The Secretary-General shall keep a Register of Members of the Association.

A member of an affiliated body recommended for nomination as representative on the Tuberculosis Association of India shall make an application signed by him in the following form:

I.....residing at ..... being

A member of ..... hereby apply to be a member of the Tuberculosis Association of India and undertake in the event of being admitted as a member to observe the rules and bye-laws of the Association for the time being.

5. The application shall be deposited with an affiliated body of which the applicant is a member and may be forwarded by such affiliated body to the Secretary-General of the Association with a certificate in the following form:-

This is to certify that..... is a member of this Association and is a fit and proper person to be a member of the Tuberculosis Association of India.

6. All such applications shall be placed by the Secretary-General before the Central Committee or such other authority as the Central Committee may appoint in that behalf and the Central Committee or such other authority shall direct the name of such member to be placed on the register.
7. The Secretary-General shall enter the name and other particulars of such member in the register and inform the affiliated body through which the application for membership was made that the applicant has been duly admitted a member of the Association with effect from the date of the entry of his name in the register.
8. From the date of entry of his name in the register, the applicant shall become a member of the Association, and his application for membership shall form part of the roll of members.
9. A person shall cease to be a member of the Association if his name is expunged from the register.
10. The name of a person shall be expunged from the register by the Central Committee or such other authority as the Central Committee may appoint in that behalf:-
- (a) on the expiry of the term of three years;
  - (b) on his death;
  - (c) on resignation;
  - (d) on his ceasing to be member of the affiliated body on whose certificate he was elected a member of the Association;

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- (e) on the requisition of such State or affiliated Association for sufficient reason;
  - (f) for sufficient reason in the discretion of the Central Committee.
11. The register of members shall be conclusive evidence of membership and no other evidence will be accepted or recognised.
12. All notices and other communication, intended for any member, shall be delivered to the affiliated body to which such member belongs and the Association shall be under no obligation to see to the transmission of such notices and other communications to a member;
13. The accidental omission of any affiliated body to forward such notices or communications or non-receipt of such notices or communications by any member shall not invalidate any proceedings of the Association.
14. The signatories to the memorandum and persons appointed to the Central Committee *ex-officio* or otherwise who are not at the time of their appointment members of the Association or the Central Committee shall automatically become members of the Association on signing an application form and their names shall be placed on the register. The application form so signed shall be part of the roll of members. Nothing contained in bye-laws 2, 5 and 6 shall apply to them but their names shall be removable from the register on death or resignation or by a resolution of the Central Committee for sufficient cause and in case of persons last mentioned on their ceasing to be members of the Central Committee.

**MEMBERS OF CENTRAL COMMITTEE**

15. The persons nominated by the Patron shall hold office for three years from the respective dates of their nomination and shall be eligible for re-appointment.
16. (a) After the registration of the Association, the Secretary-General or other authorised officer of the Association shall ask the bodies referred to in clauses 3 (vi) and (vii) (a) and (b) of the Rules to choose their representatives on the Central committee as required there under.
- (b) Thereafter at or about the time of every Annual General Meeting the body referred to in clause 3(vi) of the Rules shall be required to choose its representative to the Central Committee and the bodies referred to in clauses 3 (vii)(a) and 3 (vii) (b) of the Rules, shall be required to choose their representatives to the Central Committee at or about the time of the Annual General Meeting next after the term mentioned in clause (c) below of the existing representatives of those bodies expires.

- (c) The representative chosen under clause (3) (vi) of the Rules shall hold office till the Annual General Meeting next after his or her appointment, the representatives chosen under clause 3 (vii) (a) of the Rules shall cease to be members on the dissolution of or expiration of the term of the Lok Sabha by which they were chosen or on ceasing to be members of that body and the representative chosen under clause 3 (vii) (b) of the Rules shall cease to be member on the expiration of the term of his membership of the Rajya Sabha.
- (d) Notwithstanding anything in (c) above, the outgoing representative shall function as a member of the Central Committee till the incoming representative is chosen.

17. Under 3 (ix) of the regulations:

- (a) An affiliated Association, Institution or Body shall choose as its representative on the Central Committee a person who is connected with the working of the concerned Association and can help further voluntary work.
- (b) The persons so appointed shall hold office for three years and shall be eligible for reappointment. Any such person shall cease to be a member of the Central Committee:
  - (i) on the expiry of the term of three years;
  - (ii) on his death;
  - (iii) on resignation;.
  - (iv) on his ceasing to be member of the affiliated body on whose request he was elected a member of the Association
  - (v) on the requisition of such State or affiliated Association for sufficient reason;
  - (vi) for sufficient reason in the discretion of the Central Committee.
- (c) The certificate of the Chairman of the Association that a person has been appointed to a seat with effect from a particular date shall be conclusive as establishing that the person named has been so appointed and the term of appointment of his predecessor has been determined.

18. (a) The members referred to in clause 3 (viii) of the Rules shall be elected at the Annual General Meeting of the Association.

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- (b) Their term of membership shall commence only after the meeting of the Central Committee held following their election.
  - (c) They shall held office till the Central Committee meeting following the one held after their election and shall be eligible for re-election provided they continue to be members of the Association under Bye-law 2 of these Rules.
19. (a) Not less than 21 days before the date of the Annual General Meeting any member of the Association may propose one or more members of the Association appointed under Bye-law 2 for election to the Central Committee under clause 3 (viii) of the Rules by depositing with the Secretary-General of the Association a proposal in writing, signed by the proper and the person proposed.
- (b) The Secretary-General shall not less than 10 days before the date of the Annual General Meeting send a list of the names proposed to all affiliated bodies.
  - (c) The list shall be placed on the table at : the Annual General Meeting.
  - (d) The voting on the election shall be in such manner as the Chairman of the meeting shall determine and may be by ballot.
  - (e) The result of the election may be declared by the Chairman of the meeting at the meeting itself or later by public advertisement and such declaration shall be conclusive.
  - (f) Members declared elected shall hold office till the Central Committee meeting following the one held after their election but shall be eligible for re-election.
  - (g) The Provisions of bye-laws (a) and (b) may be relaxed by the Central Committee at their discretion.
20. Members co-opted under clause 3 (x) shall hold office till the next General Meeting after their co-option. They may be co-opted again.

**GENERAL MEETING**

21. The General Meeting of the Association referred to in clause 20 of the Rules shall be the Annual General meeting of the Association. All other general meetings of the members shall be extra-ordinary General Meetings of the Association.

22. The provisions as to notice of the Annual General Meeting contained in the Rule shall *mutatis mutandis* apply to extra-ordinary General Meeting.

23. The President, if present, shall be the Chairman of and preside at all General Meetings of the Association. In the absence of the President the Chairman of the Central Committee and in his absence the Vice-Chairman shall preside at the General Meeting.

### TRUSTEES

24. As soon as possible after registration of the Association, the Central Committee shall appoint a trustee in terms of clause 11 of the rules and obtain the approval of the Patron to such appointment.

25. The trustee so appointed shall hold office till he resigns or is discharged by the Central Committee with the approval of the Patron.

26. Bye-laws 24 and 25 shall apply *mutatis mutandis* to subsequent trustees.

27. (a) Without prejudice to the generality of powers conferred on them by the memorandum or rules the Central Committee may apply any fund in their hands for acquiring movable or immovable property for use by the Association or any affiliated body or other connected institution.

(b) Funds not required or likely to be required for the purpose aforesaid shall be kept invested in securities in which trustees are authorised to invest under the law for the time being in force in India.

(c) The trustees may notwithstanding anything herein contained retain any securities transferred to them by any donor in the form in which such securities are made over.

### CONDITIONS OF AFFILIATION

28. (a) The affiliated body must be registered or incorporated according to law and pay a fee of Rs. 10/-.

(b) The prevention, control, treatment and relief of tuberculosis must be its principal object. Affiliation with the Tuberculosis Association of India must be one of its objects also.

(c) The constitution to be approved by the Tuberculosis Association of India.

(d) In order to obtain such approval the constitution must provide:-

## 2021/TB DIVISION

- (i) That no portion of the corpus of the King Emperor's Anti-Tuberculosis Fund, which may be transferred to them shall be expended without the sanction of some authority to be prescribed by the affiliated body in its constitution and approved by the Tuberculosis Association of India.
- (ii) That the constitution shall not be altered without the consent of the prescribed authority.
- (iii) The funds of the Association shall be vested in trustees one of whom must be appointed with the approval of the prescribed authority.
- (iv) A specimen form will be provided by the Tuberculosis Association of India and the same may be adopted by an affiliated society with such variations as the affiliated body may consider necessary. Variations in the particulars mentioned in (i), (ii) and (iii) above will not as a rule be permitted.
- (e) The affiliated body must keep regular accounts and should agree to send to the Tuberculosis Association of India a true copy of its balance sheet and statement of account certified by a qualified auditor and furnish particulars required as to disbursements out of the income or corpus of the King Emperor's Anti-Tuberculosis Fund and any money paid by the Tuberculosis Association of India to such affiliated body.

# THE TUBERCULOSIS ASSOCIATION OF INDIA APPLICATION FOR MEMBERSHIP

To

The Secretary.....  
(affiliated to the Tuberculosis Association of India).

I.....resident at  
.....being a member of the  
.....hereby apply to be a member  
of the Tuberculosis Association of India and undertake in the event of being admitted  
as a member to observe the rules and bye-laws of the Association for the time  
being.

Place.....

Date.....

Signature.....

## CERTIFICATE

This is to certify that..... is a  
member of the Association and is a fit and proper person to be a member of the  
Tuberculosis Association of India.

Place.....

Signature.....

Date.....

Secretary.....



## APPENDIX I

**Powers and duties of the Honorary Treasurer of the Tuberculosis Association of India**

1. To balance the cash book monthly.
2. To be responsible generally for maintenance of accounts and for presenting accounts to the Finance and Executive Committees.
3. To advise on all financial and establishment matters.
4. To prepare and present the annual accounts to the Central Committee and to the Annual General Meeting.
5. To prepare the budget and present it to the Finance Committee and to the Central Committee.
6. To exercise such powers of authorising expenditure as may be delegated to him by the Finance Committee, with the approval of the Central Committee.

## APPENDIX II

**List of States and Union Territories****I. STATES**

- |                     |                   |
|---------------------|-------------------|
| 1. Andhra Pradesh   | 12. Manipur       |
| 2. Assam            | 13. Meghalaya     |
| 3. Bihar            | 14. Nagaland      |
| 4. Gujarat          | 15. Orissa        |
| 5. Haryana          | 16. Punjab        |
| 6. Himachal Pradesh | 17. Rajasthan     |
| 7. Jammu & Kashmir  | 18. Sikkim        |
| 8. Karnataka        | 19. Tamil Nadu    |
| 9. Kerala           | 20. Tripura       |
| 10. Madhya Pradesh  | 21. Uttar Pradesh |
| 11. Maharashtra     | 22. West Bengal   |

**II. UNION TERRITORIES**

- |  |                      |
|--|----------------------|
| 1. Delhi                                 | 6. Pondicherry       |
| 2. Andaman & Nicobar Islands             | 7. Chandigarh        |
| 3. Laccadive, Minicoy & Amindivi Islands | 8. Arunachal Pradesh |
| 4. Dadra and Nagar Haveli                | 9. Mizoram           |
| 5. Goa, Daman & Diu                      |                      |

Annexure III

CR-II No. 344

JOINT COMMITTEE ON OFFICES  
OF PROFIT

TENTH REPORT

(SEVENTH LOK SABHA)

ON

THE DRAFT PARLIAMENT (PREVENTION OF  
DISQUALIFICATION) AMENDMENT BILL, 1983



Presented to Lok Sabha on 7th May, 1984

Laid in Rajya Sabha on 7th May, 1984

LOK SABHA SECRETARIAT  
NEW DELHI

May, 1984 (Vaisakha, 1906 (Saka))

Price : Rs. 5-20

## GENERAL RECOMMENDATIONS/GUIDELINES

10.1 The Joint Committee on Offices of Profit on 26th October, 1983 heard the views of representatives of the Ministry of Law, Justice and Company Affairs (Legislative Department as well as Department of Legal Affairs) on the question whether the principles followed by the Joint Committee on Offices of Profit for deciding various offices for granting exemption from disqualification or excluding them from such exemption, could be incorporated in the Parliament (Prevention of Disqualification) Act, 1959 through an amending Bill.

10.2 On being asked in that regard, the Secretary of the Department of Legal Affairs stated that it might not be permissible under Article 102 (1) (a) of the Constitution to enumerate the principles and the guidelines on the basis of which an office of profit was to be determined in the Act. However, technically it would be open to Parliament to lay down principles and guidelines by saying that "if a person is found to be holding an office which satisfies certain principles and guidelines, then the holder of that particular office will stand disqualified". But that might give rise to many practical complications and difficulties. First, that might open flood gates of disputes because the determination of the fact as to whether the holder of any particular office other than the office of profit would fall within the guidelines or principles, would itself be a point of dispute or form part of that dispute. Secondly, there would be an increase in the references under Article 103 of the Constitution virtually leading to an enormous rise in the election petitions to be decided by the President and Election Commission, because any number of election petitions could be filed then on the basis that a particular person was not disqualified as his case was not covered by the guidelines which were proposed to be laid down. The Secretary, Legislative Department also submitted that leaving aside the case of purely advisory bodies, there were bound to be some powers of an executive nature whenever a member became a member of the Executive Committee of a body however insignificant the nature of powers might be. If a provision to that effect was made in any Act it would tantamount to nullifying the exemption itself which was the

behind enacting the... the task of de... qualify a member, would... uncertain and would... be the case with legi... the exact type of such... the issue fairly clo... the exemption of the ne... Committee on Offices of P... had accepted an offi... disqualification. With re... disqualified if he held a... or distribute patronage, th... end of judicial decisio... in terms of pecunia... would not disqualify.

10.3 The Committe... of disqualification u... Constitution is that a... Government by acceptin... compromise his indepen... of the executive so that... their duties to their e... of personal gain. They... self-interest.

10.4 The broad cri... an office held by a pers... pronouncements. If the... and dismissal from the... office and in case the... intangible in nature, fl... for the time being ac... office should be held to... the object of impositio... tion will become fru... the guiding factor in

10.5 Keeping the... of Profit have been... Commissions, etc. }

GUIDELINES

... on 26th October, 1981  
... Ministry of Law, Justice and  
... as Department of Legal  
... owed by the Joint Commi-  
... s for granting exemption  
... exemption, could be incor-  
... (ation) Act, 1959 through

... ctary of the Department of  
... e under Article 102 (1) (a)  
... the guidelines on the basis  
... ned in the Act. However,  
... own principles and guide-  
... be holding an office which  
... holder of that particular  
... give rise to many practical  
... ea flood gates of disputes  
... the holder of any particu-  
... fall within the guidelines of  
... r form part of that dispute  
... ces under Article 103  
... rise in the election petitions  
... sion, because any number  
... asis that a particular person  
... the guidelines which  
... egislative Department  
... advisory bodies, there  
... whenever a member became  
... y however insignificant  
... t effect was made an  
... emption itself which wa

purpose behind enacting the 1959 Act. So, with a view to make the provision workable, the task of defining the type of executive power, which was to disqualify a member, would have to be taken up. The law would also become very uncertain and would lead to an increase of election petitions. Same would be the case with legislative, judicial and financial powers as in each case the exact type of such powers which would disqualify, had to be specified making the issue fairly cloudy. He also stated that the work of advice on the exemption of the nature of the office had been entrusted to the Joint Committee on Offices of Profit since a member was entitled to know before he had accepted an office as to whether acceptance of it would lead him to disqualification. With regard to the guidelines that a member would be disqualified, if he held an office where he was in a position to wield influence or distribute patronage, the representatives of the Ministry maintained that the trend of judicial decisions had been to equate profit in terms of money or assess in terms of pecuniary gain. Mere patronage under Article 102 (1) (a) would not disqualify.

10.3 The Committee feel that the basic principle underlying the imposition of disqualification under articles 102 (1) (a) and 191 (1) (a) of the Constitution is that a member of the Legislature should not be indebted to Government by accepting an 'office of profit' under the Government and thus compromise his independence. The Legislature should be kept independent of the executive so that the members would be free to carry out fearlessly their duties to their electorate and not to be influenced by any consideration of personal gain. They should not be in the risk of conflict between duty and self-interest.

10.4 The broad criteria for the determination of the question whether an office held by a person is an office of profit have been laid down in judicial pronouncements. If the Government exercises control over the appointment to and dismissal from the office, and over the performance and functions of the office and in case the remuneration or pecuniary gain, either tangible or intangible in nature, flows from such office irrespective of whether the holder of the office being actually receives such remuneration or gain or not, the office should be held to be an office of profit under the Government. Otherwise, the object of imposition of the disqualifications as envisaged in the Constitution will become frustrated. This first basic principle (para 10.3) should be a guiding factor in offering positions to a member of the Legislature.

10.5 Keeping the above position in view, the Joint Committee on Offices of Profit have been following the undernoted criteria to test the Committees, Commissions, etc. for deciding the question as to which of the offices

should disqualify and which should not disqualify a person for being a Member of Parliament as and for being a Member of Parliament :-

- (i) Whether the holder draws any remuneration, like sitting fee-honorarium, salary, etc. i.e any remuneration other than the 'compensatory allowance' as defined in Section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959 ;

[The principle thus is that if a member draws not more than what is required to cover the actual out-of-pocket expenses and does not give him pecuniary benefit, it will not act as a disqualification.]

- (ii) Whether the body in which an office is held, exercises executive, legislative or judicial powers or confers powers of disbursement of funds, allotment of lands, issue of licences, etc, or gives powers of appointment, grant of scholarships, etc. ; and
- (iii) Whether the body in which an office is held wields influence or power by way of patronage.

10.6 If reply to any of the above criteria is in affirmative then the offices in question will entail disqualification.

11.1 The Joint Commission Government might revise (Disqualification) Amendment Bill Committee as early as possible should be introduced before Parliament as was the fact that the Bill so introduced in Parliament as was the fact

NEW DELHI;  
27th April, 1984  
Vaisakha 7, 1906 (S)

Annexure - IV

F.No.17(3)/2021-Leg.III  
Government of India  
Ministry of Law and Justice  
Legislative Department  
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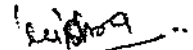
Shastri Bhawan, New Delhi  
Dated the 3<sup>rd</sup> August, 2021

OFFICE MEMORANDUM

Subject: Examination of Non-exempt Statutory body from the angle of Office of profit-  
Central committee of the Tuberculosis Association of India(CCTAI) -reg

The undersigned is directed to refer to the Lok Sabha Secretariat OM No.21/14/1/2021/CII dated the 19<sup>th</sup> July, 2021 on the above mentioned subject and to forward herewith the consolidated opinion of both the Department of Legal Affairs and the Legislative Department in the matter.

Encl: A/a

  
(Vinay Kumar Mishra)  
Deputy Legislative Counsel  
Ph: 23384065

The Lok Sabha Secretariat  
Committee Branch-II  
[Kind Attn: Shri Kundan Kumar, Committee Officer]  
[Joint Committee on Offices of Profit ]]  
G-013, B Block, PHA Extension Building  
New Delhi. 110 001

20  
u/s  
5/8/21

Ms. Seema Rao

Legislative Department  
Leg-III Section

**Subject: Central Committee on Tuberculosis Association of India – examination from the angle of Office of Profit: Consolidated opinion of Ministry of Law and Justice**

Lok Sabha Secretariat, vide its OM No. 21/14/1/2021/CII dated the 21<sup>st</sup> June, 2021 has requested for a consolidated opinion of the Ministry of Law and Justice (Department of Legal Affairs and Legislative Department) on the examination of the Central Committee of the Tuberculosis Association of India (CCTAI) from the angle of Office of Profit.

2. The reference puts forth for consideration is the issue as to whether the nomination of the Hon'ble Members of Parliament to the CCTAI would attract disqualification from membership of the House for holding 'Office of Profit' under sub-clause (a) of clause (1) of article 102 of the Constitution.

3. The relevant Constitutional provision i.e. sub-clause (a) of clause (1) of article 102 of the Constitution provides as under:-

*"(1) A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament—*

*(a) if he holds any office of profit under the Government of India or the Government of any State, other than an office declared by Parliament by law not to disqualify its holder;"*

4. In so far as the law made by Parliament is concerned, the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) has been enacted to declare certain office of profit under the Government, not to disqualify the holders thereof for being chosen as, or for being, a member of Parliament.

5. The subject matter was examined by the Department of Legal Affairs in the light of the Constitutional and statutory provisions and case laws and particularly, in the light of the clarifications from the Ministry of Health and Family Welfare (MoH&FW) on the nature and its

constitution of the Tuberculosis Association of India, it was observed that the general management of the affairs of the Association is vested in its Central Committee who for the purpose of the Act, acts as the Governing Body of the Association. It is also clarified that two Members of the Lok Sabha and one Member of the Rajya Sabha are part of the Central Committee. The comments of the MoH&FW have been examined in the light of the test laid down by the Hon'ble Supreme Court in *Shivamurthy Swami Vs Agadi Sanganna Andanappa* as under:

- (i) whether the Government makes the appointment,
- (ii) whether the Government has the right to remove or dismiss the holder,
- (iii) Does the Government exercise any control over the performance of those functions?

As per the reply furnished by the MoH&FW, the Government does not exercise control over the appointment to and removal from the office and over the performance and functions of the Committee. In reply to the question regarding role of Government in paying remuneration, it was replied by the MoH&FW that absolutely no expenses are paid to the MP on CCTAI. The Members of the Central Committee including MPs are entitled to (a) attend and vote at all General Meetings of the Association, (b) receive a copy of the annual statement of accounts and report of the Association, (c) enjoy such other privileges of membership as may from time to time be conferred on membership by these regulations and the bye-laws of the Association which at present is none. Further, CCTAI does not pay any allowances etc, to the MPs and hence the question of allowances payable to MPs as a Member of the Committee falling under the compensatory allowances as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959 does not arise. Regarding the functions of the holder, as replied by the administrative Ministry, the powers and functions of the Central Committee are mainly related to internal function of the CCTAI, such as controlling and administering the property and funds of the association, collect money and raise funds for the association, appoint and remove the officers, clerks, servants for the functioning of the association, framing by-laws etc. Further attention was also invited to section 3(i) of the Parliament (Prevention of Disqualification) Act, 1959 where holder of certain offices are exempted from disqualification.

6. On the basis of the above discussions, it was opined by the Department of Legal Affairs that the CCTAI does not appear to be an Office under the Government of India or the



Government of any State. It is a society registered under the Societies Registration Act, 1860 and the President of India is the patron of the Association. It is also noted that the Government does not exercise any control over appointment and removal of the Members including the MPs in the CCTAI. The Government also does not exercise any control over the functioning of the CCTAI and neither any pay nor any allowances etc. are admissible to the MPs on the CCTAI.

7. In the light of the above, it was concluded by the Department of Legal Affairs that appointment of MPs in the CCTAI may not attract disqualification for holding an Office of Profit.

8. The subject matter has also been examined by the Legislative Department in detail and attention is also drawn to section 3(i) of the Parliament (Prevention of Disqualification) Act, 1959 (the Act) which reads as under:—

*3. Certain offices of profit not to disqualify.—It is hereby declared that none of the following offices, in so far as it is an office of profit under the Government of India or the Government of any State, shall disqualify the holder thereof for being chosen as, or for being, a member of Parliament, namely,—*

*(i) the office of chairman, director or member of any statutory or non-statutory body other than any such body as is referred to in clause (h), if the holder of such office is not entitled to any remuneration other than compensatory allowance, but excluding (i) the office of chairman of any statutory or non-statutory body specified in Part I of the Schedule 4, (ii) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule and (iii) the office of deputy chairman of the non-statutory body specified in Part III of the Schedule;*

9. As no allowance, no facility and remuneration are payable/receivable by the Member of Parliament as member of the CCTAI, the provisions relating to compensatory Allowance as per section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959 not attracted. Therefore by virtue of section 3(i) read with section 2(a) of the said Act, the Members of Parliament

appointed as members of the Central Committee of the Tuberculosis Association of India may not attract disqualification from the angle of Office of Profit.

10. Thus, the Legislative Department is in concurrence with the opinion tendered by the Department of Legal Affairs on the subject.

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(ii) *Legislative Department*

S. No.	Name	Designation
1.	Dr. Reeta Vasishtha	Secretary
2.	Shri K.R. Saji Kumar	Joint Secretary
3.	Shri Mahendra Khandelwal	Additional Govt. Advocate

**SECRETARIAT**

S. No.	Name	Designation
1.	Smt. Suman Arora	Joint Secretary
2.	Shri Munish Kumar Rewari	Additional Director
3.	Smt. Manjinder Pubbi	Under Secretary

2. At the outset, the Chairperson welcomed the Members and the representatives of the Ministry of Law and Justice (Legislative Department and Department of Legal Affairs) to the sitting of the Committee and apprised them about the agenda of the sitting i.e. draft Memoranda Nos. 9 and 10 with respect to the examination of nomination of Members of Parliament to the Central Committee of the Tuberculosis Association of India (CCTAI) and the Indian Nursing Council (INC), respectively.

3. While discussing Memorandum No.9, the representatives of the Ministry of Law and Justice (Department of Legal Affairs) submitted that neither the Government has a right to make the appointment, nor to dismiss the holder and that there is no remuneration which are paid to the Members of Parliament as members of the CCTAI. The representatives of the Legislative Department also stated that as per the information furnished by the Ministry of Health and Family Welfare, nothing is being paid to them and that they are not entitled to anything beyond compensatory allowance. Thus, they will not be disqualified.

4. The Committee unanimously accepted the opinion submitted by the representatives of the Ministry of Law and Justice (Legislative Department and Department of Legal Affairs) pertaining to draft Memorandum No. 9.      \*\*                      \*\*                      \*\*

\*\*                    \*\*                    \*\*                    \*\*                    \*\*

5-6. \*\*                    \*\*                    \*\*                    \*\*                    \*\*

7.     A copy of the verbatim proceedings of the sitting is enclosed and the same is kept on record.

The Committee then adjourned.

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\*\*     Matter not related with this subject.

**Joint Committee on Offices of Profit**  
**(17<sup>th</sup> Lok Sabha)**

**Extracts of the Minutes of the Sitting of the Committee**

The Committee sat on Tuesday, 29 March, 2022 from 1500 to 1510 hrs. in Committee Room 'B', Ground Floor, Parliament House Annexe, New Delhi.

**Present**

Dr. Satya Pal Singh

-

*In the Chair*

**Members**

**Lok Sabha**

2. Shri Behanan Benny
3. Dr. Manoj Rajoria
4. Shri Balashowry Vallabbhaneni
5. Shri Shyam Singh Yadav

**Rajya Sabha**

6. Dr. Sasmit Patra
7. Shri V. Vijayasai Reddy
8. Ms. Dola Sen
9. Shri Hardwar Dubey

**Secretariat**

1. Shrimati Suman Arora -- Joint Secretary
2. Shri Sundar Prasad Das -- Director
3. Shri Uttam Chand Bharadwaj -- Additional Director

2. At the outset, the Chairperson of the Joint Committee on Offices of Profit welcomed the Members of the Committee to the sitting of the Committee and apprised them about the agenda of the sitting i.e. consideration and adoption of three draft Reports regarding examination of election of Members of Parliament to the 'Central Committee of the Tuberculosis Association of India' (CCTAI); the 'Indian Nursing Council' (INC); and the 'Sree Chitra Tirunal Institute for Medical Sciences and Technology (SCTIMST), Trivandrum'. The Committee unanimously adopted the three draft Reports without any modification. The Committee authorised the Chairperson to finalise the Reports, as per the

factual verification from the Ministry / Department concerned and present these to both the Houses of Parliament.

3.     \*\*                                 \*\*                                 \*\*                                 \*\*

The Committee then adjourned.

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\*\* Matter not related with this subject.