

JOINT COMMITTEE ON OFFICES OF PROFIT

SECOND REPORT

(TENTH LOK SABHA)



Presented to Lok Sabha on 9 April, 1992

Laid in Rajya Sabha on 27 April, 1992

**LOK SABHA SECRETARIAT
NEW DELHI**

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

COMPOSITION OF THE COMMITTEE

Shri Chiranji Lal Sharma—Chairman

MEMBERS

Lok Sabha

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

Rajya Sabha

11. Shri E. Balanandan
12. Shrimati Kailashpati
13. Shri Som Pal
14. Shri Santosh Kumar Sahu
15. Shri Subramanian Swamy

SECRETARIAT

1. Shri G.L. Batra — *Additional Secretary(C)*
2. Shri S.C. Gupta — *Joint Secretary*
3. Shri R.K. Chatterjee — *Deputy Secretary*
4. Shri D.L. Kapur — *Assistant Director*

* Elected on 5.12.1991 vice Shri C.K. Kuppaswamy resigned w.e.f. 13.11.1991.

REPORT OF THE JOINT COMMITTEE ON OFFICES OF PROFIT

INTRODUCTION

1. 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 Second Report of the Committee.

2. The matters covered by the Report were considered by the Committee at their sittings held on 4 and 10 March, 1992, Minutes of these sittings form part of the Report and are at Appendix.

3. The Committee examined the composition, character, functions etc. of 4 Central Commissions constituted by the Government and the emoluments and the allowances payable to their Chairpersons, Vice-Chairpersons and members etc. with a view to consider whether holders of offices of these Commissions would incur disqualification under Article 102 of the Constitution of India.

4. The detailed information regarding the composition, character, functions, emoluments and allowances payable to the Members of these Commissions was furnished by the concerned Ministry / Commission.

5. The Committee considered and adopted the Report at their sitting held on 7th April, 1992.

6. The Committee wish to express their thanks to the Ministries / Commissions for furnishing the information desired by the Committee.

NEW DELHI;
7 April, 1992

18 Chaitra, 1914(S)

CHIRANJI LAL SHARMA
Chairman,
Joint Committee on Offices of Profit

INCURRING OF DISQUALIFICATION BY NON-OFFICIAL MEMBERS OF CENTRAL COMMISSIONS

The Committee considered a suggestion made by some members of Parliament that the offices held in the following Central Commissions might be examined with a view to exempt them from disqualification, for being chosen as or for being a Member of Parliament, under Article 102 of the Constitution of India:

1. Chairperson, National Commission for Scheduled Castes and Scheduled Tribes;
2. Chairman, Minorities Commission;
3. Chairperson, National Commission for Women; and
4. Deputy Chairman, Planning Commission.

National Commission for Scheduled Castes and Scheduled Tribes

2. The Committee note that, the Chairperson, National Commission for Scheduled Castes and Scheduled Tribes will hold office for a period of 5 years from the date of his assumption of office. He will also be entitled to such salary, allowances and other facilities as admissible to the Secretary to Government of India.

3. The main functions of the National Commission for Scheduled Castes and Scheduled Tribes are:

- a) to investigate and monitor all matters relating to the, safeguards provided for the Scheduled Castes and Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- b) to enquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes and Scheduled Tribes;
- c) to participate and advise on the planning process of socio-economic development of the Scheduled Castes and Scheduled Tribes and to evaluate the progress of their development under the Union and any State;
- d) to present to the President annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;

- e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes and Scheduled Tribes; and
- f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes and Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

4. The Commission will also have all powers of a Civil Court trying a suit and in particular in respect of the following matters:

- a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- b) requiring the discovery and production of any document;
- c) requisitioning any public record or copy thereof from any court or office.

5. The Committee note that the National Commission for Scheduled Castes and Scheduled Tribes Chairperson, Vice-Chairperson and Members (Conditions of Service and Tenure) Rules, 1990, notified on 3 November, 1990 provide as follows in Rule: 6(3) in regard to remuneration payable to a Member of Parliament if appointed as Chairperson, Vice-Chairperson or a Member of the Commission:

(3) Notwithstanding anything contained in sub-rules (1) and (2), if the Chairperson, Vice-Chairperson or any other Member is a Member of Parliament, or a State Legislature, he shall not be entitled to any remuneration other than the allowances, defined in clause (a) of Section 2 of the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) or as the case may be, other than the allowances, if any, which a Member of the Legislature of the State may, under any law for the time being in force in the State relating to the prevention of disqualification for Membership of the State Legislature receive without incurring such disqualification."

6. In this connection, the Committee also note the following observations in the judgement given by the Election Commission in July, 1991 in regard to Shri R.K. Hegde, who held the post of Deputy Chairman, Planning Commission and was a Member of Karnataka Legislative Assembly:

"What is to be seen for determining whether an office is office of profit is whether such office is capable of profit being derived and not whether a person is actually deriving that benefit or not. It cannot be gainsaid that the office of the Deputy Chairman of the Planning Commission is capable of 'profit' being derived as a

definite salary is attached to that office. The fact that the opposite party did not draw any salary does not materially alter the status of that office being office of profit.

The next question that arises is whether such office of profit as was held by the opposite party is declared by the Karnataka Legislature by law not to disqualify its holder within the meaning of Article 191(1) (a) of the Constitution. The law on the subject is the Karnataka Legislature (Prevention of Disqualification) Act, 1956 and the relevant provision is contained in section 3(d) of that Act. Under the said section 3(d), the office of the Chairman or Member of a Committee, which would include the Planning Commission of India by virtue of the definition in section 2(a) of that Act, shall not be deemed to be an office of profit if the holder is not in receipt of or entitled to any remuneration other than the compensatory allowances. It is true that the opposite party is not in receipt of any remuneration as it has not been shown to the Commission that he has received any such remuneration. But it cannot be said that he was not entitled to any remuneration. As has been discussed in the foregoing paragraphs, it was only by his own voluntary act that he gave up the remuneration, i.e. salary which the office of the Deputy Chairman of Planning Commission carried. Such voluntary act of not to draw the salary would not mean that the holder of the office under reference would not be entitled to any salary. Therefore, the provisions of section 3(d) of the Karnataka Legislature (Prevention of Disqualification) Act, 1956 would be of no avail to the opposite party and would not save him from incurring the disqualification under Article 191(1) (a) of the Constitution arising on account of holding an office of profit under the Government of India."

7. The Committee also find that in their Tenth Report, the Joint Committee on Offices of Profit (Seventh Lok Sabha) had laid down the following criteria to decide 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:

"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 run 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 an 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 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 the 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 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 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."

8. The Committee, however, note that in their First Report, the Joint Committee on Offices of Profit (Tenth Lok Sabha) considered the nomination of Shri Ram Dhan, M.P. as Chairman, National Commission for Scheduled Castes and Scheduled Tribes and noted as follows:

"The functions of the Commission were executive and judicial in nature and although going strictly by the criteria laid down in the past, the Chairmanship of the Commission could be regarded as attracting disqualification but they felt that from a practical

viewpoint there should be flexibility in the approach of the Committee in such cases. For proper and speedy implementation of the socio-economic development programmes of Government it was essential to associate members of Parliament with the working of the such agencies. It was emphasised that Members of Parliament being the representatives of the people could play a very useful and constructive role in this respect."

The Committee, therefore, recommended that:

"the Chairman (Shri Ram Dhan, M.P.) of the National Commission for Scheduled Castes and Scheduled Tribes should be exempted from disqualification for being chosen as, or for being a Member of Parliament provided that he does not draw any remuneration other than compensatory allowance as defined in the Parliament (Prevention of Disqualification) Act, 1959."

9. The Committee, are in agreement with the view already taken by the Committee of Tenth Lok Sabha and reiterate that the Chairperson of the National Commission for Scheduled Castes and Scheduled Tribes should be exempted from disqualification for being chosen as or for being a Member of Parliament.

Minorities Commission

10. The Committee note that the term of office of Chairman, Minorities Commission will ordinarily not exceed three years, except where the membership is offered to special categories of persons like Judges / M.Ps, etc. The salary payable to him is Rs. 3,500 / - per month plus other allowances as admissible to civil servants of the highest grade. When a Member of Parliament is appointed as the Chairman of the said Commission he will not be entitled to draw any remuneration except TA & DA.

11. The main functions of the Minorities Commission are:

- (a) to evaluate the working of the various safeguards provided in the Constitution for the protection of minorities and in laws passed by the Union and State Governments;
- (b) to make recommendations with a view to ensuring effective implementation and enforcement of all the safeguards and the laws;
- (c) to undertake a review of the implementation of the policies pursued by the Union and the State Governments with respect to the Minorities;
- (d) to look into specific complaints regarding deprivation of rights and safeguards of the minorities;
- (e) to conduct studies, research and analyses on the question of avoidance of discrimination against minorities;
- (f) to suggest appropriate legal and welfare measures in respect of any minority to be undertaken by the Central or the State Governments;

(g) to serve as a national clearing house for information in respect of the conditions of the minorities; and

(h) to make periodical reports at prescribed intervals of the Government.

12. The Committee note in this connection that the judgement of the Election Commission in July, 1991 in the case of Shri R.K. Hegde, former Deputy Chairman, Planning Commission and the guidelines laid down by the Joint Committee on Offices of Profit (7th Lok Sabha) as given in paras 6-7 of this report are relevant in this case also.

13. The Committee also find that in their Fourth Report the Joint Committee on Offices of Profit (Seventh Lok Sabha) examined the character, composition, emoluments, terms of appointment of the Minorities Commission in detail and observed:—

“The functions of the Commission are mainly advisory in nature. As such, the Committee feel 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 that he is not entitled to draw any remuneration or allowances other than the compensatory allowance.”

14. The Committee are in agreement with the view already taken by the Committee of Tenth Lok Sabha and reiterate that a Member of Parliament when appointed as Chairman, Minorities Commission ought to be exempted from disqualification provided he is not entitled to any remuneration or any other allowance other than the ‘compensatory allowance’ as defined in Section 2(a) of Parliament (Prevention of Disqualification) Act, 1959.

National Commission for Women

15. The Committee note that the term of office of Chairperson, National Commission for Women is for a period of 3 years from the date of her assumption of office. The Chairperson is also entitled to a salary of Rs. 8,000/- per month plus DA at the rate admissible to the officers of the appropriate level of the Central Government. The main functions of the National Commission for Women are:—

- (a) investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws;
- (b) present to the Central Government, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- (c) make in such reports recommendations for the effective implementation of those safeguards for improving the conditions of women by the Union or any State;

- (d) review from time to time, the existing provisions of the Constitution and other laws affecting women and recommend amendments thereto so as to suggest remedial legislative measures to meet any lacunae, inadequacies or shortcomings in such legislations;
- (e) take up the cases of violation of the provisions of the Constitution and of other laws relating to women with the appropriate authorities;
- (f) look into complaints and take suo moto notice of matters relating to:-
 - (i) deprivation of women's rights;
 - (ii) non-implementation of laws enacted to provide protection to women and also to achieve the objective of equality and development;
 - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships and ensuring welfare and providing relief to women, and take up the issues arising out of such matters with appropriate authorities;
- (g) call for special studies or investigations into specific problems or situations arising out of discrimination and atrocities against women and identify the constraints so as to recommend strategies for their removal;
- (h) undertake promotional and educational research so as to suggest ways of ensuring due representation of women in all spheres and identify factors responsible for impeding their advancement, such as, lack of access to housing and basic services, inadequate support services and technologies for reducing drudgery and occupational health hazards and for increasing their productivity;
- (i) participate and advise on the planning process of socio-economic development of women;
- (j) evaluate the progress of the development of women under the Union and any State;
- (k) inspect or cause to be inspected a jail, remand home, women's institution or other place of custody where women are kept as prisoners or otherwise, and take up with the concerned authorities for remedial action, if found necessary;
- (l) fund litigation involving issues affecting a large body of women;
- (m) make periodical reports to the Government on any matter pertaining to women and in particular various difficulties under which women toil;

- (n) any other matter which may be referred to it by the Central Government.

16. The Committee note that the Judgement of the Election Commission in the case of Shri R.K. Hegde, former Deputy Chairman, Planning Commission and the guidelines laid down by the Joint Committee on Offices of Profit (Seventh Lok Sabha) as given in Paras 6 & 7 of this Report are relevant in this case also.

17. The Committee however note that the functions of the Commission are mainly of advisory nature. They are of the view that a Member of Parliament being representative of the people when appointed on the Commission can play a very constructive role and can make useful contribution. An M.P. should therefore not be deprived of the Membership of such an important Commission purely on technical grounds.

The Committee, therefore, recommend that the Chairperson, National Commission for Women should be exempted from disqualification for being chosen as or for being a Member of Parliament provided he is not entitled to any remuneration other than the 'compensatory allowance' as defined in Section 2(a) of Parliament (Prevention of Disqualification) Act, 1959. The necessary provision to that effect may be included in the National Commission for Women Act, 1990.

Planning Commission

18. The Committee note that the term of the Deputy Chairman, Planning Commission is for a period of 5 years from the date of assumption of his office. He is also entitled to a salary of Rs. 2,250/- per month plus DA as admissible to the Secretary to Government of India and other prerequisites as admissible to a Minister.

19. The main functions of the Planning Commission are:—

- (a) Make an assessment of the material, capital and human resources of the country, including technical personnel, and investigate the possibilities of augmenting such of these resources as are found to be deficient in relation to the nations requirements;
- (b) formulate a Plan for the most effective and balanced utilisation of the country's resources;
- (c) on a determination of priorities, define the stages in which the Plan should be carried out and propose the allocation of resources for the due completion of each stage;
- (d) indicate the factors which are tending to retard economic development, and determine the conditions which, in view of the current social and political situation should be established for the successful execution of the Plan;

- (e) determine the nature of the machinery which will be necessary for securing the successful implementation of each stage of the Plan in all its aspects;
- (f) appraise from time to time the progress achieved in the execution of each stage of the Plan and recommend the adjustments of the policy and measures that such appraisal may show to be necessary; and
- (g) make such interim or ancillary recommendations as appear to it to be appropriate either for facilitating the discharge of the duties assigned to it, or on a consideration of the prevailing economic conditions, current policies, measures and development programmes; or on an examination of such specific problem as may be referred to it for advice by Central or State Governments.

20. The Committee note that the Judgement of the Election Commission in the case of Shri R.K. Hegde, former Deputy Chairman, Planning Commission and the guidelines laid down by the Joint Committee on Offices of Profit (Seventh Lok Sabha) as given in paras 6 & 7 of this Report are relevant in this case also.

21. The Committee are however of the opinion that Members of Parliament being the representative of the people when appointed on such an important Commission could play a very useful and constructive role and they should not be deprived of the Membership of the Commission purely on technical grounds. They also note that the Deputy Chairman of the Planning Commission has been given the status of a Cabinet Minister. Under the provisions of the Parliament (Prevention of Disqualification) Act, 1959, the Minister at the Centre and the States have already been exempted from disqualification for being chosen as or for being a Member of Parliament. The Committee, therefore, recommend that the Deputy Chairman, Planning Commission should be exempted from disqualification for being chosen as or for being a Member of Parliament provided that he is not entitled to any remuneration other than the 'compensatory allowance' as defined in Section 2(a) of Parliament (Prevention of Disqualification) Act, 1959.

22. The Committee are of the view that though all the offices examined by the Committee in this Report carry salary and thereby could strictly speaking be considered as offices of profit, for speedy implementation of socio-economic development programmes of Government it is essential to associate Members of Parliament with the working of these Commissions of national importance. They, therefore, recommend that the Government should amend the Parliament (Prevention of Disqualification) Act, 1959 expeditiously so as to include these offices under the relevant Schedule to

prevent the holders of these posts from incurring disqualification for being chosen as or for being a Member of Parliament.

NEW DELHI;
7 April, 1992

18 Chaitra, 1914(S)

CHIRANJI LAL SHARMA
Chairman,

Joint Committee on Offices of Profit.

APPENDIX

(vide para 1.2 of the Report)

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

The Committee met on Wednesday, the 4th March, 1992 from 1600 to 1630 hours.

PRESENT

1. Shri Chiranji Lal Sharma — *Chairman*

MEMBERS

2. Shri Harisinh Pratapsinh Chavda
3. Shri Dau Dayal Joshi
4. Shrimati Kailashpati
5. Shri Santosh Kumar Sahu
6. Shri Subramanian Swamy

SECRETARIAT

1. Shri S.C. Gupta — *Joint Secretary.*
2. Shri R.K. Chatterjee — *Deputy Secretary.*
3. Shri D.L. Kapur — *Assistant Director.*

2. At the outset, the Chairman informed the members that he had received a suggestion made by some members of Parliament that the offices held in the following Commissions might be examined by the Committee with a view to exempt them from disqualification:—

1. National Commission for Scheduled Castes and Scheduled Tribes,
2. Minorities Commission,
3. National Commission for Women,
4. Planning Commission.

3. After some discussion on the subject the Committee decided that in the first instance the relevant particulars might be collected from the concerned Departments and Memoranda on the usual lines prepared and placed before the Committee for their consideration at their next sitting.

4. The Committee decided to hold their next sitting on Tuesday the 10th March, 1992 at 1600 hours.

The Committee then adjourned.

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

The Committee met on Tuesday, the 10 March, 1992 from 1600 to 1630 hours.

PRESENT

Shri Chiranjil Lal Sharma—*Chairman*

MEMBERS

2. Prof. Susanta Chakraborty
3. Shri Harisinh Pratapsinh Chavda
4. Shri D.K. Naikar
5. Shri Roshan Lal
6. Shri Mukul Wasnik
7. Shrimati Kailashpati
8. Shri Som Pal
9. Shri Santosh Kumar Sahu
10. Shri Subramanian Swamy

SECRETARIAT

1. Shri S.C. Gupta — *Joint Secretary.*
2. Shri R.K. Chatterjee — *Deputy Secretary.*
3. Shri D.L. Kapur — *Assistant Director.*

2. At the outset, the Chairman recalled that at the last sitting of the Joint Committee it was decided that the Lok Sabha Secretariat might prepare memoranda for consideration of the Committee after obtaining the relevant information from the concerned Departments in respect of the following offices:

1. Chairman, National Commission for Scheduled Castes and Scheduled Tribes;
2. Chairman, National Commission for Women;
3. Deputy Chairman, Planning Commission; and
4. Chairman, Minorities Commission.

The Memoranda were accordingly prepared by the Secretariat and circulated to the Members for their consideration.

Some Members pointed out that Government might be asked in the first instance to revise the Parliament (Prevention of Disqualification) Act

containing offices which disqualify and offices which do not disqualify the holders so as to include all recommendations made by the Joint Committee so far. The Chairman informed members that during the course of evidence tendered before the Committee on 17 January, 1992, the Secretary, Ministry of Law and Justice had informed that the Government would soon revise the Parliament (Prevention of Disqualification) Act, 1959 and submit the same to the Committee for scrutiny before its introduction to the House during the Monsoon Session of Parliament.

4. The Committee then took up for consideration Memoranda Nos. 8-11 regarding the four Commissions mentioned in para 2 above. The Committee felt that the functions of these Commissions were more or less advisory in character. In this connection, the Committee, however, noted the following judgement given by the Election Commission during 1991 in regard to Shri R.K. Hegde the then Deputy Chairman, Planning Commission:—

“It was only by his own voluntary act that he gave up the remuneration, *i. e.* salary, which the office of the Deputy Chairman of Planning Commission carried. Such voluntary act of not to draw the salary would not mean that the holder of the office under reference would not be ‘entitled’ to any salary. Therefore, the provisions of Section 3(d) of the Karnataka Legislative (Prevention of Disqualification) Act, 1956 would be of no avail to the opposite party and would not save him from incurring the disqualification under Article 191(1) (a) of the Constitution.”

5. The Committee were of the view that though these posts carried salaries, free furnished accommodation, free telephone and medical facilities etc. as detailed in the relevant Memoranda yet for speedy implementation of socio-economic development programme of Government it was essential to associate Members of Parliament with the working of these Commissions of national importance. It was emphasized that the Members of Parliament being the representatives of people could play a very useful and constructive role in this respect. As such, the Members of Parliament if nominated on these offices might be exempted from disqualification. They should, however, be not entitled to draw any remuneration or any other allowance excepting the ‘compensatory allowance’ as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The Committee further decided to recommend that for this purpose, if necessary, the Government might amend the Parliament (Prevention of Disqualification) Act, 1959 expeditiously, so as to include these offices under the relevant Schedule.

The Committee then adjourned.

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

The Committee met on Tuesday, the 7th April, 1992 from 1615 to 1700 hrs.

PRESENT

Shri Chiranji Lal Sharma—*Chairman*

MEMBERS

2. Prof. Susanta Chakraborty
3. Shri Dau Dayal Joshi
4. Shri Roshan Lal
5. Shri Thota Subba Rao
6. Shri E. Balanandan
7. Shrimati Kailashpati

SECRETARIAT

1. Shri S.C. Gupta — *Joint Secretary.*
2. Shri R.K. Chatterjee — *Deputy Secretary.*
3. Shri D.L. Kapur — *Assistant Director.*

2. The Committee took up for consideration their draft Second Report in regard to the following offices:

1. Chairman, National Commission for Scheduled Castes and Scheduled Tribes;
2. Chairman, Minorities Commission;
3. Chairman, National Commission for Women;
4. Deputy Chairman, Planning Commission.

Some of the Members were not in favour of the MPs holding these offices. The Chairman observed that the draft Report has been prepared on the basis of the decisions taken by the Committee in their earlier meeting on the memoranda in respect of these offices. After some discussion, the Committee decided to adopt the report without any modifications.

3. The Committee authorised the Chairman and in his absence Shri Roshan Lal, M.P. to present on their behalf the Report to the House on 9 April, 1992

The Committee then adjourned.

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