

JOINT COMMITTEE ON OFFICES OF PROFIT

FOURTH REPORT
(SEVENTH LOK SABHA)



Presented to Lok Sabha on 11 August, 1982

Laid in Rajya Sabha on 11 August, 1982

LOK SABHA SECRETARIAT
NEW DELHI

August, 1982/Sravana 1904 (Saka)

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JOINT COMMITTEE ON OFFICES OF PROFIT
(SEVENTH LOK SABHA)

COMPOSITION OF THE JOINT COMMITTEE

Shri Gulsher Ahmed—*Chairman*

MEMBERS

Lok Sabha

- *2 Shri Ajitsinh Dabhi
3. Shri Harish Kumar Gangwar
4. Shri Krishna Chandra Halder
5. Shri Virdhi Chander Jain
6. Shri Jamilur Rahman
7. Shri Rashid Masood
8. Shri S. A. Dorai Sebastian
9. Shri N. K. Shejwalkar
10. Shri Nandi Yellaiah

Rajya Sabha

11. Shri Syed Rahmat Ali
12. Shri Dinesh Goswami
13. Shri Robin Kakati
14. Shri Lakhan Singh
- **15.

SECRETARIAT

Shri H. G. Paranjpe—*Joint Secretary*

Shri S. D. Kaura—*Chief Legislative Committee Officer*

Shri T. E. Jagannathan—*Senior Legislative Committee Officer*

*Elected by Lok Sabha on the 21st July, 1982 vice Shri Jagan Nath Kaushal resigned from the Committee.

**To be elected by Rajya Sabha vice Prof. N. M. Kamble ceased to be member of the Joint Committee on his retirement from Rajya Sabha on the 2nd April, 1982.

REPORT OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

I

INTRODUCTION

I, the Chairman of the Joint Committee on Offices of Profit, having been authorised by the Committee to present the Report on their behalf, present this their Fourth Report of the Committee.

1.2 The matters covered by the Report were considered by the Committee at their sittings held on 14 April, 22 and 24 May and 16 and 17 June, 1982. Minutes of these sittings form part of the Report and are at Appendix.

1.3 The Committee considered the composition, character, functions etc. of 40 Committees/Boards/Councils/Corporations etc. constituted by the Central Government, State Governments and the Union Territory Administrations and the emoluments and allowances payable to their members.

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

1.5 The Committee considered and adopted the Report on 6th August, 1982.

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

II

COMMITTEES/BOARDS/COUNCILS/CORPORATIONS ETC. CONSTITUTED BY THE CENTRAL AND STATE GOVERNMENTS AND THE UNION TERRITORY ADMINISTRATIONS

*Governing Council of the People's Action for Development (India),
New Delhi (Ministry of Rural Development)*

2.1 The Committee note that the Chairman and Secretary of the Governing Council of the People's Action for Development (India) are both officials. The Committee also note that although no payment is made to non-official members of the Governing Council, it exercises both executive and financial powers. Hence, the Committee feel that the non-official members of the Governing Council ought not to be exempt from disqualification.

*Board of Governors, Sainik Schools Society
(Ministry of Defence)*

2.2 The Committee note that the non-official members of the Board of Governors, Sainik Schools Society are entitled to TA/DA which is less than the 'compensatory allowance.' But the Board of Governors, exercises executive and financial powers and appears to wield influence and power by way of patronage. As such, the Committee feel that the non-official members thereof ought not to be exempt from disqualification.

Indian Rice Development Council (Ministry of Agriculture)

2.3 The Committee note that the non-official members of the Indian Rice Development Council are entitled to TA/DA as admissible to Grade I officers of the Government which is less than the 'compensatory allowance'. The functions of the Council are also advisory in nature. As such, the Committee feel that the non-official members including the Chairman of the Council ought to be exempt from disqualification.

*Indian Horticulture Development Council (Ministry of Agriculture—
Department of Agriculture and Cooperation)*

2.4 The Committee note that the non-official members (including Chairman) of the Indian Horticulture Development Council are

entitled to TA/DA as admissible to Grade I Officers of the Government which is less than the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Council are also of advisory nature. As such, the Committee feel that the non-official members of the said Council including the Chairman *ought to be exempt* from disqualification.

Indian Potato Development Council (Ministry of Agriculture)

2.5 The Committee note that the non-official members (including Chairman) of the Indian Potato Development Council are entitled to TA/DA as admissible to Grade I Officers of the Government which is less than the 'compensatory allowance'. The functions of the Council are also advisory in nature. As such, the Committee feel that its non-official members including the Chairman *ought to be exempt* from disqualification.

Indian Pulses Development Council (Ministry of Agriculture)

2.6 The Committee note that the non-official members (including Chairman) of the Indian Pulses Development Council are entitled to TA/DA as admissible to Grade I Officers of the Government which is less than the 'compensatory allowance'. The functions of the Council are also advisory in nature. As such, the Committee feel that its non-official members including the Chairman *ought to be exempt* from disqualification.

*Advisory Committee for Delhi Zoological Park, New Delhi
(Ministry of Agriculture)*

2.7 The Committee note that the non-official members of the Advisory Committee for Delhi Zoological Park, New Delhi are entitled to TA/DA as admissible to Grade I Officers of the Government of India, (i.e. Rs. 28/- as maximum D.A.) which is less than the 'compensatory allowance'. The functions of the Committee are also advisory in nature. As such, the Committee feel that the non-official members of the said Advisory Committee *ought to be exempt* from disqualification.

*Indian Arecanut and Cocoa Development Council
(Ministry of Agriculture)*

2.8 The Committee were informed that the Indian Arecanut Development Council was examined by the Joint Committee on Offices of Profit (Third Lok Sabha) when they recommended *vide* paragraph 16, Appendix I (Item No. 24) of their Fifth Report that

chairmanship, secretariship or membership of the Committee in question *ought not to be disqualified.*

2.9 Since the present body, namely, Indian Arecanut and Cocoa Development Council is a new body constituted in September, 1977, the matter required re-examination by the present Joint Committee.

2.10 The Committee note that the non-official members (including Chairman) of the present Council are entitled to TA/DA as admissible to Grade I Officers of the Government which is less than the 'compensatory allowance'. The functions of the Council are also advisory in nature. As such, the Committee feel that its non-official members including the Chairman *ought to be exempt* from disqualification.

Khadi and Village Industries Commission (Ministry of Rural Development)

2.11 The Committee note that the Chairman of the Khadi and Village Industries Commission^e is entitled to an honorarium of Rs. 1500/- p.m. and free furnished residence with a rental ceiling of Rs. 1500/- p.m. The remaining members of the Commission are entitled to an honorarium of Rs. 1000/- p.m. All the members (including chairman) are entitled to DA at the highest rates admissible to Grade I Officers of the Government, a payment which does not exceed the 'compensatory allowance'. However, the monthly amount of honorarium payable to them is not covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the Commission performs executive functions and exercises financial powers. Hence the Committee feel that the membership (including chairmanship) of the Commission *ought not to be exempt* from disqualification.

Minorities Commission (Ministry of Home Affairs)

2.12 The Committee have examined the character, composition, terms of appointment of each member and functions and powers etc. of the Minorities Commission in detail. The Committee note that, except where the membership/chairmanship is offered to Judges/Government servants/M.P.s., the salary payable to Chairman/members is Rs. 3500/- p.m. plus allowances as admissible to a Civil Servant of the highest grade. In the case of Judges/Government servants, their remuneration is fixed on the basis of the last pay drawn by them and their entitlement to other benefits is governed by the relevant rules applicable to them. When, however, a Member of Parliament is appointed as a member of the Commission, he is not entitled to draw any remuneration from the Commission.

He is only entitled to draw T.A. and D.A. @Rs. 51/- per sitting provided he does not draw D.A. during those days from the Lok Sabha/Rajya Sabha Secretariat. Thus, whereas the payment admissible to non-official members/Chairman other than M.P.s by way of T.A. and D.A. is less than the 'compensatory allowance', the payment made to them by way of salary does not come within the ambit of 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The payment, however, admissible to a Member of Parliament as a member of the Commission does not exceed the 'compensatory allowance'. The functions of the Commission are mainly of advisory nature. As such, the Committee feel that, whereas the non-official chairman/members other than a Member of Parliament of the Commission *ought to be exempt* from disqualification, a Member of Parliament when appointed as a member of the Minorities Commission *ought to be exempt* from disqualification provided that he is not entitled to draw any remuneration or allowances other than the 'compensatory allowance'.

Programme Implementation Committee (Ministry of Railways)

2.13 The Committee note that the remuneration paid to the non-official members (including M.Ps. and M.L.As.) in the form of T.A./D.A. does not exceed the 'compensatory allowance'. Besides, the functions of the Committee are mainly advisory in nature. As such, the Committee feel that the non-official members of the Programme Implementation Committee *ought to be exempt* from disqualification.

Passenger Amenities Committee (Ministry of Railways)

2.14 The Committee note that the remuneration payable to the non-official members (including M.Ps. and M.L.As.) of the Committee does not exceed the 'compensatory allowance'. The functions of the Committee are also mainly advisory in nature. As such, the Committee feel that the non-official members of the Passenger Amenities Committee *ought to be exempt* from disqualification.

*National Railway Catering Consultative Council
(Ministry of Railways)*

2.15 The Committee note that the non-official members (including M.Ps. and M.L.As.) of the Council are entitled to travelling and daily allowances as per Government Rules, (i.e. Rupees 28/- maximum as D.A.). The payment admissible to them is, thus, less than the 'compensatory allowance'. The functions of the Council are also mainly advisory in nature. As such, the Committee feel that the

non-official members of the National Railway Catering Consultative Council *ought to be exempt* from disqualification.

Hindi Shabdavali Samiti (Ministry of Railways)

2.16 The Committee note that T.A./D.A. admissible to non-official members of the Samiti does not exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Samiti are also mainly advisory in nature. Thus, the Committee feel that the non-official members of the Hindi Shabdavali Samiti *ought to be exempt* from disqualification.

Railway Hindi Pustak Chayan Samiti (Ministry of Railways)

2.17 The Committee are of the view that the payments made to the non-official members of the Samiti as T.A./D.A. do not exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the functions of the Samiti are mainly advisory in nature. As such, the Committee feel that the non-official members of the Railway Hindi Pustak Chayan Samiti *ought to be exempt* from disqualification.

Railway Hindi Salahkar Samiti (Ministry of Railways)

2.18 The Committee note that the non-official members of the Samiti are entitled to T.A./D.A. which is less than the 'compensatory allowance'. The functions of the Samiti are also mainly of advisory nature. As such, the Committee are of the view that the non-official members of the Railway Hindi Salahkar Samiti *ought to be exempt* from disqualification.

Official Languages Implementation Committee (Ministry of Railways)

2.19 The Committee note that the non-official members of the Committee are entitled to travelling and daily allowances as per Government Rules (*i.e.* Rs. 28/- as maximum D.A.). The payment admissible to them is, thus, less than the 'compensatory allowance'. The functions of the Committee are also advisory in nature. As such, the Committee feel that the non-official members of the Official Languages Implementation Committee *ought to be exempt* from disqualification.

Standing Voluntary Help Committee (Ministry of Railways)

2.20 The Committee note that the Joint Committee on Offices of Profit (Fifth Lok Sabha) had examined the Standing Voluntary

Help Committee and had recommended *vide* paragraph 21 of their Third Report (Fifth Lok Sabha) that the Chairman and other non-official members thereof ought to be exempt from disqualification. However, the Committee were of the view that the non-official Member-Secretary who was getting a monthly honorarium, House Rent Allowance, etc. amounting to Rs. 1250/- p.m. ought not to be exempt from disqualification. Since there is a material change both in regard to the payment of D.A. as well as in the composition of the present Committee, the matter required reconsideration by the present Joint Committee.

The Committee note that the non-official members of the present Committee *viz.* Standing Voluntary Help Committee are entitled to T.A./D.A. which is less than the 'compensatory allowance'. The functions of the Committee are also advisory in nature. As such, the Committee feel that the non-official members of this Committee *ought to be exempt* from disqualification.

Medical Research Governing Council (Ministry of Defence)

2.21 The Committee note that the non-official members of the Governing Council are entitled to T.A. and D.A. which are less than the 'compensatory allowance'. Besides, the functions of the Council are mainly advisory in nature. As such, the Committee feel that the non-official members of the Medical Research Governing Council *ought to be exempt* from disqualification.

Committee for Release of Technical know-how to Trade by Defence Materials and Stores Research and Development Establishment (DMSRDE), Kanpur (Ministry of Defence)

2.22 The Committee note that although the amount payable to non-official members of the Committee by way of T.A./D.A. which is equivalent to that of Class I officers of the Government of India, is less than the 'compensatory allowance', one of the functions of the Committee is to select suitable production agencies against specific defence requirements which enables the members to wield influence and power by way of patronage. Hence, the Committee feel that the membership of the Committee for Release of Technical know-how to Trade by Defence Materials and Stores Research and Development Establishment (DMSRDE), Kanpur *ought not to be exempt* from disqualification.

Aeronautics Research and Development Board (Ministry of Defence)

2.23 The Committee note that the Joint Committee on Offices of Profit (Third Lok Sabha) had examined a similar body known as

Aeronautical Research and Development Panel and recommended *vide* paragraph 12 of their Fourth Report (Third Lok Sabha) that the chairmanship, secretaryship or membership of the Panel ought not to be disqualified. Since there was a material change both in regard to the composition and functions of the present Board, the matter was being re-examined by the present Joint Committee.

The Committee note that the non-official members of the Board are entitled to T.A./D.A. as per Government Rules, (*i.e.* Rs. 28/- maximum as D.A.) . The payment, thus, admissible to them is less than the 'compensatory allowance'. Since the Board exercises executive and financial powers, the Committee feel that the non-official members of the Board *ought not to be exempt* from disqualification.

*Inter-Services Stores Preservation and Packaging Committee
(Ministry of Defence)*

2.24 The Committee note that the non-official members of the Inter-Services Stores Preservation Packaging Committee are entitled to TA/DA as admissible to Grade I officers of the Government of India (*i.e.* Rs. 28/- as maximum D.A.) which is less than the 'compensatory allowance'. The functions of the Committee are also advisory in nature. As such, the Committee feel that the non-official members of the Committee in question *ought to be exempt* from disqualification.

Board of Directors of the National Industrial Development Corporation Ltd. (Ministry of Industry—Department of Industrial Development)

2.25 The Committee note that—

- (i) the Chairman and Managing Director, who is an official, draws pay @ Rs. 2850/- p.m. plus HRA—Rs. 315/- and CCA—Rs. 75/- p.m.;
- (ii) the Part-time official Directors are officers of the Government of India/Public Undertakings and they draw T.A. as per rules applicable to their parent Department;
- (iii) the non-official Directors are entitled to an honorarium of Rs. 100/- per meeting; T.A. equal to the Air-fare plus incidental expenses of Rs. 100/-.

The Committee also note that the present Board of Directors of the Corporation consists of only officials. As the Board of Directors exercises executive and financial powers and wields influence and

the payment admissible to the non-official Directors is more than the 'compensatory allowance', the Committee are of the view that the non-official Directors if and when appointed on the Board, *ought not to be exempt* from disqualification.

Board of Directors of the Bihar State Small Industries Corporation Limited, Patna (Government of Bihar)

2.26 The Committee note that the non-official Directors of the Bihar State Small Industries Corporation Limited, Patna are entitled to an honorarium of Rs. 30/- per day for official work. MPs. and MLAs. are entitled to an honorarium for the days of actual sittings of the Board. In addition, the non-official Directors are entitled to (i) free accommodation or allowance of Rs. 500/- p.m. in lieu thereof; (ii) free conveyance or Rs. 200/- (Rs. 300/- in certain cases) per month as conveyance allowance; and (iii) T.A. and D.A. as admissible to highest officials of the State Government (actual rates, however, not given). Thus, these payments exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Board of Directors are also of executive and financial nature. As such, the Committee recommend that the non-official Directors of the said Corporation *ought not to be exempt* from disqualification.

Taluk Development Board, Hagaribommanballi, Bellary District (Government of Karnataka)

2.27 The Committee note that the President of the Taluk Development Board draws Rs- 300/- p.m. as an honorarium which is not covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The non-official members of the Board are entitled to TA @ one and half bus fare and sitting fee of Rs. 15/- per meeting. The payment, thus, admissible to them is less than the 'compensatory allowance'. Though the Board does not operate any fund of the Board, it **makes** policies and appears to exercise executive powers to some extent. However, after some discussion, the Committee have come to the conclusion that the non-official members of the Board *ought to be exempt* from disqualification.

Local Managing Committee for the Youth Hostel, Pondicherry.

2.28 The Committee note that the non-official members of the Local Managing Committee for the Youth Hostel, Pondicherry are not entitled to any remuneration. Besides, the functions of the Committee are mainly advisory in nature. As such, the Com-

mittee feel that the non-official members of the Local Managing Committee *ought to be exempt* from disqualification.

Hospital Advisory Committee for Pondicherry, Karaikal, Mahe and Yanam Regions (Pondicherry)

2.29 The Committee note that the payment admissible to the non-official members of the Hospital Advisory Committee for Pondicherry, Karaikal, Mahe and Yanam Regions is less than the 'compensatory allowance'. The functions of the Committee are mainly advisory in nature as the Committee has been constituted to keep the Government informed with the needs of the public with regard to Hospital facilities. As such, the Committee feel that the non-official members of the Hospital Advisory Committee *ought to be exempt* from disqualification.

State Council for Training in Vocational Trades (Pondicherry)

2.30 The Committee note that no remuneration is payable to the non-official members of the State Council for training in Vocational Trades, Pondicherry. The functions of the Council are also mainly advisory in nature. As such, the Committee feel that the non-official members of the State Council *ought to be exempt* from disqualification.

State Co-ordination Committee on Vocational Guidance and Employment Counselling (Pondicherry)

2.31 The Committee note that no remuneration is payable to the non-official members of the State Co-ordination Committee on Vocational Guidance and Employment Counselling, Pondicherry. The functions of the Co-ordination Committee are mainly advisory in nature. As such, the Committee feel that the non-official members thereof *ought to be exempt* from disqualification.

District Level Advisory Committee for District Industries Centre, Pondicherry Region

2.32 The Committee note that no remuneration is payable to the non-official members of the District Level Advisory Committee for District Industries Centre, Pondicherry Region. The functions of the Committee are also advisory in nature. As such, the Committee feel that the non-official members of the District Level Advisory Committee *ought to be exempt* from disqualification.

District Level Advisory Committee for District Industries Centre, Karaikal Region (Pondicherry)

2.33 The Committee note that no remuneration is payable to the non-official members of the District Level Advisory Committee

for District Industries Centre, Karaikal Region. Besides, the functions of the Committee are also advisory in nature. As such, the Committee feel that the non-official members thereof *ought to be exempt* from disqualification.

Mizoram State Sports Council (Mizoram)

2.34 The Committee note that no remuneration is admissible to the non-official members of the Mizoram State Sports Council. But one of the functions of the Council is to receive grants and donations from the Government and other sources and to utilise the funds in its discretion. The Council, thus, exercises financial powers.

2.35 In this connection, the Committee have noted that in the case of a similar body, *viz.*, the Gujarat State Sports Council, the Joint Committee on Offices of Profit (Fifth Lok Sabha), in paragraph 23 (Item No. 52) of their Sixteenth Report, had recommended that the membership of that Council *ought to be exempt* from disqualification. However, the function of that Council was to advise the Government in matters connected with the development of sports activities in the Gujarat State and as such, it was advisory in nature whereas the Mizoram State Sports Council exercises financial powers. Therefore, the case of Mizoram State Sports Council is distinguishable from that of the Gujarat State Sports Council.

2.36 The Committee, therefore, recommend that in view of the discretionary powers of disbursement of funds, the non-official members of the Mizoram State Sports Council *ought not to be exempt* from disqualification.

District Level Co-ordination Committee for District Industries Centres, Aizawl/Lunglei (Mizoram)

2.37 The Committee note that no remuneration is payable to the non-official members of the District Level Co-ordination Committee for District Industries Centre, Aizawl/Lunglei (Mizoram). The Committee also note that the functions of the said Committee are mainly advisory in nature. Hence, the Committee feel that the non-official members thereof *ought to be exempt* from disqualification.

Governing Body for the Serchhip College, Serchhip, Mizoram

2.38 The Committee note that though no remuneration is paid to the non-official members of the Governing Body for the Serchhip College, the Governing Body exercises both executive and financial powers inasmuch as the financial management of the College is vested in them. Hence, the Committee feel that the non-official

members of the Governing Body in question *ought not to be exempt* from disqualification.

Governing Body for the Champhai College, Champhai, Mizoram

2.39 The Committee note that though no remuneration is paid to the non-official members of the Governing Body for the Champhai College, the Governing Body exercises both executive and financial powers as the financial management of the College is vested in them. Hence, the Committee feel that the non-official members of the Governing Body *ought not to be exempt* from disqualification.

State Advisory Committee for National Service Scheme in Mizoram

2.40 The Committee have learnt that the Joint Committee on Offices of Profit (Fifth Lok Sabha) had examined a similar body *viz.* the Advisory Committee for National Service Corps Scheme (Haryana), and had recommended *vide* paragraph 45 (Item No. 57) of their Twelfth Report that the membership of the Advisory Committee in question *ought to be exempt* from disqualification.

In the case of the State Advisory Committee for National Service Scheme, Mizoram, the Committee note that no remuneration is paid to the non-official members of the Advisory Committee. Moreover, as the name of the Committee suggests, the functions of the Committee are mainly advisory in nature. Hence, the Committee feel that the non-official members of the Committee in question *ought to be exempt* from disqualification.

*Public Grievances Committee, Aizawl District, Lunglei District
(Mizoram)*

2.41 The Committee note that no remuneration is paid to the non-official members of the Public Grievances Committees. The functions of both the Committees of Aizawl and Lunglei Districts are mainly advisory in nature. So the Committee feel that the non-official members thereof *ought to be exempt* from disqualification.

*State Level Committee for International Year for disabled persons
(Mizoram)*

2.42 The Committee have examined the character, composition, functions etc. of the State Level Committee for International Year for disabled persons set up by the Government of Mizoram and note that no remuneration is paid to the non-official members of this Committee. As the functions of the Committee are also mainly advisory in nature, the Committee feel that the non-official members thereof *ought to be exempt* from disqualification.

*Mizoram State Level Co-ordination Committee for relief preparedness
against Earthquake (Mizoram)*

2.43 The Committee note that no remuneration is paid to the non-official members of the Mizoram State Level Co-ordination Committee for relief preparedness against earthquake. The functions of the Committee are also mainly advisory in nature. So the Committee feel that the non-official members of the Committee in question ought to be exempt from disqualification.

*District Level Committee for the Hnahthial—Lunglei Integrated
Child Development Service Project (Mizoram)*

2.44 The Committee note that no remuneration is paid to the non-official members of the District Level Committee for the Hnahthial—Lunglei Integrated Child Development Service Project. The functions of the said Committee are mainly advisory in nature. As such, the Committee feel that the non-official members of the Committee in question ought to be exempt from disqualification.

GULSHER AHMED

Chairman,

NEW DELHI;

August 6, 1982

Sravana 15, 1904 (Saka)

Joint Committee on Offices of Profit.

APPENDIX

(Vide para 1.2 of the Report)

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

XIX

NINETEENTH SITTING

The Committee met on Wednesday, 14 April, 1982 from 15.00 to 16.00 hours.

PRESENT

Shri Jamilur Rahman—*in the Chair*

MEMBERS

Lok Sabha

2. Shri Harish Kumar Gangwar
3. Shri Krishna Chandra Halder
4. Shri Virdhi Chander Jain
5. Shri S. A. Dorai Sebastian
6. Shri Nandi Yellaiah

Rajya Sabha

7. Shri Syed Rahmat Ali
8. Shri Dinesh Goswami
9. Shri Robin Kakati
10. Shri Lakhan Singh

SECRETARIAT

1. Shri S. D. Kaura—*Chief Legislative Committee Officer*
2. Shri M. G. Agrawal—*Senior Legislative Committee Officer*

2. In the absence of the Chairman, Shri Jamilur Rahman was chosen by the Committee to act as Chairman for the sitting in terms of the provisions of Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee took up for consideration Memoranda Nos. 37 to 46 relating to the following Committees/Boards etc. constituted by the Central Government/Union Territory Administrations.

* * * *

*Local Managing Committee for the Youth Hostel, Pondicherry—
(Memorandum No. 38)*

5. The Committee noted that the non-official members of the Local Managing Committee for the Youth Hostel, Pondicherry were

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

not entitled to any remuneration. Besides, the functions of the Committee were mainly advisory in nature. As such, the Committee felt that the non-official members of the Local Managing Committee ought to be exempt from disqualification.

Hospital Advisory Committee for Pondicherry, Karaikal, Mahe and Yanam Regions—(Memorandum No. 39)

6. The Committee noted that the payment admissible to the official members of the Hospital Advisory Committee for Pondicherry, Karaikal, Mahe and Yanam regions was less than the 'compensatory allowance'. The functions of the Committee were mainly advisory in nature as the Committee had been constituted in order to keep the Government informed with the needs of the public with regard to Hospital facilities. As such, the Committee felt that the non-official members of the Hospital Advisory Committee ought to be exempt from disqualification.

State Council for Training in Vocational Trades (Pondicherry)—(Memorandum No. 40).

7. The Committee noted that no remuneration was payable to the non-official members of the State Council for training in Vocational trades, Pondicherry. The functions of the Council were ~~and~~ mainly advisory in nature. As such, the Committee felt that the non-official members of the Council ought to be exempt from disqualification.

State Co-ordination Committee on Vocational guidance and Employment Counselling (Pondicherry)—(Memorandum No. 41).

8. The Committee noted that no remuneration was payable to the non-official members of the State-Co-ordination Committee on Vocational Guidance and employment Counselling, Pondicherry. The functions of the Committee were mainly advisory in nature. As such, the Committee felt that the non-official members thereof ought to be exempt from disqualification.

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District level Advisory Committee for District Industries Centre, Pondicherry Region— (Memorandum No. 43).

12. The Committee noted that no remuneration was payable to the non-official members of the District level Advisory Committee for

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

District Industries Centre, Pondicherry Region. The functions of the Committee were also advisory in nature. As such, the Committee felt that the non-official members of the District Advisory Committee ought to be exempt from disqualification.

District level Advisory Committee for District Industries Centre, Karaikal Region—(Memorandum No. 44).

13. The Committee noted that no remuneration was payable to the non-official members of the District level Advisory Committee for District Industries Centre, Karaikal Region. Besides, the functions of the Committee were also advisory in nature. As such, the Committee felt that the non-official members of the Committee in question ought to be exempt from disqualification.

Mizoram State Sports Council—(Memorandum No. 45).

14. The Committee noted that no remuneration was admissible to the non-official members of the Mizoram State Sports Council. But one of the functions of the Council was to receive grants and donations from the Government and other sources and to utilise the funds in its discretion. The Council, thus, exercised financial powers.

15. In this connection, the Committee noted that in the case of a similar body, viz., the Gujarat State Sports Council, the Joint Committee on Offices of Profit (Fifth Lok Sabha), in paragraph 23 (Item No. 52) of their Sixteenth Report, had recommended that the membership of that Council ought to be exempt from disqualification. However, the function of that council was to advise the Government in matters connected with the development of sports activities in the Gujarat State and as such, it was advisory in nature whereas the Mizoram State Sports Council exercised financial powers as explained in paragraph 14 above. Therefore, the case of Gujarat State Sports Council was distinguishable from that of the Mizoram State Sports Council.

16. The Committee, therefore, decided that in view of the discretionary powers of disbursement of funds, the non official members of the Mizoram State Sports Council ought not to be exempt from disqualification.

District level Co-ordination Committee for District Industries Centres. Aizawl/Lunglei (Mizoram)—(Memorandum No. 46)

17. The Committee noted that no remuneration was payable to the non-official members of the District level Co-ordination Com-

mittee for District Industries Centre, Aizawl/Lunglei (Mizoram). The Committee also noted that the functions of the said Committee were mainly advisory in nature. Hence, the Committee felt that the non-official members thereof ought to be exempt from disqualification.

* * * *

The Committee then adjourned.

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

XX

TWENTIETH SITTING

The Committee met on Saturday, 22 May, 1982 from 11.00 to 12.00 hours.

PRESENT

Shri Jamilur Rahman—*in the Chair*

MEMBERS

Lok Sabha

2. Shri Harish Kumar Gangwar
3. Shri Virdhi Chander Jain
4. Shri Rashid Masood
5. Shri S. A. Dorai Sebastian
6. Shri N. K. Shejwalkar
7. Shri Nandi Yellaiah
8. Shri Krishna Chandra Halder

Rajya Sabha

9. Shri Syed Rahmat Ali
10. Shri Dinesh Goswami
11. Shri Robin Kakati
12. Shri Lakhan Singh

SECRETARIAT

1. Shri T. E. Jagannathan—*Senior Legislative Committee Officer*
2. Shri M. G. Agrawal—*Senior Table Officer*

2. In the absence of the Chairman, Shri Jamilur Rahman was chosen by the Committee to act as Chairman for the sitting in terms of the provisions of Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee took up for consideration Memoranda Nos. 47 to 56 relating to the following Committee|Board|Council etc. constituted by Central Government and Union Territory Administration.

*Governing Body for the Serchhip College, Serchhip, Mizoram—
(Memorandum No. 47)*

4. The Committee noted that though no remuneration was paid to the non-official members of the Governing Body for the Serchhip College, the Governing Body exercised both executive and financial powers inasmuch as the financial management of the College was vested in them. Hence the Committee felt that the non-official members of the Governing Body in question ought not to be exempt from disqualification.

*Governing Body for the Champhai College, Champhai, Mizoram—
(Memorandum No. 48)*

5. The Committee noted that though no remuneration was paid to the non-official members of the Governing Body for the Champhai College, the Governing Body exercised both executive and financial powers as the financial management of the College was vested in them. Hence, the Committee felt that the non-official members of the Governing Body ought not to be exempt from disqualification.

*Governing Council of the People's Action for Development (India),
New Delhi (Ministry of Rural Development)—
(Memorandum No. 49)*

6. The Committee noted that the Chairman and Secretary of the Governing Council of the People's Action for Development (India) were both officials. The Committee also noted that although no payment was made to non-official members of the Governing Council, it exercised both executive and financial powers. Hence, the Committee felt that non-official membership of the Governing Council ought not to be exempt from disqualification.

*State Advisory Committee for National Service Scheme in
Mizoram—(Memorandum No. 50).*

7. The Committee learnt that the Joint Committee on Offices of Profit (Fifth Lok Sabha) had examined a similar body viz. the Advisory Committee for National Service Corps Scheme (Haryana), and had recommended *vide* para 45 (Item No. 57) of their Twelfth Report (Fifth Lok Sabha) that the membership of the Advisory Committee in question ought to be exempt from disqualification.

8. The Committee noted that no remuneration was paid to the non-official member of the present State Advisory Committee for National Service Scheme, Mizoram. Moreover, as the name of the Committee suggested, the functions of the Committee were mainly

advisory in nature. Hence, the Committee felt that the non-official members of the Committee *ought to be exempt* from disqualification.

Public Grievances Committee, Aizawl District, Lunglei District (Mizoram)—(Memorandum No. 51).

9. The Committee noted that no remuneration was paid to the non-official members of the Public Grievances Committees. The functions of those Committees of both Aizawl and Lunglei Districts were mainly advisory in nature. So the Committee felt that the non-official members of the Committee in question *ought to be exempt* from disqualification.

State Level Committee for International Year for disabled persons—(Memorandum No. 52).

10. The Committee examined the character, composition, functions etc. of the State Level Committee for International Year for disabled persons set up by the Government of Mizoram and noted that no remuneration was paid to the non-official members of the Committee. As the functions of the Committee were mainly advisory in nature, the Committee felt that the non-official members of the Committee *ought to be exempt* from disqualification.

Mizoram State Level Co-ordination Committee for relief preparedness against Earthquake—(Memorandum No. 53).

11. The Committee noted that no remuneration was paid to the non-official members of the Mizoram State Level Co-ordination Committee for relief preparedness against earthquake. The functions of the Committee were also mainly advisory in nature. So the Committee felt that the non-official members of the Committee in question *ought to be exempt* from disqualification.

District Level Committee for the Hnahthial-Lunglei Integrated Child Development Service Project—(Memorandum No. 54).

12. The Committee noted that no remuneration was paid to the non-official members of the District Level Committee for the Hnahthial-Lunglei Integrated Child Development Service Project. The functions of the said Committee were mainly advisory in nature. As such the Committee felt that the non-official members of the Committee in question *ought to be exempt* from disqualification.

Board of Governors, Sainik Schools Society (Ministry of Defence)—(Memorandum No. 55).

13. The Committee noted that the non-official members of the Board of Governors, Sainik Schools Society were entitled to TA/DA

which was less than the 'compensatory allowance'. But the Board of Governors exercised executive and financial powers and appeared to wield influence and power by way of patronage. As such the Committee felt that the non-official members thereof *ought not to be exempt* from disqualification.

*Indian Rice Development Council (Ministry of Agriculture)—
(Memorandum No. 56).*

14. The Committee noted that the non-official members of the Indian Rice Development Council were entitled to T. A. /D. A. as admissible to Grade I officers of the Government which was less than the 'compensatory allowance'. The functions of the Council were advisory in nature. As such, the Committee felt that the non-official members including the Chairman of the Council *ought to be exempt* from disqualification.

The Committee then adjourned to meet again at 15.00 hours on Monday, 24 May, 1982.

XXI

TWENTY-FIRST SITTING

The Committee met on Monday, 24 May, 1982 from 15.00 to 16.00 hours.

PRESENT

Shri Jamilur Rahman—*in the Chair*

MEMBERS

Lok Sabha

2. Shri Harish Kumar Gangwar
3. Shri Krishna Chandra Halder
4. Shri Virdhi Chander Jain
5. Shri S. A. Dorai Sebastian
6. Shri Nandi Yellaiah

Rajya Sabha

7. Shri Syed Rahmat Ali
8. Shri Robin Kakati
9. Shri Lakhan Singh

SECRETARIAT

1. Shri T. E. Jagannathan—*Senior Legislative Committee Officer.*
2. Shri M. G. Agrawal—*Senior Table Officer.*

2. In the absence of the Chairman, Shri Jamilur Rahman was chosen by the Committee to act as Chairman for the sitting in terms of the provisions of Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. The Committee took up for consideration Memoranda Nos. 57 to 63 relating to the following Committee|Councils|Commissions etc. constituted by the Central Government:

*Indian Horticulture Development Council—(Ministry of Agriculture—Department of Agriculture and Cooperation)—
(Memorandum No. 57).*

4. The Committee noted that the non-official members (including Chairman) of the Indian Horticulture Development Council were entitled to TA/DA as admissible to Grade I Officers of the Government which was less than the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Council were also of advisory nature. As such the Committee felt that non-official members of the said Council including the Chairman *ought to be exempt* from disqualification.

*Indian Potato Development Council, (Ministry of Agriculture)—
(Memorandum No. 58)*

5. The Committee noted that the non-official members (including Chairman) of the Indian Potato Development Council were entitled to TA/DA as admissible to Grade I Officers of the Government which was less than the 'compensatory allowance'. The functions of the Council were also advisory in nature. As such the Committee felt that its non-official members including the Chairman *ought to be exempt* from disqualification.

*Indian Pulses Development Council (Ministry of Agriculture)—
(Memorandum No. 59)*

6. The Committee noted that the non-official members (including Chairman) of the Indian Pulses Development Council were entitled to TA/DA as admissible to Grade I Officers of the Government which was less than the 'compensatory allowance'. The functions of the Committee were also advisory in nature. As such, the Committee felt that its non-official members including the Chairman *ought to be exempt* from disqualification.

Advisory Committee for Delhi Zoological Park, New Delhi (Ministry of Agriculture)—(Memorandum No. 60)

7. The Committee noted that the non-official members of the Advisory Committee for Delhi Zoological Park, New Delhi were entitled to TA/DA as admissible to Grade I Officers of the Government of India, i.e. Rs. 28/- as maximum D.A. which was less than the 'compensatory allowance'. The functions of the Committee were also advisory in nature. As such, the Committee felt that the non-official members of the said Advisory Committee *ought to be exempt* from disqualification.

Indian Arecanut & Cocoa Development Council (Ministry of Agriculture)—(Memorandum No. 61)

8. The Committee came to know that the Indian Arecanut Development Council was examined by the Joint Committee on Offices of Profit (Third Lok Sabha) when they recommended *vide* para 16 and Appendix I (Item 24) of their Fifth Report that Chairmanship, Secretariship or membership of the Committee in question ought not to be disqualified.

9. Since the present body, *namely*, Indian Arecanut & Cocoa Development Council was a new body constituted in September, 1977, the matter needed re-examination by the present Joint Committee.

10. The Committee noted that the non-official members (including Chairman) of the present Council were entitled to TA/DA as admissible to Grade I Officers of the Government which was less than the 'compensatory allowance'. The functions of the Committee were also advisory in nature. As such, the Council felt that its non-official members including the Chairman *ought to be exempt* from disqualification.

Khadi and Village Industries Commission (Ministry of Rural Development)—(Memorandum No. 62)

11. The Committee noted that the Chairman of the Khadi and Village Industries Commission was entitled to an honorarium of Rs. 1500/- p.m. and free furnished residence with a rental ceiling of Rs. 1500/- p.m. The remaining members of the Commission were entitled to an honorarium of Rs. 1000/- p.m. All the members (including Chairman) were entitled to TA at the highest rates admissible to Grade I Officers of the Government, a payment which did not exceed the 'compensatory allowance'. However, the amount of monthly payment of honorarium payable to them was not covered by 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the Commission performed executive functions and exercised financial powers. Hence the Committee felt that the membership (including Chairmanship) of the Commission *ought not to be exempt* from disqualification.

Minorities Commission (Ministry of Home Affairs)—(Memorandum No. 63).

12. The Committee examined the character, composition, terms of appointment of each member and functions and powers etc. of the Minorities Commission in detail. The Committee noted that except

where the membership/Chairmanship was offered to Judges/Government servants/M.P.s., the salary payable to the Committee/members was Rs. 3500/- p.m. plus allowances as admissible to a Civil Servant of the highest grade. In the case of Judges/Government servants, their remuneration was fixed on the basis of the last pay drawn by them and their entitlement to other benefits was governed by the relevant rules applicable to them. When, however, a Member of Parliament was appointed as a member of the Commission, he was not entitled to draw any remuneration from the Commission. He was only entitled to draw T.A. and D.A. @ Rs. 51/- per sitting provided he did not draw D.A. during those days from the Lok Sabha/Rajya Sabha Secretariat. Thus, whereas the payment admissible to non-official members/Chairman other than M.P.s. by way of T.A. and D.A. was less than the 'compensatory allowance', the payment made to them by way of salary did not come within the ambit of 'compensatory allowance' as defined in section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The payment, however, admissible to a Member of Parliament as a member of the Commission did not exceed the 'compensatory allowance'. The functions of the Commission were mainly of advisory nature. As such, the Committee felt that whereas the non-official Chairman/members other than a Member of Parliament of the Commission *ought not to be exempt* from disqualification, a Member of Parliament when appointed as a member of the Minorities Commission *ought to be exempt* from disqualification provided he was not entitled to draw any remuneration or allowances other than the 'compensatory allowance'.

The Committee then adjourned

XXII

TWENTY-SECOND SITTING

The Committee met on Wednesday, 16 June, 1982 from 15.00 to 15.45 hours.

PRESENT

Shri Gulsher Ahmed—*Chairman*

MEMBERS

Lok Sabha

2. Shri Virdhi Chander Jain
3. Shri Jamilur Rahman
4. Shri S. A. Dorai Sebastian
5. Shri N. K. Shejwalkar

Rajya Sabha

6. Shri Syed Rahmat Ali
7. Shri Dinesh Goswami
8. Shri Lakhan Singh

SECRETARIAT

Shri S. D. Kaura—*Chief Legislative Committee Officer.*

Shri T. E. Jagannathan—*Senior Legislative Committee Officer.*

2. The Committee took up for consideration 11 Memoranda (Nos. 64 to 74) relating to the following Committees/Boards etc. constituted by the Central Government:—

*Programme Implementation Committee (Ministry of Railways)—
(Memorandum No. 64)*

3. The Committee noted that the remuneration paid to the non-official members (including M.Ps. and M.L.As.) in the form

of T.A./D.A. did not exceed the 'compensatory allowance'. Besides, the functions of the Committee were mainly advisory in nature. As such, the Committee felt that the non-official members of the Programme Implementation Committee ought to be exempt from disqualification.

Passenger Amenities Committee (Ministry of Railways)—Memorandum No. 65)

4. The Committee noted that the remuneration payable to the non-official members (including M.Ps. and M.L.As.) of the Committee did not exceed the 'compensatory allowance'. The functions of the Committee were also mainly advisory in nature. As such, the Committee felt that the non-official members of the Passenger Amenities Committee ought to be exempt from disqualification.

National Railway Catering Consultative Council (Ministry of Railways)—(Memorandum No. 66)

5. The Committee noted that the non-official members (including M.Ps. and M.L.As.) of the Council were entitled to travelling and daily allowances as per Government Rules (i.e. Rupees 28/- maximum as D.A.). The payment admissible to them was thus, less than the 'compensatory allowance'. The functions of the Council were also mainly advisory in nature. As such, the Committee felt that the non-official members of the National Railway Catering Consultative Council ought to be exempt from disqualification.

Hindi Shabdavali Samiti (Ministry of Railways)—(Memorandum No. 67)

6. The Committee noted that T.A./D.A. admissible to non-official members of the Samiti did not exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Samiti were also mainly advisory in nature. Thus, the Committee felt that the non-official members of the Hindi Shabdavali Samiti ought to be exempt from disqualification.

Railway Hindi Pustak Chayan Samiti (Ministry of Railways)—(Memorandum No. 68)

7. The Committee considered the above Memorandum and were of the view that the payments made to the non-official members of the Samiti as T.A./D.A. did not exceed the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. Besides, the functions of the Samiti were mainly advisory in nature. As such, the Committee felt that the

non-official members of the Railway Pustak Chayan Samiti ought to be exempt from disqualification.

Railway Hindi Salahkar Samiti (Ministry of Railways)—(Memorandum No. 69)

8. The Committee noted that the non-official members of the Samiti were entitled to payments in the form of T.A./D.A. which was less than the 'compensatory allowance'. The functions of the Samiti were also mainly of advisory nature. As such, the Committee were of the view that the non-official members of the Railway Hindi Salahkar Samiti ought to be exempt from disqualification.

Official Languages Implementation Committee (Ministry of Railways)—(Memorandum No. 70).

9. The Committee considered the above Memorandum and were of the view that the non-official members of the Committee were entitled to travelling and daily allowances as per Government Rules (i.e. Rs. 28/- as maximum D.A.). The payment admissible to them was thus, less than the 'compensatory allowance'. Also the functions of the Committee were mainly advisory in nature. As such, the Committee, felt that the non-official members of the Official Languages Implementation Committee ought to be exempt from disqualification.

Standing Voluntary Help Committee (Ministry of Railways)—(Memorandum No. 71).

10. The Committee noted that the Joint Committee on Offices of Profit (Fifth Lok Sabha) had examined the Standing Voluntary Help Committee and had recommended *vide* paragraph 21 of their Third Report (Fifth Lok Sabha) that the Chairman and other non-official members of the Committee ought to be exempt from disqualification. However, the Committee were of the view that the non-official member-Secretary who was getting a monthly honorarium, House Rent Allowance, etc. amounting to Rs. 1250 p.m. ought not to be exempt from disqualification. Since there was a material change both in regard to payment of D.A. as well as composition of the Committee, the matter required reconsideration by the present Committee.

The Committee further noted that the non-official members of the present Committee were entitled to TA/DA which was less than the 'compensatory allowance'. The functions of the Committee were also advisory in nature. As such, the Committee felt that

the non-official members of the Standing Voluntary Help Committee *ought to be exempt* from disqualification.

*Medical Research Governing Council (Ministry of Defence)—
(Memorandum No. 72)*

12. The Committee noted that the non-official members of the Council were entitled to TA and DA which was less than the 'Compensatory allowance'. Besides the functions of the Council were mainly advisory in nature. As such, the Committee felt that the non-official members of the Medical Research Governing Council *ought to be exempt* from disqualification.

* * * * *

*Committee for Release of Technical Know-how to Trade by
Defence Materials and Stores Research and Development
Establishment (DMSRDE), Kanpur (Ministry of
Defence)—(Memorandum No. 74)*

14. The Committee noted that although the amount payable to non-official members of the Committee by way of T.A./D.A. which was equivalent to that of Class I officers of the Government of India, was less than the 'compensatory allowance', one of the functions of the Committee was to select suitable production agencies against specific defence requirements which enabled the members to wield influence and power by way of patronage. Hence, the Committee felt that the membership of the Committee for Release of Technical know-how to Trade by Defence Materials and Stores Research and Development Establishment (DMSRDE), Kanpur *ought to be exempt* from disqualification.

The Committee then adjourned.

XXIII

TWENTY-THIRD SITTING

The Committee met on Thursday, 17 June, 1982 from 12.30 to 13.10 hours.

PRESENT

Shri Gulsher Ahmed—*Chairman*

MEMBERS

Lok Sabha

2. Shri Harish Kumar Gangwar
3. Shri Virdhi Chander Jain
4. Shri Jamilur Rahman
5. Shri S. A. Dorai Sebastian
6. Shri N. K. Shejwalkar
7. Shri Nandi Yellaiah

Rajya Sabha

8. Shri Syed Rahmat Ali
9. Shri Dinesh Goswami
10. Shri Lakhan Singh

SECRETARIAT

Shri S. D. Kaura—*Chief Legislative Committee Officer.*

Shri T. E. Jagannathan—*Senior Legislative Committee Officer.*

2. The Committee took up for consideration 5 Memoranda (Nos. 75 to 79) relating to the following Committees/Boards etc. constituted by the Central and State Governments:—

Board of Directors of the Bihar State Small Industries Corporation Limited, Patna (Government of Bihar)—(Memorandum No. 75).

3. The Committee noted that the non-official Directors of the Bihar State Small Industries Corporation Limited, Patna were entitled to an honorarium of Rs. 30/- per day for official work.

MPs and MLAs were entitled to an honorarium for the days of actual sittings of the Board. In addition, the non-official Directors were entitled to (i) free accommodation or allowance of Rs. 500/- p.m. in lieu thereof; (ii) free conveyance or Rs. 200/- (Rs. 300/- in certain cases) per month as conveyance allowance; and (iii) T.A. and D.A. as admissible to highest officials of the State Government (actual rates, however, not given). Thus, these payments exceeded the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The functions of the Board of Directors were also of executive and financial nature. As such, the Committee recommended that the non-official Directors of the said Corporation *ought not to be exempt* from disqualification.

Aeronautics Research and Development Board (Ministry of Defence)—(Memorandum No. 76).

4. The Committee noted that the Joint Committee on Offices of Profit (Third Lok Sabha) had examined a similar body known as Aeronautical Research and Development Panel and that Committee recommended *vide* paragraph 12 of their Fourth Report (Third Lok Sabha) that the Chairmanship, Secretaryship or membership of the Panel ought not to be disqualified. Since there was a material change both in regard to the composition and functions of the present Board, the matter was re-examined by the present Joint Committee.

The Committee noted that the non-official member of the Board were entitled to T.A./D.A. as per Government Rules, *i.e.*, Rs. 28/- maximum as D.A. The payment, thus, admissible to them was less than the 'compensatory allowance'. Since the Board exercised executive and financial powers, the Committee felt that the non-official members of the Board *ought not to be exempt* from disqualification.

Taluk Development Board, Hagaribommanballi, Bellary District (Karnataka)—(Memorandum No. 77)

5. The Committee noted that the President of the Taluk Development Board drew Rs. 300/- p.m. as an honorarium which was not covered by the 'compensatory allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The non-official members of the Board were entitled to TA @ one and half bus fare and sitting fee of Rs. 15/- per meeting. The payment, thus, admissible to them was less than the 'compensatory allowance'. Though the Board did not operate the funds of the Board, it made policies and appeared to exercise executive powers

to some extent. After some discussion, the Committee felt that the non-official members of the Board *ought to be exempt* from disqualification.

*Inter-Services Stores Preservation and Packaging Committee
(Memorandum No. 78)*

6. The Committee noted that the non-official members of the Inter-Services Stores Preservation Packaging Committee were entitled to TA/DA as admissible to Grade I Officers of the Government of India, i.e., Rs. 28|- as maximum D.A. which was less than the 'compensatory allowance'. The functions of the Committee were also advisory in nature. As such, the Committee felt that the non-official members of the Committee in question *ought to be exempt* from disqualification.

Board of Directors of the National Industrial Development Corporation Ltd. (Ministry of Industry—Department of Industrial Development)—(Memorandum No. 79)

7. The Committee noted that—

- (i) The Chairman and Managing Director, who was an official drew pay @ Rs. 2850|- p.m. plus HRA Rs. 315|- and CCA Rs. 75/- p.m.;
- (ii) the Part-time Official Directors were officers of the Government of India/Public Undertakings and they drew T.A. as per rules applicable to their parent Departments; **and**
- (iii) the non-official Directors were entitled to an honorarium of Rs. 100/- per meeting; T.A. equal to the Air-fare plus incidental expenses of Rs. 100|-.

8. The Committee also noted that the present Board of Directors of the Corporation consisted of only officials. As the Board of Directors exercised executive and financial powers and wielded influence and the payment admissible to the non-official Directors was more than the 'compensatory allowance', the Committee were of the view that the non-official Directors of the Board *ought to incur disqualification*.

The Committee then adjourned.

XXIV

TWENTY-FOURTH SITTING

The Committee met on Friday, 6 August, 1982 from 15.00 to 15.50 hours.

PRESENT

Shri Gulsher Ahmed—*Chairman*

MEMBERS

Lok Sabha

2. Shri Harish Kumar Gangwar
3. Shri Virdhi Chander Jain
4. Shri S. A. Dorai Sebastian
5. Shri N. K. Shejwalkar

Rajya Sabha

6. Shri Syed Rahmat Ali
7. Shri Robin Kakati

SECRETARIAT

1. Shri H. G. Paranjpe—*Joint Secretary.*
2. Shri S. D. Kaura—*Chief Legislative Committee Officer.*
3. Shri T. E. Jagannathan—*Senior Legislative Committee Officer.*

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

3. The Committee decided that the Fourth Report might be presented to Lok Sabha on 11 August, 1982. The Committee also decided that the Report might be laid on the Table of Rajya Sabha on the same day.

4. The Committee authorised the Chairman and, in his absence, Shri Virdhi Chander Jain to present the Report to Lok Sabha on their behalf. The Committee also authorised Shri Syed Rahmat Ali and, in his absence, Shri Robin Kakati to lay the Report on the Table of Rajya Sabha.

The Committee then adjourned

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