

**JOINT COMMITTEE ON OFFICES OF
PROFIT**

(FIFTH LOK SABHA)

TWELFTH REPORT

(Presented on the 20th March, 1975)



सममेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

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PERSONNEL OF THE JOINT COMMITTEE ON OFFICES OF
PROFIT

(FIFTH LOK SABHA)

Lok Sabha

1. Shri S. B. P. Pattabhi Rama Rao—*Chairman*
2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee
4. Shri Jagannathrao Joshi
5. Shri Z. M. Kahandole
- *6. Shri S. M. Siddayya
7. Shri Ramji Ram
8. Shri Arjun Sethi
9. Shri Ramavatar Shastri
- **10. Shri Ram Shekhar Prasad Singh

Rajya Sabha

- †11. Shri Vithal Gadgil
- ‡12. Shri N. M. Kamble
- ‡13. Shri A. K. Refaye
14. Shri Venigalla Satyanarayana
- †15. Shri Yogendra Sharma

SECRETARIAT

Shri P. K. Patnaik—*Additional Secretary.*

Shri J. R. Kapur—*Chief Financial Committee Officer.*

* Elected by Lok Sabha on the 7th March, 1975 *vice* Shri Pratap Singh died.

** Elected by Lok Sabha on the 6th December, 1973 *vice* Shri Dharnidhar Basumatari resigned from the Committee.

† Elected by Rajya Sabha on the 22nd May, 1972 *vice* Dr. (Mrs.) Mangladevi Talwar and Shri M.V. Bhadram ceased to be members of the Joint Committee on their retirement from that House.

‡ Elected by Rajya Sabha on the 8th May, 1974 *vice* Sarva: hri S.A. Khaja Mohideen and Sanda Narayanappa ceased to be members of the Joint Committee on their retirement from that House.

REPORT OF THE JOINT COMMITTEE

I. 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 Twelfth Report of the Committee.

2. The Committee held four sittings on the 24th January, 7th and 20th February and 14th March, 1975. At their sitting held on the 24th January, 1975, the Committee heard the evidence of the representatives of the Ministries of Finance (Department of Banking), Industry and Civil Supplies, Shipping and Transport, Commerce and Petroleum and Chemicals on the question of delayed supply of information in respect of bodies set up more than five years ago. Minutes of the sittings form part of the Report and are at Appendix.

3. The Committee considered the composition, character, functions, etc. of 100* Committees/Boards/Corporations, etc., constituted by the Central Government/State Governments and Union Territories and the emoluments and allowances payable to their members.

4. Detailed information regarding the composition, character, functions, etc. of the Committees/Boards/Corporations, etc. and emoluments and allowances payable to their members was furnished by the respective Ministries/Departments of the Central Government and State Governments on a request made by the Lok Sabha Secretariat.

5. The Committee also considered representations from the Ministry of Labour for review of their earlier recommendations regarding the Board of Trustees, Coal Mines Provident Fund and the Central Board of Trustees, Employees' Provident Fund.

6. The Committee considered and adopted the Report on the 14th March, 1975.

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

*These include 29 Committees/Boards, etc. considered by the Joint Committee at their sitting held on the 17th December, 1974. The Minutes of that sitting form part of the Eleventh Report of the Committee presented on the 20th December, 1974.

**II. COMMITTEES|BOARDS|CORPORATIONS, ETC.
CONSTITUTED BY THE CENTRAL AND STATE
GOVERNMENTS**

Board of Directors of the Gujarat Export Corporation

8. The Committee note that the non-official Directors of the Gujarat Export Corporation are entitled to Rs. 100/- as sitting fee for Board meetings. The Directors coming from out of station are also paid highest class of fare plus Rs. 35/- per day as halting allowance. Extra remuneration in the form of a fixed sum or otherwise may also be paid to Directors for special work. The payment admissible to the non-official Directors thus exceeds the 'compensatory allowance'. Also, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the non-official Directors of the Corporation ought not to be exempt from disqualification.

Board of Directors of the Gujarat Mineral Development Corporation Ltd.

9. The Committee note that the non-official Directors of the Gujarat Mineral Development Corporation Ltd. are entitled to an amount not exceeding Rs. 250/- per meeting of the Board plus TA and other expenses which would exceed the 'compensatory allowance'. Also, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Directors of the Gujarat Industrial Investment Corporation.

10. The Committee note that the non-official Directors of the Gujarat Industrial Investment Corporation are getting an amount not exceeding Rs. 250/- per meeting of the Board plus TA and other expenses, which would exceed the 'compensatory allowance'. Also, the Board of Directors exercises both executive and financial powers. As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Khar Land Development Board, Gujarat

11. The Committee note that the non-official members of the Khar Land Development Board, Gujarat get Rs. 16|- as daily allowance and 4 paise per kilo meter as incidental charges, which is less than the 'compensatory allowance'. But the Board exercises financial powers in that it can incur expenditure upto Rs. 25,000/- under section 34(1) of the Gujarat Khar Lands Act, 1963. It has also the power to regulate fishing rights in any water on any tidal or khar land to which the Act applies. The Committee, therefore, feel that the membership of the Board ought not to be exempt from disqualification.

Gujarat Cultural Performances Certificate Board.

12. The Committee note that the main function of the Gujarat Cultural Performances Certificate Board is to scrutinise scripts for grant of certificates. Also, the TA|DA admissible to the non-official members is less than the 'compensatory allowance'. But, in addition to TA|DA, the non-official members are entitled to a monthly honorarium of Rs. 100|- per month, which does not fall within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. In view of the foregoing, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Hybrid Seed Production Programme State Level Committee, Gujarat

13. The Committee note that the non-official members of the Hybrid Seed Production Programme State Level Committee, Gujarat, are entitled to DA at the rate of Rs. 16|- per day and TA by first class in Railways, which is less than the 'compensatory allowance'. However, the Committee note that the main function of the Committee is to select the Seed Producers recommended by the District Level Committees. Thus, the function of the State Level Committee somewhat partakes the character of executive power. The Committee, therefore, feel that the membership of the State Level Committee ought not to be exempt from disqualification.

Committee for administration of Agricultural Credit Relief and Guarantee Fund, Gujarat.

14. The Committee note that the Government resolution under which the Committee for administration of Agricultural Credit Relief and Guarantee Fund, Gujarat, has been set up does not specify the TA/DA to be paid to members. Nor has any non-official

so far claimed TA/DA, or sitting fee. However, the Committee maintains and administers the Agricultural Credit Relief and Guarantee Fund, and as such, exercises financial powers. The Committee, therefore, feel that the membership of this body ought not to be exempt from disqualification.

✓ *Board of Governors of the Indian Institute of Management, Bangalore (Ministry of Education & Social Welfare)*

15. The Committee note that the non-official members of the Board of Governors of the Indian Institute of Management, Bangalore, are entitled to only TA and DA for attending the meetings of the Board at the highest rate permissible to officers of Government of India, which is less than the 'compensatory allowance'. However, the Board of Governors exercises executive and financial powers. As such, the Committee feel that the non-official members of the Board, who are appointed by the Government, ought not to be exempt from disqualification.

✓ *Board of Directors of Tannery and Footwear Corporation of India Ltd. (Ministry of Industrial Development).*

16. The Committee note that there are no non-official Directors on the Board of Directors of Tannery and Footwear Corporation of India Ltd. at present. But, under Articles of Association of the Company, the President can appoint non-official Directors on the Board. In that case, the non-official Directors would be entitled to TA/DA etc. Moreover, the Board of Directors exercises executive and financial powers and is in a position to wield influence. As such, the Committee feel that the non-official Directors, if appointed on the Board, ought not to be exempt from disqualification.

Karnataka State Temperance Board

17. The Committee note that the Chairman and Vice-Chairman of the Karnataka State Temperance Board are entitled to an honorarium of Rs. 750/- and Rs. 500/- per month respectively, which do not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

The other non-official members are entitled to TA/DA, which is less than the 'compensatory allowance'. The Committee also note that although the functions of the Board are basically advisory in nature, it has the power to operate on funds allotted to it by Government. But as the power to operate on funds for temperance is

not likely to enable the members of the Board to wield much influence, the Committee feel that the non-official members of the Board, other than the Chairman and Vice-Chairman, ought to be exempt from disqualification but the Chairman and Vice-Chairman who are getting a monthly honorarium ought not to be exempt from disqualification.

State Managing Committee of Special Fund for Reconstruction and Rehabilitation of Ex-Servicemen, Karnataka.

18. The Committee note that the non-official members of the State Managing Committee of Special Fund for Reconstruction and Rehabilitation of Ex-Servicemen are entitled to DA of Rs. 15/- at Bangalore and Rs. 12/- at other places and First Class railway fare as TA with incidental charges, which is less than the 'compensatory allowance'. Although the Managing Committee grants financial assistance to individual ex-servicemen or their associations, its individual members are not in a position to wield much influence, As such, the Committee feel that the non-official members of the Committee ought to be exempt from disqualification.

Karnataka State Town Planning Board

19. The Committee note that the non-official members of the Karnataka State Town Planning Board are entitled to first class Railway fare with incidentals as TA and Rs. 15/- at Bangalore and Rs. 12/- at other places as DA, which is less than the 'compensatory allowance'. The Committee also note that the Board has no executive powers and acts mainly in an advisory capacity. Although it has financial powers to meet its establishment charges, its individual members are not in a position to wield much influence and power of patronage.

As such, the Committee feel that the non-official members of the Board ought to be exempt from disqualification.

Planning Authorities for (i) Bangalore. (ii) Mysore. (iii) Belgaum. (iv) Shimoga-Bhadravathi. (v) Hubli-Dharwar. (vi) Mangalore. (vii) Dandeli and (viii) Gulbarga.

20. The Committee note that the non-official members of the Planning Authorities are not at present entitled to TA/DA etc. But the question of grant of TA/DA to the non-official members is under consideration of the State Government. The Committee also note that the aforesaid Authorities exercise executive and financial powers.

As such, the Committee feel that the membership of the Authorities, when TA/DA is paid to the non-official members, ought not to be exempt from disqualification.

Departmental Recruitment Committee (Karnataka)

21. The Committee note that the non-official members of the Departmental Recruitment Committee are entitled to first class railway fare plus incidental charges as TA and Rs. 15/- and Rs. 12/- at Bangalore and other places, respectively, as DA which is less than the 'compensatory allowance'. The main function of the Committee is to select candidates for recruitment to certain categories of Government posts, and as such, it is in a position to wield influence.

The Committee, therefore, feel that the membership of the Committee ought not to be exempt from disqualification.

Board of Directors of the Mysore Power Corporation Ltd.

22. The Committee note that the payment per day admissible to the non-official Directors of the Mysore Power Corporation Ltd. in the form of sitting fee is Rs. 150/- for each day of sitting, which exceeds the 'compensatory allowance'. Besides, the Board exercises executive and financial powers.

As such, the Committee feel that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Examiners for Boiler Attendants (Karnataka).

23. The Committee note that the non-official members of the Board of Examiners for Boiler Attendants are entitled to first class railway fare plus incidental charges as TA and Rs. 15/- and Rs. 12/- at Bangalore and other places, respectively as DA, which is less than the 'compensatory allowance'. The main function of the Board is to conduct examinations and grant certificate of proficiency. However, as this power is not such as to enable individual members of the Board to wield, much influence, the Committee feel that the non-official members of the Board ought to be exempt from disqualification.

Board of Examiners for Boiler Operation Engineers (Karnataka).

24. The Committee note that the non-official members of the Board of Examiners for Boiler Operation Engineers are entitled to first class railway fare plus incidental charges as TA and Rs. 15/- and Rs. 12/- at Bangalore and other places respectively, as DA, which is less than the 'compensatory allowance'. The main function of the Board is to conduct examinations and grant certificates of proficiency.

However, as this power is not such as to enable the individual members of the Board to wield much influence, the Committee feel that the non-official members of the Board ought to be exempt from disqualification.

The Official Language (Legislative) Experts Committee (Karnataka)

25. The Committee note that the Chairman and members of the Official Language (Legislative) Experts Committee are paid consolidated amounts of Rs. 2000|- and Rs. 1500|- per mensem respectively. These amounts do not come within the ambit of the 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

As such, the Committee feel that the membership (including Chairmanship) of the Committee ought not to be exempt from disqualification.

Selection Committee for Musicians in Films Division (1/10/57)

26. The Committee note that the Joint Committee on Offices of Profit (Second Lok Sabha) had recommended exemption from disqualification of membership of the Music Audition Committee, Films Division *vide* para 8 of their Fifth Report. That Committee has been replaced by the 'Selection Committee for Musicians in the Films Division', and rules for Music Audition Committee of the Films Division are being applied *mutatis mutandis* to the Selection Committee for Musicians in the Films Division. The Committee, therefore, feel that the non-official members of the Selection Committee for Musicians in Films Divisions ought also to be exempt from disqualification.

Kandla Dock Labour Board (Ministry of Shipping and Transport).

27. The Committee note that the non-official members of Kandla Dock Labour Board are entitled to first class railway fare as TA and Rs. 23.50 as DA, which is less than the 'compensatory allowance'. However, the Board exercises executive and financial powers. As such, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Marmugao Dock Labour Board (Ministry of Shipping and Transport)

28. The Committee note that the non-official members of the Marmugao Dock Labour Board are entitled to draw Rs. 25|- as sitting fee to attend the meetings of the Board. Besides, they are also entitled to TA at the rate admissible to highest scale of officers of the Central Government which is less than the 'compensatory allowance'. However, the Board exercises executive and financial powers

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

Governing Council of the Indian Institute of Astrophysics, Kodai-kanal (Ministry of Tourism and Civil Aviation).

29. The Committee note that the non-official members of the Governing Council of the Indian Institute of Astrophysics, Kodai-kanal, are entitled to first class railway fare as TA and Rs. 28/- as maximum DA which is less than the 'compensatory allowance'. However, the Council exercises executive and financial powers. As such, the Committee feel that the non-official members of the Council, appointed by Government, ought not to be exempt from disqualification.

Governing Council of the Indian Institute of Geomagnetism, Bombay (Ministry of Tourism and Civil Aviation)

30. The Committee note that the non-official members of the Governing Council of the Indian Institute of Geomagnetism, Bombay are entitled to first class railway fare as TA and Rs. 28/- as maximum DA, which is less than the 'compensatory allowance'. However, the Council exercises executive and financial powers. As such, the Committee feel that the non-official members of the Council appointed by Government, ought not to be exempt from disqualification.

Governing Council of the Indian Institute of Tropical Meteorology, Poona (Ministry of Tourism and Civil Aviation).

31. The Committee note that the non-official members of the Governing Council of the Indian Institute of Tropical Meteorology, Poona, are entitled to first class railway fare as TA and Rs. 28/- as maximum DA which is less than the 'compensatory allowance'. However, the Council exercises executive and financial powers. As such, the Committee feel that the non-official members of the Council, appointed by Government, ought not to be exempt from disqualification.

Board of Directors of Hindustan Latex Ltd. (Ministry of Health and Family Planning).

32. The Committee note that the non-official Directors of the Hindustan Latex Ltd. are entitled to first class railway fare as TA and Rs. 28/- as maximum DA, which is less than the 'compensatory allowance'. However, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the Directorship of the Company ought not to be exempt from disqualification.

Grants Committee (Ministry of Health and Family Planning)

33. The Committee note that the Members of Parliament and other non-official members of the Grants Committee are entitled to the usual first class railway fare as TA and Rs. 51|- and Rs. 28|- (maximum), respectively, as DA, which does not exceed the 'compensatory allowance'. The Committee also note that the power to recommend quantum of grants-in-aid to medical institutions does not enable the individual members of the Committee to wield influence and power of patronage. As such, the Committee feel that the non-official members of the Committee ought to be exempt from disqualification.

All India Institute of Medical Sciences, New Delhi (Ministry of Health and Family Planning)

34. The Committee note that the Members of Parliament and other non-official members of the All India Institute of Medical Sciences, New Delhi, are entitled to the usual first class railway fare as TA and Rs. 51|- and Rs. 28|- respectively, as DA which does not exceed the 'compensatory allowance'. However, the Institute has power to establish and maintain medical colleges and institutes and appoint persons to professorships, readerships, etc. As such, the Committee feel that the non-official members (other than those elected by the two Houses of Parliament) of the Institute ought not to be exempt from disqualification.

Governing Body of the All India Institute of Medical Sciences, New Delhi (Ministry of Health and Family Planning).

35. The Committee note that the Members of Parliament and other non-official members of the Governing Body of the All India Institute of Medical Sciences, New Delhi, are entitled to the usual first class railway fare as TA and Rs. 51|- and Rs. 28|- (maximum), respectively, as DA which does not exceed the 'compensatory allowance'. However the Governing Body exercises executive and financial powers. As such, the Committee feel that the non-official members (other than those elected by the two Houses of Parliament) of the Governing Body of the All India Institute of Medical Sciences, New Delhi ought not to be exempt from disqualification.

Post Graduate Institute of Medical Education and Research, Chandigarh (Ministry of Health and Family Planning)

36. The Committee note that the Members of Parliament and other non-official members of the Post Graduate Institute of Medical Education and Research, Chandigarh are entitled to usual first class rail-

way fare as TA and Rs. 51/- and Rs. 28/- (maximum), respectively, as DA which does not exceed the 'compensatory allowance'. However, the Institute has power to establish and maintain medical colleges and institute and appoint persons to professorships, readerships, etc. As such, the Committee feel that the non-official members (other than those elected by the two Houses of Parliament) of the Institute ought not to be exempt from disqualification.

Governing Body of the Post Graduate Institute of Medical Education and Research, Chandigarh

37. The Committee note that the Members of Parliament and other non-official members of the Governing Body of the Post Graduate Institute of Medical Education and Research, Chandigarh, are entitled to the usual first class railway fare as T.A. and Rs. 51/- and Rs. 28/- (maximum), respectively as D.A., which does not exceed the 'compensatory allowance'. However the Governing Body exercises executive and financial powers. As such, the Committee feel that the non-official members (other than those elected by the two Houses of Parliament) of the Governing Body of the Post Graduate Institute of Medical Education and Research, Chandigarh ought not to be exempt from disqualification.

Central Coal Mines Rescue Station Committee (Ministry of Labour)

38. The Committee note that the non-official members of the Central Coal Mines Rescue Station Committee are entitled to a sitting fee of Rs. 16/- per meeting attended by them subject to a maximum of Rs. 32/- for any one calendar month, in addition to T.A. as admissible to Grade I officers. Thus, the amount admissible to non-official members is less than the 'compensatory allowance'. However, the Committee exercises executive and financial powers. As such, the Committee feel that the non-official members of the Rescue Station Committee, nominated by Government, ought not to be exempt from disqualification.

Secondary Education Board (Government of Karnataka)

39. The Committee note that the non-official members of the Secondary Education Board are entitled to Rs. 10/- as sitting fee per day along with first class railway fare and incidental charges as T.A. which is less than the 'compensatory allowance'. Although, the Board conducts examinations, its individual members are not in a position to wield influence. The Committee further note that the text books are prescribed by Government on the recommendations of another body, viz., the Text Book Committee. As such, the Com-

mittee feel that the non-official members of the Secondary Education Board, Karnataka, ought to be exempt from disqualification.

Karnataka Labour Welfare Fund Board

40. The Committee note that the non-official members of the Karnataka Labour Welfare Fund Board are entitled to first class railway accommodation and Rs. 15/- as D.A., which is less than the 'compensatory allowance'. However, the Board exercises executive / and financial powers. As such, the Committee feel that the membership of the Board ought not to be exempt from disqualification.

Coal Mines Authority Limited (Ministry of Steel and Mines)

41. The Committee note that the non-official Directors of the Coal Mines Authority Limited are entitled to get Rs. 150/- for attending each meeting of the Board of Directors. In addition to this, they are entitled to get incidental expenses and halting allowance for each meeting at a fixed sum of Rs. 100/- for the first day and Rs. 50/- for each subsequent day. These sums exceed the 'compensatory allowance'. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the Directorship of the company ought not to be exempt from disqualification.

Mysore Iron and Steel Limited, Bhadravati (Ministry of Steel and Mines)

42. The Committee note that the non-official Directors of the Mysore Iron and Steel Limited, Bhadravati, are entitled to a sitting fee of Rs. 50/- for every meeting alongwith T.A., hotel and other expenses properly incurred by them which would exceed the 'compensatory allowance'. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the Directorship of the company ought not to be exempt from disqualification.

Board of Directors of Manganese Ores India Limited (Ministry of Steel and Mines)

43. The Committee note that the non-official Directors of Manganese Ores India Limited are entitled to a sitting fee of Rs. 200/-, which exceeds the 'compensatory allowance'. The non-official Chairman is getting a basic pay of Rs. 2300/- per month and other perquisites such as allotment of bungalow, car maintenance allowance etc. The remuneration payable to him does not fall within the ambit of 'compensatory allowance'. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee feel that

the Directorship of the Company ought not to be exempt from disqualification.

Hindustan Copper Limited (Ministry of Steel and Mines)

44. The Committee note that the non-official Directors of the Hindustan Copper Limited are entitled to get Rs. 150|- for attending each meeting of the Board of Directors. In addition to this, they are entitled to get a fixed sum of Rs. 100|- as incidental expenses and halting allowance for the first day of the meeting and Rs. 50|- for each subsequent day. Thus, the amount admissible to the non-official Directors exceeds the 'compensatory allowance'. Besides, the Board of Directors exercises executive and financial powers. As such, the Committee feel that the non-official Directors of the company ought not to be exempt from disqualification.

45. In regard to the following bodies, the Committee note that the non-official members thereof are either not entitled to any remuneration or the payment admissible to them does not exceed the 'compensatory allowance'. Besides, the functions of these bodies are mainly advisory in nature. As such, the Committee feel that the membership of these bodies ought to be exempt from disqualification:—

- (1) Jail Advisory Committee for each Central and District Jail (Gujarat).
- (2) State Sarvodaya Committee (Gujarat).
- (3) Gujarat State Geological Programming Board (Gujarat).
- (4) Baroda Regional Industrial Coordination Council.
- (5) Committee for publication of Booklets pertaining to Gujarat.
- (6) State Fertilizer Advisory Committee. (Gujarat).
- (7) Gujarat State Soldiers, Sailors and Airmen's Board.
- (8) District Soldiers, Sailors and Airmen's Boards at Ahmedabad, Baroda and Surat.
- (9) Taluka Civil Supplies Advisory Committee (Gujarat).
- (10) State Planning Advisory Board (Gujarat).
- (11) Committee for Balanced Development of the State (Gujarat).

- (12) Gujarat State Prohibition Board.
- (13) State Advisory Board of Archæology (Gujarat).
- (14) Co-ordination Committee for activities of Prohibition and Excise and Police Departments (Gujarat).
- (15) The State Agricultural Development Council (Gujarat).
- (16) The State Council of Gosamvardhan (Gujarat).
- (17) The Executive Committee of the State Council of Gosamvardhan (Gujarat).
- (18) Pharmaceutical Education Committee (Ministry of Education and Social Welfare).
- (19) Advisory Committee for the Revision of Gazetteers (Ministry of Education and Social Welfare).
- (20) National Council of Rural Higher Education (Ministry of Education and Social Welfare).
- (21) Traffic Coordination Committee for Bangalore.
- (22) Advisory Committee for reviewing films for grant of subsidy and other awards (Karnataka).
- (23) State Planning Board (Karnataka).
- (24) Press Accreditation Committee (Karnataka).
- (25) Karnataka State Soldiers', Sailors' and Airmen's Board.
- (26) Oil Seed Development Committee (Karnataka).
- (27) Agricultural Advisory Committee (Karnataka).
- (28) Cotton Advisory Committee (Karnataka).
- (29) District Level Family Planning Implementation Committee (Madhya Pradesh).
- (30) District Advisory Committee for Small Savings (Maharashtra).
- (31) The Divisional Advisory Committee for Small Savings (Maharashtra).
- (32) Advisory Committee on Languages (Haryana).
- (33) Advisory Committee on Surplus Land under the Haryana Ceiling on Land Holding Act, 1972 constituted under the Haryana Ceiling on Land Holding Act, 1972 for one year.

- (34) Informal Consultative Panel to advise Government to evolve a comprehensive policy for films (Ministry of Information and Broadcasting).
- (35) Screening Committee for allotment of Government accommodation from the Press Pool to accredited press correspondents and cameramen (Ministry of Information and Broadcasting).
- (36) Central Family Planning Council (Ministry of Health and Family Planning).
- (37) Countess of Dufferins' Fund Advisory Committee (Ministry of Health and Family Planning).
- (38) Pharmacy Council of India, New Delhi (Ministry of Health and Family Planning).
- (39) Dental Council of India (Ministry of Health and Family Planning).
- (40) Standing Mines Safety Equipment Advisory Board (Ministry of Labour).
- (41) State Committee on Employment (Karnataka).
- (42) District Committees on Employment (19 Committees for 19 Districts in the Karnataka State).
- (43) Technical Working Group on Employment Market Information (Karnataka).
- (44) Craftsmen Training Scheme Wing State Council for Training in Vocational Trades (Karnataka).
- (45) Sub-Committee of the National Council for Training in Vocational Trades for Evaluation of Industrial Training Institutes under the Craftsmen Training Scheme (Karnataka).
- (46) Combined Standing Committee for affiliation of Private Training Centres/Institutes (Karnataka).
- (47) Selection Committee for selection of candidates for admission to the Industrial Training Institute/Centres in the State (Karnataka).
- (48) Technical Committee to decide the State awards for the best printed nationalised Text Books (Karnataka).

- (49) Karnataka State Apprenticeship Council.
- (50) Trade Committee Liaison with industries (Karnataka).
- (51) District Committees on Employment (Karnataka).
- (52) Karnataka State Minimum Wage Advisory Board.
- (53) Plantation Labour Housing Advisory Board (Karnataka).
- (54) Delhi Haj Committee.
- (55) Board of Technical Education (Delhi).
- (56) State Advisory Committee for N. C. C. (Haryana).
- (57) Advisory Committee for National Service Corps Scheme (Haryana).
- (58) Mineral Advisory Board (Ministry of Steel and Mines).
- (59) Hybrid Seed Production Programme—District Level Committee (Gujarat).

III. REVIEW OF EARLIER RECOMMENDATIONS

- (i) *Board of Trustees, Coal Mines Provident Fund—Representation for review of the recommendation of the Committee made in para 9 of the Fourth Report (Fourth Lok Sabha).*

46. The Joint Committee on Offices of Profit (Fourth Lok Sabha), in para 9 of their Fourth Report, presented to the House on the 17th March 1969, had observed as follows in regard to the Board of Trustees, Coal Mines Provident Fund:

“The Committee note that the Board of Trustees, Coal Mines Provident Fund, exercises both executive and financial powers in the administration of the Coal Mines Provident Fund Scheme and as such the Chairmanship of the Board ought not to be exempted from disqualification. The Committee, therefore, recommend that this body ought to be included in Part I of the Schedule to the Act.”

47. The Board of Trustees, Coal Mines Provident Fund, has accordingly been included in Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973 (*vide* S. No. 9 of Part I).

48. The Committee considered the following representation of the Ministry of Labour for deletion of the entry relating to Board of Trustees, Coal Mines Provident Fund from Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973, now pending before Rajya Sabha:

“...The practice at present is to appoint Deputy Labour Minister as the Chairman of the Board of Trustees, Coal Mines Provident Fund. If the Board of Trustees for the Coal Mines Provident Fund is included in the first Schedule to the Bill, the Deputy Labour Minister

will be disqualified from being a Member of Parliament. The Lok Sabha Secretariat is requested to approach the Joint Committee on Offices of Profit (Fifth Lok Sabha) for deletion of the entry relating to the Board of Trustees, Coal Mines Provident Fund from the first Schedule to the aforesaid Bill."

To a pointed question whether a non-official member of the Board of Trustees (other than a Minister) was precluded from becoming the Chairman of the Board of Trustees, the Ministry of Labour have replied in the negative.

49. The Committee note that the main reason given by the Ministry for deletion of the aforesaid entry from Schedule I to the Bill is that in case of the enactment of the Bill, the Deputy Labour Minister will be disqualified for being a Member of Parliament. The Committee feel that in view of the provision of Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, in terms of which all offices held by a Minister in an *ex officio* capacity are exempt from disqualification for membership of Parliament, the fear of the Ministry is not well-founded. Further, according to the Ministry's own admission, a non-official member (other than a Minister) is not precluded from becoming the Chairman of the Board of Trustees. As such the Committee feel that no change in the recommendation of the Committee is called for. However, the Committee will like to make it clear that if a non-official (other than a Minister) is appointed as a Chairman of the Board of Trustees, he ought not to be exempt from disqualification, but if a Minister is appointed as the Chairman of the Board of Trustees, he ought to be exempt.

(ii) *Central Board of Trustees, Employees' Provident Fund—Representation for Review of the recommendation of the Committee made in para 14 of Fifth Report (Fourth Lok Sabha).*

50. The Joint Committee on Offices of Profit (Fourth Lok Sabha), in paragraph 14 of their Fifth Report, presented to the House on the 27th April, 1970 observed as follows in regard to the Central Board of Trustees, Employees' Provident Fund:

"In regard to the character and composition of the Central Board of Trustees, Employees' Provident Fund, the Committee note that the Board wields financial powers by way of patronage and as such even membership of the Board ought to disqualify."

51. The Central Board of Trustees, Employees' Provident Fund has accordingly been included in Schedule II to the Parliament

(Prevention of Disqualification) Amendment Bill, 1973 (S. No. 38 of Part I), now pending before Rajya Sabha.

52. The Committee considered the following representation of the Ministry of Labour for deletion of the entry relating to the Central Board of Trustees, Employees' Provident Fund, from Part I of Second Schedule to the Parliament (Prevention of Disqualification) Amendment Bill, 1973:

“... The Central Board of Trustees, Employees' Provident Fund, constituted by the Central Government under Section 5A(1) of the Employees' Provident Funds and Family Pension Fund Act, 1952, is tripartite in character consisting of representatives of the State Governments/Union Territories, Employers' and Employees' Organisations. The Board had from time to time members of Parliament on it and at present Shri R. N. Sharma, Member of Parliament is a member of the Board. The members of the Central Board of Trustees, Employees' Provident Fund, do not receive any salary as such but are paid Travelling Allowance, Daily Allowance whenever they attend meetings of the Board. As payment of Travelling|Daily Allowance is compensatory in nature, it cannot be said that they are holding any office of profit in the strict sense of the terms. It would, therefore, not be appropriate to deprive the Employees' Provident Fund Organisation of the benefit of advice of some eminent persons simply because they happen to be Members of Parliament....”

53. The Committee note that one of the arguments advanced by the Ministry of Labour for deletion of the aforesaid entry from Schedule II to the Bill is that members of the Central Board of Trustees do not receive any salary but are paid T.A./D.A. whenever they attend the meetings of the Board. According to the Ministry, the payment of T.A./D.A. is compensatory in nature and hence it can not be said that they are holding any 'Office of Profit' in a strict sense of the term.

The Committee are not convinced by the above arguments and will like to draw attention to the following observations of the Joint Committee on Offices of Profit made in connection with the Kerala State Coir Corporation Ltd.:

“While they (the Committee) agree that the amount per day payable to a Director of the Corporation by way of sitting fee/daily allowance is well below 'compensatory allowance', as defined in Section 2(a) of the Parliament (Pre-

vention of Disqualification) Act, 1959, nevertheless, while coming to a conclusion whether an office ought to be exempted from disqualification, the Committee have to take into account besides 'compensatory allowance', other criteria, such as whether the office involves exercise of executive and financial powers and thereby enables the holder to wield influence and patronage." (*vide* para 21 of the First Report (Fifth Lok Sabha).

54. The Committee, however, feel that as the functions and powers of the Central Board of Trustees, Employees' Provident Fund, are almost similar to the functions and powers of the Board of Trustees, Coal Mines Provident Fund, the two bodies should not be treated differently. The Committee, therefore, desire that like the Board of Trustees, Coal Mines Provident Fund, the Central Board of Trustees, Employees' Provident Fund, should also be included in Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973.

IV. DELAYED SUPPLY OF INFORMATION BY THE MINISTRIES/ DEPARTMENTS OF GOVERNMENT OF INDIA IN RESPECT OF BODIES CONSTITUTED BY THEM MORE THAN FIVE YEARS AGO

55. In paras 42 and 43 of their Seventh Report (Fifth Lok Sabha), presented to the House on the 21st December, 1973 the Joint Committee on Offices of Profit expressed distress over the instances of non-supply|delayed supply of information desired by the Committee from the Ministries/Departments of Government of India. The Committee had *inter alia* noted that information in respect of some of the bodies constituted by the Ministries/Departments of Government of India was furnished to the Committee five to eleven years after their constitution. The Committee desired that, save in exceptional circumstances, information in respect of bodies constituted by Ministries/Departments of Government of India should reach them within two months of their constitution.

56. The Committee are glad to report that as a result of the presentation of their Seventh Report and the subsequent action taken by Government to furnish information to the Joint Committee without delay information about a number of bodies has been received by them. The information received has, however, revealed that information in respect of certain bodies constituted by four Ministries—Industry and Civil Supplies, Shipping and Transport, Commerce and Petroleum and Chemicals—was furnished to the Committee more

than five years after their constitution. The Committee, therefore, took the evidence of their representatives on the 24th January, 1975. The position in respect of each of these Ministries is briefly set forth in the succeeding paragraphs.

(a) *Ministry of Industry and Civil Supplies (Department of Industrial Development)*

57. Sambhar Salts Ltd. was set up in 1958 but the information in respect thereof was received in September, 1973. On being asked to give reasons for delay in furnishing the information about the aforesaid body, the Ministry of Industry and Civil Supplies (Department of Industrial Development) replied as under:

“The Sambhar Salt Source, Sambhar Lake was run departmentally by the Salt Department under Government of India till 1958. On 12th April, 1958, Hindustan Salt Ltd. came into being when the Sambhar Salt Source was transferred to it by Government of India. As per the Krishnamachari Award, the Sambhar Salt Source was bifurcated from Hindustan Salts Ltd. and a new subsidiary company of Hindustan Salts Ltd. was registered on 30th September, 1964 under the name and style of Sambhar Salts Ltd. Thus, Sambhar Salts Ltd. came into being in 1964 and not in 1959.

The delay in submission of information was due to fact that the Lok Sabha Secretariat O.M. dated 28th July, 1971 was not received in the Ministry.”

During evidence the representative of the Ministry stated that steps had been taken to see that in future no lapse or delay in sending the information takes place.

(b) *Ministry of Shipping and Transport*

58. The Shipping Development Fund Committee was set up in 1959, while the information in respect thereof was sent in June, 1973. When inquired about the reasons for delay, the Ministry had given the following reply:

“The Shipping Development Fund Committee constituted under Section 15(1) of the Merchant Shipping Act, 1958 is wholly composed of Government officials only. It was, therefore, felt that membership of the Committee did not come within the purview of the Joint Committee on Offices of Profit. That is the reason why information in respect of Shipping Development Fund Committee was not furnished earlier.”

During evidence, the Committee enquired whether there was no provision for the membership of non-officials on the Committee. The representative of the Ministry replied that provision had been made in T.A. Rules for non-official members by way of an abundant caution.

(c) Ministry of Commerce

59. The following bodies were constituted in the years noted against each—

(1) Cardamom Board	..	1966
(2) All India Handloom Board	..	1952
		(re-constituted in 1963)

But the information in respect of these Boards was received in 1971 and 1974 respectively. During evidence, the representative of the Ministry expressed regret for not furnishing the information earlier. He, however, assured the Committee that such lapse would not occur in future.

60. Attention of the representative of the Ministry was drawn to fifteen Export Promotion Councils, referred to in the Annual Report of the Ministry of Commerce. Some of these Councils had been set up several years ago. The Ministry in their O.M. dated the 22nd January, 1975 had given the following reasons for not furnishing the information:

“The Councils are not Government Bodies set up by Resolution or Administrative Order of the Government, but are private bodies set up by the representatives of the various industries and export trade. These are registered under the Societies Act or the Companies Act. Their Chairmen are in Honorary capacity. In view of these facts, this Ministry would like to submit for the consideration of the Committee’s Chairman that these Councils do not deserve examination by the Joint Committee on Offices of Profit.”

61. During evidence, the representative of the Ministry assured the Committee to furnish complete information about Export Promotion Councils after checking up whether any M.P./M.L.A. happened to be its member and whether they were appointed in honorary capacity or were paid any T.A./D.A. etc. The representative also promised that necessary steps will be taken in the Ministry to furnish the information about newly constituted bodies to the Committee in time and that no such lapse would occur in future.

(d) *Ministry of Petroleum and Chemicals*

62. The following bodies were constituted in the years noted against each but the information in respect thereof was received in this Secretariat in March, 1974:

(1) Oil and Natural Gas Commission	..	1959
(2) Hindustan Insecticides Ltd.	..	1959
(3) Cochin Refinery Ltd.	..	1963
(4) Engineers India Ltd.	..	1965
(5) Lubrizol India Ltd.	..	1965
(6) Lube India Ltd.	..	1965
(7) Madras Refinery Ltd.	..	1965

On being asked to explain the reasons for delay in sending the information, the Ministry had stated as follows:

“From the records available in this Ministry it is found that information in respect of Oil and Natural Gas Commission, Cochin Refineries Ltd., and Hindustan Insecticides Ltd. was not supplied to the Lok Sabha Secretariat in 1964 under the impression that these did not fall within the category of Committees referred to in Lok Sabha Secretariat Office Memorandum No. 19/1/64 dated 1st May, 1964. In 1971, information relating to O.N.G. Commission and Hindustan Insecticides Limited was collected. The Section concerned with the other five Undertakings under the Department of Petroleum expressed the view that these Undertakings were in existence for quite some time and hence details were not furnished. The material in respect of O.N.G. Commission, Hindustan Insecticides Ltd., was not forwarded to the Lok Sabha Secretariat nor was the reply of the Administrative Section relating to the other five Undertakings properly examined. For this negligence, the concerned Section Officer and the dealing hand are being charge-sheeted. The delay in sending this reply is due to the time taken in locating the earlier papers and their examination.”

63. During evidence, the representatives of the Ministry expressed apology for the lapse on the part of the Ministry and assured the Committee that necessary steps had been taken in the Ministry to avoid recurrence of such delay in future.

64. In paras 42-43 of their Seventh Report (Fifth Lok Sabha), the Committee had expressed distress over delayed supply of information

In respect of certain bodies constituted by the Ministries/Departments of Government of India. The information furnished in respect of bodies constituted by four Ministries—Industry and Civil Supplies, Shipping and Transport, Commerce and Petroleum and Chemicals—has revealed that the position is worse than earlier thought of. The delay in five cases was between five to ten years and in one case more than ten years. In four cases, delay was as much as 15 years. This indeed is a sorry state of affairs. It is hardly necessary for the Committee to point out that if Ministries/Departments do not furnish information in respect of bodies constituted by them even years after their constitution, the Committee are unable properly to discharge the functions entrusted to them by Parliament. The representatives of all the afore-mentioned Ministries who appeared before the Committee admitted their lapse and apologised. The Committee would like to make it clear that they will henceforth take a serious note of any delay by the Ministries/Departments beyond the time-limit of three months prescribed by them in para 46 of their Seventh Report (Fifth Lok Sabha).

65. The reason given by the Ministry of Commerce for non-supply of information in respect of Export Promotion Councils is that these bodies are registered under the Societies Registration Act or the Companies Act. The Chairmen of these Councils function in an honorary capacity, and as such these Councils do not deserve examination by the Joint Committee on Offices of Profit. The Committee can hardly accept this explanation. In order to leave no room for doubt, they would like to emphasise that Ministries/Departments should furnish information in respect of each and every body constituted by them unless it is a purely temporary body or is wholly composed of officials.

NEW DELHI;
March 14, 1975.

S. B. P. PATTABHI RAMA RAO,
Chairman,

Joint Committee on Offices of Profit

APPENDIX

(Vide para 2 of the Report)

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

I

Thirty-sixth sitting

The Committee sat on Friday, the 24th January, 1975 from 15.00 to 16.40 hours.

PRESENT

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

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Z. M. Kahandole
4. Shri Ramji Ram
5. Shri Arjun Sethi
6. Shri Ramavatar Shastri

Rajya Sabha

7. Shri N. M. Kamble
8. Shri A. K. Refaye
9. Shri Venigalla Satyanarayana

I. Representatives of the Ministry of Finance (Department of Banking)

1. Shri N. Sethuraman, Joint Secretary.
2. Shri C. W. Mirchandani, Under Secretary.

II. Representatives of the Ministry of Industry and Civil Supplies

1. Shri R. V. Raman, Secretary (Industrial Development).
2. Shri R. K. Tikku, Joint Secretary.
3. Shri J. K. Rajadhyaksha, Deputy Secretary.

III. Representatives of the Ministry of Shipping and Transport

1. Shri M. Ramakrishnayya, Secretary.
2. Shri N. Gopalakrishnan, Deputy Secretary.

IV. Representatives of the Ministry of Commerce

1. Shri R. Tirumalai, Additional Secretary.
2. Shri Mani Narayanaswami, Joint Secretary.
3. Dr. B. P. Mathur, Deputy Secretary.

V. Representatives of the Ministry of Petroleum and Chemicals

1. Shri K. Balachandran, Secretary (Department of Fertilizers and Chemicals).
2. Shri S. M. H. Burney, Additional Secretary (Department of Petroleum).

SECRETARIAT

Shri H. G. Paranjpe—Chief Financial Committee officer.

2. The Committee first examined the representatives of the Ministry of Finance (Department of Banking) regarding delayed supply of information in respect of the following bodies constituted by them:

- (1) Central Board of Reserve Bank of India
- (2) Local Board of the Reserve Bank of India
- (3) Central Board of the State Bank of India
- (4) Local Boards of the State Bank of India
- (5) Board of Directors of Subsidiary Banks of State Bank of India
- (6) Industrial Development Bank of India, Bombay.

3. The representative of the Ministry apologised for the delay in submitting the information to the Committee. He explained that before the Department of Banking came into being, their work was handled by the Department of Economic Affairs in the Ministry of Finance. When a letter was received from the Department of Economic Affairs during Third Lok Sabha asking for information in respect of these bodies, they (Department of Banking) furnished a reply on 16th December, 1964. During Fifth Lok Sabha also the Department of Banking did not receive any information in respect of these bodies till April, 1973. When the Department of Expenditure informed them in this regard, the information was furnished by them in November, 1973.

4. To a question as to what he had to say about the Committee's recommendation in their Seventh Report that any change in the Constitution of a body must be sent to the Committee within two months, the representative of the Ministry replied that strict instructions had been issued that as soon as a new committee was constituted, the information should be sent immediately through the Department of Coordination to the Joint Committee.

5. When asked whether information about all the aforesaid bodies constituted from 1934 to 1964 was furnished to the Committee in 1964, the representative of the Ministry replied in the affirmative. He promised to send the copies of the relevant letters in this regard. He also promised to send extracts of all the relevant sections of the Banking Acts which prohibit an MP/MLA to be a Director of these Committees.

(The witness then withdrew)

6. The Committee then examined the representative of the Ministry of Industry and Civil Supplies for the delayed supply of information in respect of Sambhar Salts Ltd.

7. To a question whether the Ministry of Industry and Civil Supplies were aware that a Joint Parliamentary Committee on Offices of Profit of the previous Lok Sabha was constituted in 1967 and the information was required to be furnished to the Committee, the representative of the Ministry stated that they (Ministry) did not receive a copy of the communication of July, 1971 and the reminder, and it was only when a letter was addressed by the Chairman of the Committee in 1973 to the Minister concerned that they came to know about it.

8. When it was pointed out that Sambhar Salt Company had been functioning ever since 1958 but no information had come forth from the Ministry the representative of the Ministry explained that Sambhar Salt was not constituted as a separate company till 1964. Firstly it was a departmental undertaking then became part of Hindustan Salt Company.

9. When the representative of the Ministry expressed some doubts about the contents of the circular letter, he was told categorically that after the Committee is constituted letters are issued to every Ministry and all State Governments asking them to furnish information in respect of any committee/body constituted by them.

10. When asked whether he had made anybody responsible for lapses, in furnishing the information the representative of the Ministry replied in the affirmative. He explained that they had a separate

section called Parliament Section which dealt with matters relating to Parliamentary Committees. This Section coordinates with other sections and gives the information of the Department as a whole.

11. The representative of the Ministry assured the Committee that no lapse or delay in sending information will take place in future. The attention of the representative was then invited to his letter which suggested that he would represent for Central Purchase Advisory Council and Regional Purchase Advisory Councils as well though these were dealt with in another Department of the Ministry. The representative of the Ministry expressed regret for the use of word 'Ministry' in his letter.

(The witness then withdrew)

12. The Committee thereafter examined the representative of the Ministry of Shipping and Transport in respect of the Shipping Development Fund Committee.

13. To a question whether the Ministry of Shipping and Transport were aware about the constitution of the Joint Committee on Offices of Profit in the years 1959, 1962, 1967 and then in 1971 and that the information was required to be furnished to the Committee, the representative of the Ministry replied in the affirmative.

14. When asked why the information in respect of the Shipping Development Fund Committee which was constituted in 1959, was not furnished to the Committee, the representative of the Ministry explained that ever since it was formed it consisted of official members only and therefore they were under the impression that information in respect thereof was not required to be furnished.

15. When asked whether he was sure that the constitution of the said committee did not provide for the non-official members on it, the representative of the Ministry replied that provision had been made in the T.A. rules for non-official members by means of an abundant caution. It was impressed upon the representative of the Ministry that once the provision is made in the rules for a non-official member the information must be supplied to the Committee. The representative of the Ministry apologised for the mistake of the Ministry in this regard. To a question as to what steps the Ministry had taken to ensure that information in respect of bodies constituted by them is furnished within a period of two months of their constitution as desired by the Committee in para 43 of their Seventh Report, the representative of the Ministry stated that instructions had been given to all the sections in the Ministry to open a register to put down the committees consisting of non-officials. The matter was being reviewed in the Coordination Section of the Ministry.

16. Attention of the representative of the Ministry was then invited to paras 42 and 43 of the Seventh Report of the Joint Committee and the Circular O.M. of the Ministry of Law, Justice and Company Affairs addressed to all the Ministries of the Government of India which emphasised the need to furnish the information to the Committee quickly and also stressed to evolve a set procedure in this regard.

17. The representative of the Ministry informed the Committee that a register had been kept in every section and Coordinating Cell was coordinating the work. Weekly meetings were also being held where things were reviewed. The representative of the Ministry promised to send the information to the Committee in time in future.

(The witness then withdrew)

18. The Committee thereafter examined the representatives of the Ministry of Commerce in respect of the following bodies:

1. Cardamom Board.
2. All India Handloom Board.
3. Export Promotion Councils.

19. To the question whether the Ministry was not aware that the Joint Committee on Offices of Profit was constituted for the first time in 1959 and that information was required to be furnished to the Joint Committee, the representative of the Ministry stated that the Cardamom Board had been functioning since 1966 but on a specific reference from Lok Sabha Secretariat dated 28th July, 1971, information regarding Cardamom Board was furnished in November, 1971.

20. When asked whether he was not aware of the letters sent to the Ministry after the constitution of the Committee during Second, Third and Fourth Lok Sabha, the representative of the Ministry expressed his ignorance about such information prior to 1971.

21. As regards All India Handloom Board, when it was pointed out that the Board was first constituted in 1952 and re-constituted in 1963 but no information was received by the Committee till 1974, the representative of the Ministry admitted the lapse on the part of the Ministry. He expressed regret for the delay and assured the Committee that such lapse would not occur in future.

22. In regard to Export Promotion Councils the representative of the Ministry stated that these were not constituted under any administrative act of the Government but were only the registered Societies.

23. When asked whether there was any member in the Export Promotion Councils who also happened to be a Member of Parliament, the representative of the Ministry told to get it verified. He, however, added that there was a provision for non-officials being appointed thereon.

24. To a question whether they were appointed in honorary capacity or were paid any T.A. or D.A., the representative of the Ministry promised to check it up and report to the Committee.

25. It was impressed upon the representative of the Ministry that information in respect of All Export Promotion Councils, whether registered under the Companies Act or otherwise should be furnished to the Committee who will scrutinise the whole matter.

26. The attention of the representative was then drawn to the explanation rendered by the Ministry for the delay in supplying the information regarding All India Handloom Board which the Committee considered to be most unsatisfactory.

27. To a question as to what steps were being taken by the Ministry to ensure that the information in respect of the bodies constituted by them is furnished to the Committee within a period of two months, the representative of the Ministry stated that the work of the Parliamentary Section was being centralised. Explaining it further he stated that there was a Control Section in the Ministry which had to circulate the information to the various officers. Another branch had also been constituted which would keep a special watch and within two months they will collect the information and furnish it. He assured the Committee that by adopting this system, there will be no difficulty in future.

(The witnesses then withdrew)

28. The Committee then examined the representatives of the Ministry of Petroleum and Chemicals (Department of Petroleum) on the delayed supply of information in respect of the following bodies:—

1. Oil and Natural Gas Commission.
2. Cochin Refinery Limited.
3. Engineers India Limited.
4. Lubrizol India Limited.
5. Lube India Limited.
6. Madras Refinery Limited.

29. On being told that the Oil and Natural Gas Commission was constituted in the year 1959 but the information in respect thereof well as other bodies constituted during the period 1963—1965

was received in March, 1974, the representative of the Ministry apologised for the delay in submitting the information. In this connection he explained that when a circular was received in May, 1964 the dealing section in the Ministry erroneously took the view that these did not come within the purview of the Committee and therefore did not furnish the information. The case was again mishandled in the concerned section when a circular was received in 1971. For their negligence and mishandling the case, departmental action had been taken against both Section officer and the dealing assistant.

30. When the contents of a letter from the Ministry received on the day explaining all sorts of reasons for not furnishing the information without a word of regret for the lapse were read out to the representative of the Ministry, he expressed an apology for the discourtesy.

31. To a question as to what steps were being taken in the Ministry to send the information as soon as the Committees are constituted, the representative of the Ministry explained that instructions had been issued to the Coordination Section which handled all the newly constituted bodies and the work relating to Parliament that the information must be furnished to the Committee regularly as soon as a new body is set up.

32. The Committee then impressed upon the representative of the Ministry that if the Ministries|Departments of Government of India do not furnish information in respect of bodies even years after their constitution, the Committee would not be able to discharge properly the functions entrusted to them by Parliament. He was also reminded about an O.M. Circular issued by the Ministry of Law to all the Ministries|Departments of Government of India in pursuance of the recommendations contained in the Seventh Report of the Committee that they should ensure that information in respect of bodies constituted by them is furnished to the Committee soon after their constitution. The representative of the Ministry assured the Committee that such lapses will not occur in future.

(The witnesses then withdrew)

33. The Committee in the last examined the representative of Department of Chemicals and Fertilizers in the Ministry of Petroleum and Chemicals in regard to the delayed supply of information in respect of the Hindustan Insecticides Limited.

34. To a question whether the Ministry were aware that the Joint Committee on Offices of Profit was constituted for the first time in the year 1959 and subsequently in 1962, 1967 and 1971 and that information was required to be furnished to the Joint Committee, the representative of the Ministry explained that as he joined the Ministry only in April, 1974 he was quite unaware of any of the circumstances. It was only on receipt of the letter asking him to appear before the Committee for evidence about delay in furnishing the information that he went through the relevant papers. When told about the importance of work done by the Committee and the injustice done to Parliament and the public by non-furnishing of information by the Ministries, the representative of the Ministry apologised for the lapse.

35. To a question as to what steps he would take to ensure that the information was sent in future to the Committee as soon as such bodies were set up, the representative of the Ministry promised to arrange for such a system whereby at least some responsible officer came to know about it and such delays did not occur.

36. Attention of the representative of the Ministry was then invited to Law Ministry's communication dated 5th June, 1974 requesting the Ministries/Departments of Government of India to furnish the information as soon as the necessary notification or resolution constituting such bodies is issued. The representative of the Ministry promised to take necessary steps to see that in future, the information is furnished to the Parliament in time. He also promised to furnish Copies/earlier references of the Ministry giving information in respect of Hindustan Organic Chemicals Ltd. and Indian Drugs and Pharmaceuticals Limited.

37. The Committee then adjourned.

II

Thirty-seventh sitting

The Committee sat on Friday, the 7th February, 1975 from 15.00 to 16.30 hours.

PRESENT

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

MEMBERS

Lok Sabha

2. Shri Jagannathrao Joshi

3. Shri Arjun Sethi
4. Shri Ram Shekhar Prasad Singh

Rajya Sabha

5. Shri N. M. Kamble

SECRETARIAT

Shri H. S. Kohli—*Legislative Committee Officer.*

2. At the outset, the Chairman made an obituary reference on the passing away of Shri Pratap Singh, a member of the Committee. The Committee passed the following condolence resolution:

“The Committee place on record their profound sense of sorrow over the passing away of their most esteemed colleague, Shri Pratap Singh, and send their heartfelt condolence to members of the bereaved family.”

The members then stood in silence for a short while as a mark of respect to the memory of the deceased.

3. The Committee then took up for consideration Memoranda Nos. 440 and 482 to 526 relating to Committees/Boards/Corporations, etc. constituted by the Government of India/State Governments.

Representations for Review of earlier Recommendations of the Committee re: (i) Board of Trustees Coal Mines Provident Fund (Para 9) of the Fourth Report (Fourth Lok Sabha) and (ii) Central Board of Trustees, Employees' Provident Fund (Para 14) of Fifth Report (Fourth Lok Sabha)—Memorandum No. 440

4. The Committee first considered the representation of the Ministry of Labour for deletion of the entry relating to Board of Trustees Coal Mines Provident Fund from Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973, now pending before Rajya Sabha.

The Committee noted that the main reason given by the Ministry for deletion of the aforesaid entry from Schedule I to the Bill was that in case of the enactment of the Bill, the Deputy Labour Minister would be disqualified for being a Member of Parliament. The Committee felt that in view of the provision of Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, in terms of which all offices held by a Minister in an *ex-officio* capacity are exempt from disqualification for membership of Parliament, the fear of the Ministry was not well founded. Further, according to the Ministry's

own admission, a non-official member (other than a Minister) was not precluded from becoming the Chairman of the Board of Trustees. As such, the Committee felt that no change in the recommendation of the Committee was called for. However, with a view to making the intention clear, the Committee decided to recommend that if a non-official (other than a Minister) was appointed as a Chairman of a Board of Trustees, he ought not to be exempt from disqualification, but if a Minister was appointed as the Chairman of the Board of Trustees, he ought to be exempt.

The Committee then took up the Ministry of Labour's representation for deletion of the entry relating to the Central Board of Trustees, Employees' Provident Fund from Schedule II to the Parliament (Prevention of Disqualification) Amendment Bill, 1973, now pending before Rajya Sabha.

The Committee noted that one of the arguments advanced by the Ministry of Labour for deletion of the aforesaid entry from Schedule II to the Bill was that members of the Central Board of Trustees did not receive any salary but were paid TA/DA whenever they attended the meetings of the Board. As according to the Ministry, the payment of TA/DA was compensatory in nature, it could not be said that they were holding any 'Office of Profit' in a strict sense of the term. The Committee were not convinced by the above arguments and noted the following observations of the Joint Committee on 'Offices of Profit' (Fifth Lok Sabha) made in connection with the Kerala State Coir Corporation Ltd:

"While they (the Committee) agreed that the amount per day payable to a Director of the Corporation by way of sitting fee/daily allowance is well below 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959, nevertheless, while coming to a conclusion whether an office ought to be exempted from disqualification, the Committee have to take into account besides 'compensatory allowance', other criteria, such as whether the office involves exercise of executive and financial powers and thereby enables holder to wield influence and patronage." [vide para 21 of the First Report (Fifth Lok Sabha).]

The Committee, however, felt that as the functions and powers of the Central Board of Trustees, Employees' Provident Fund were almost similar to the functions and powers of the Board of Trustees, Coal Mines Provident Fund, the two bodies should not be treated

differently. The Committee, therefore, decided to recommend that like the Board of Trustees, Coal Mines Provident Fund, the Central Board of Trustees, Employees' Provident Fund should be included in Schedule I to the Parliament (Prevention of Disqualification) Amendment Bill, 1973.

Karnataka State Temperance Board (Memorandum No. 486)

5. The Committee noted that the Chairman and Vice-Chairman of the Karnataka State Temperance Board were entitled to an honorarium of Rs. 750/- and Rs. 500/- per month respectively, which did not come within the ambit of 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959. The other non-official members were entitled to TA/DA, which was less than the 'compensatory allowance'. The Committee also noted that although the functions of the Board were basically advisory in nature, it had the power to operate on funds allotted to it by Government. But as the power to operate on funds for temperance was not likely to enable the members of the Board to wield much influence, the Committee felt that the non-official members of the Board other than the Chairman and Vice-Chairman ought to be exempt from disqualification but the Chairman and Vice-Chairman who were getting a monthly honorarium ought not to be exempt.

State Managing Committee of Special Fund for Reconstruction and Rehabilitation of Ex-Servicemen, Karnataka—(Memorandum No. 488)

6. The Committee noted that the non-official members of the State Managing Committee of Special Fund for Reconstruction and Rehabilitation of Ex-Servicemen were entitled to TA/DA, which was less than the 'compensatory allowance'. Although the Managing Committee granted financial assistance to individual ex-servicemen or their associations, its individual members were not in a position to wield much influence.

As such, the Committee felt that the non-official members of the Committee ought to be exempt from disqualification.

Karnataka State Town Planning Board (Memorandum No. 489)

7. The Committee noted that the non-official members of the Karnataka State Town Planning Board were entitled to TA/DA which was less than the 'compensatory allowance'. The Committee also noted that the Board had no executive powers and acted mainly in an advisory capacity. Although it had financial powers to meet its establishment charges, its individual members were not in a position to wield much influence and power of patronage.

As such, the Committee felt that the non-official members of the Board ought to be exempt from disqualification.

Planning Authorities for (i) Bangalore, (ii) Mysore, (iii) Belgaum, (iv) Shimoga-Bhadravathi, (v) Hubli-Dharwar, (vi) Mangalore, (vii) Dandeli; and (viii) Gulbarga (Memorandum No. 490)

8. The Committee noted that the non-official members of the Planning Authorities were not at present entitled to TA/DA etc. But the form of sitting fee exceeded the 'compensatory allowance.' Be-consideration of the State Government. The Committee also noted that the aforesaid Authorities exercised executive and financial powers.

As such, the Committee felt that the membership of the Authorities, when TA/DA was paid to the non-official members, ought not to be exempt from disqualification.

Departmental Recruitment Committee (Karnataka) (Memorandum No. 491)

9. The Committee noted that the non-official members of the Departmental Recruitment Committee were entitled to TA/DA which was less than the 'compensatory allowance'. The main function of the Committee was to select candidates for recruitment to certain categories of Government posts, and as such, it was in a position to wield influence.

The Committee, therefore felt that the membership of the Committee ought not to be exempt from disqualification.

Board of Directors of the Mysore Power Corporation Ltd. (Memorandum No. 492)

10. The Committee noted that the payment per day admissible to the non-official Directors of the Mysore Power Corporation Ltd. in the form of sitting fee exceeded the compensatory allowance.' Besides, the Board exercised executive and financial powers.

As such, the Committee felt that the Directorship of the Corporation ought not to be exempt from disqualification.

Board of Examiners for Boiler Attendants (Memorandum No. 493)

11. The Committee noted that the non-official members of the Board of Examiners for Boiler Attendants were entitled to TA/DA

which was less than the 'compensatory allowance. The main function of the Board was to conduct examinations and grant certificate of proficiency. However, as this power was not such as to enable individual members of the Board to wield much influence, the Committee felt that the non-official members of the Board ought to be exempt from disqualification.

**Board of Examiners for Boiler Operation Engineers (Karnataka)—
(Memorandum No. 494)**

12. The Committee noted that the non-official members of the Board of Examiners for Boiler Operation Engineers were entitled to TA/DA, which was less than the 'compensatory allowance'. The main function of the Board was to conduct examinations and grant certificate of proficiency. However, as this power was not such as to enable the individual members of the Board to wield much influence, the Committee felt that the non-official members of the Board ought to be exempt from disqualification.

The Official Language (Legislative) Experts Committee (Karnataka)—(Memorandum No. 495)

13. The Committee noted that the Chairman and members of the Official Language (Legislative) Experts Committee were paid consolidated amount of Rs. 2000/- and Rs. 1500/- per mensem respectively. These amounts did not come within the ambit of the 'compensatory allowance', as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

As such, the Committee felt that the membership (including chairmanship) of the Committee ought not to be exempt from disqualification.

**Selection Committee for Musicians in Films Division—(Memorandum
No. 504)**

14. The Committee noted that the Joint Committee on Offices of Profit (Second Lok Sabha) had recommended exemption from disqualification of membership of the Music Audition Committee, Films Division *vide* para 8 of their Fifth Report. This Committee (*vide* Ministry of Information and Broadcasting's letter dated the 3rd April, 1974) had been replaced by the 'Selection Committee for Musicians in the Films Division', and rules for Music Audition Committee of the Films Division were being applied *mutatis mutandis* to the Selection Committee for Musicians in the Films Division. The Committee

felt that the non-official members of the Selection Committee for Musicians in Films Division ought also to be exempt from disqualification.

**Kandla Dock Labour Board (Ministry of Shipping and Transport)—
(Memorandum No. 507)**

15. The Committee noted that the non-official members of the Kandla Dock Labour Board were entitled to TA/DA which was less than the 'compensatory allowance'. However, the Board exercised executive and financial powers. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

Marmugao Dock Labour Board (Ministry of Shipping and Transport)—(Memorandum No. 508)

16. The Committee noted that the non-official members of the Marmugao Dock Labour Board were entitled to draw Rs. 25/- as sitting fee to attend the meetings of the Board. Besides, they were also entitled to TA at the rate admissible to highest scale of officers of the Central Government which was less than the 'compensatory allowance'. However, the Board exercised executive and financial powers. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

Governing Council of the Indian Institute of Astrophysics, Kodaikanal (Ministry of Tourism and Civil Aviation)—(Memorandum No. 509)

17. The Committee noted that the non-official members of the Governing Council of the Indian Institute of Astrophysics, Kodaikanal were entitled to TA/DA which was less than the 'compensatory allowance'. However, the Council exercised executive and financial powers. As such, the Committee felt that the non-official members of the Board, appointed by Government, ought not to be exempt from disqualification.

Governing Council of the Indian Institute of Geomagnetism, Bombay (Ministry of Tourism and Civil Aviation)—(Memorandum No. 510)

18. The Committee noted that the non-official members of the Governing Council of the Indian Institute of Geomagnetism, Bombay were entitled to TA/DA which was less than the 'compensatory allowance'. However, the Council exercised executive and financial powers. As such, the Committee felt that the non-official members of the Council appointed by Government, ought not to be exempt from disqualification.

**Governing Council of the Indian Institute of Tropical Meteorology,
Poona (Ministry of Tourism and Civil Aviation)—(Memorandum
No. 511)**

19. The Committee noted that the non-official members of the Governing Council of the Indian Institute of Tropical Meteorology, Poona were entitled to TA|DA which was less than the 'compensatory allowance'. However, the Council exercised executive and financial powers. As such, the Committee felt that the non-official members of the Council appointed by Government ought not to be exempt from disqualification.

**Board of Directors of Hindustan Latex Ltd. (Ministry of Health and
Family Planning)—(Memorandum No. 514) ..**

20. The Committee noted that the non-official Directors of the Hindustan Latex Ltd. were entitled to TA|DA which was less than the 'compensatory allowance'. However, the Board of Directors exercised executive and financial powers. As such, the Committee felt that the Directorship of the Board ought not to be exempt from disqualification.

**Grants Committee (Ministry of Health and Family Planning)—
(Memorandum No. 517)**

21. The Committee noted that the non-official members of the Grants Committee were entitled to TA|DA, which was less than the 'compensatory allowance'. The Committee also noted that the power to recommend quantum of grants-in-aid to medical institutions did not enable the individual members of the Committee to wield influence and power of patronage. As such, the Committee felt that the non-official members of the Committee ought to be exempt from disqualification.

**All India Institute of Medical Sciences, New Delhi (Ministry of
.. Health and Family Planning)—(Memorandum No. 518)**

22. The Committee noted that the non-official members of the All India Institute of Medical Sciences, New Delhi were entitled to T. A.|D. A. which was less than the 'compensatory allowance'. However, the Institute had power to establish and maintain medical colleges and institute and appoint persons to professorships, readerships, etc. As such, the Committee felt that the non-official members of the Institute ought not to be exempt from disqualification.

Governing Body of the All India Institute of Medical Sciences, New Delhi (Ministry of Health and Family Planning)—(Memorandum No. 519)

23. The Committee noted that the non-official members of the Governing Body were entitled to T.A./D.A. which was less than the 'compensatory allowance'. However, the Governing Body exercised executive and financial Powers. As such, the Committee felt that the non-official members of the Governing Body ought not to be exempt from disqualification.

Post Graduate Institute of Medical Education and Research, Chandigarh (Ministry of Health and Family Planning)—(Memorandum No. 520).

24. The Committee noted that the non-official members of the Post Graduate Institute of Medical Education and Research, Chandigarh were entitled to T. A./D.A. which was less than the 'compensatory allowance'. However, the Institute had power to establish and maintain medical colleges and institute and appoint persons to professorships, readerships, etc. As such, the Committee felt that the non-official members of the Institute ought not to be exempt from disqualification.

Governing Body of the Post Graduate Institute of Medical Education and Research, Chandigarh.—(Memorandum No. 521)

25. The Committee noted that the non-official members of the Governing Body of the Post Graduate Institute of Medical Education and Research, Chandigarh were entitled to T. A./D.A., which was less than the 'compensatory allowance'. However, the Governing Body exercised executive and financial powers. As such, the Committee felt that the non-official members of the Governing Body ought not to be exempt from disqualification.

Central Coal Mines Rescue Station Committee (Ministry of Labour)—(Memorandum No. 522)

26. The Committee noted that the non-official members of the Central Coal Mines Rescue Station Committee were entitled to a sitting fee of Rs. 16/- per meeting attended by them in addition to T.A. admissible to Grade I officers. Thus, the amount admissible to non-official members was less than the 'compensatory allowance'. However, the Committee exercised executive and financial powers. As such, the Committee felt that the non-official members of the Rescue Station Committee nominated by Government ought not to be exempt from disqualification.

27. In regard to the following bodies, the Committee noted that the non-official members thereof either did not get any T.A./D.A. etc.

or the amount of T.A./D.A. admissible to them was less than the 'compensatory allowance'. Besides, the functions of these bodies were mainly advisory in nature. As such, the Committee recommended that the membership of these bodies ought to be exempt from disqualification:

- (1) Traffic Coordination Committee for Bangalore. (Memorandum No. 482).
- (2) Advisory Committee for reviewing films for grant of subsidy and other awards (Karnataka)—(Memorandum No. 483).
- (3) State Planning Board (Karnataka)—(Memorandum No. 484).
- (4) Press Accreditation Committee (Karnataka)—(Memorandum No. 485).
- (5) Karnataka State Soldiers', Sailors' and Airmen's Board—(Memorandum No. 487).
- (6) Oil Seed Development Committee (Karnataka)—(Memorandum No. 496).
- (7) Agricultural Advisory Committee (Karnataka)—(Memorandum No. 497).
- (8) Cotton Advisory Committee (Karnataka)—(Memorandum No. 498).
- (9) District Level Family Planning Implementation Committee (M.P.)—(Memorandum No. 499).
- (10) District Advisory Committee for Small Savings (Maharashtra)—(Memorandum No. 500).
- (11) The Divisional Advisory Committee for Small Savings (Maharashtra)—(Memorandum No. 501).
- (12) Advisory Committee on Languages (Haryana)—(Memorandum No. 502).
- (13) Advisory Committee on Surplus Land under the Haryana Ceiling on Land Holding Act, 1972 constituted under the Haryana Ceiling on Land Holding Act, 1972 for one year.—(Memorandum No. 503).
- (14) Informal Consultative Panel to advise Government to evolve a comprehensive policy for films (Miny. of Information and Broadcasting)—(Memorandum No. 505).
- (15) Screening Committee for allotment of Government accommodation from the Press Pool to accredited press

- correspondents and cameramen (Miny. of Information and Broadcasting)—(Memorandum No. 506).
- (16) Central Family Planning Council (Ministry of Health and Family Planning)—(Memorandum No. 512).
- (17) Countess of Dufferins' Fund Advisory Committee (Ministry of Health and Family Planning)—(Memorandum No. 513).
- (18) Pharmacy Council of India, New Delhi (Miny. of Health and Family Planning)—(Memorandum No. 515).
- (19) Dental Council of India (Miny. of Health and Family Planning)—(Memorandum No. 516).
- (20) Standing Mines Safety Equipment Advisory Board (Ministry of Labour)—(Memorandum No. 523).
- (21) State Committee on Employment (Karnataka)—(Memorandum No. 524).
- (22) District Committees on Employment (19 Committees for 19 Districts in the Karnataka State)—(Memorandum No. 525).
- (23) Technical Working Group on Employment Market Information (Karnataka)—(Memorandum No. 526).

The Committee then adjourned.

III

Thirty-Eighth Sitting

The Committee sat on Thursday, the 20th February, 1975 from 10.15 to 11.00 hours.

PRESENT

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

MEMBERS

Lok Sabha

2. Shri Jagannathrao Joshi
3. Shri Arjun Sethi
4. Shri Ramavatar Shastri

Rajya Sabha

5. Shri Venigalla Satyanarayana
6. Shri Yogendra Sharma

SECRETARIAT

Shri H. G. Paranjpe—*Chief Financial Committee Officer.*

2. The Committee took up for consideration memoranda Nos. 527—550 relating to Committees|Boards|Corporations, etc. constituted by the Government of India|State Governments|Union Territory.

**The Boundary Consultative Committee (Government of Karnataka)—
Memorandum No. 533**

3. The Committee were surprised to note that the Boundary Consultative Committee had been dissolved on 19-4-72—nearly a year before the State Government had furnished particulars in respect of this body to the Joint Committee on Offices of Profit. However, as the said Committee was no longer in existence, there was no purpose in considering the question of exemption or otherwise of the membership of this body.

State Co-ordination Committee for the Deployment of Surplus Personnel in Major Projects in Public and Private Sectors (Karnataka)—Memorandum No. 535.

4. While considering the memorandum the Committee desired that further information on the following points might be called from the State Government:

- (i) Precise nature of functions of the Committee stating, in particular, whether
 - (a) it itself deploys surplus personnel; or
 - (b) only makes recommendations regarding deployment of surplus personnel.
- (ii) Number of surplus personnel deployed during the last three years by the, or as a result of the recommendations of the, State Co-ordination Committee for the Deployment of Surplus Personnel.
- (iii) Whether the State Co-ordination Committee is in a position to wield influence?

Karnataka Labour Welfare Fund Board—Memorandum No. 540

5. The Committee noted that the TA|DA, admissible to the non-official members of the Karnataka Labour Welfare Fund Board was less than the 'compensatory allowance'. However, the Board exercised executive and financial powers. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

Representation for review of recommendation of the Committee regarding Indian Council of Social Sciences Research, New Delhi/ vide para 23 of Tenth Report (Fifth Lok Sabha)—(Memorandum No. 545)

6. The Committee considered the memorandum and desired that a comparative study of the functions and powers of the Indian Council of Social Sciences Research, New Delhi *vis-a-vis* those of similar other bodies be made, and the results intimated to them.

**Coal Mines Authority Limited (Ministry of Steel and Mines)—
Memorandum No. 546**

7. The Committee noted that the non-official Directors of the Coal Mines Authority Limited were entitled to get Rs. 150/- for attending each meeting of the Board of Directors. In addition to this, they were entitled to get incidental expenses and halting allowance for each meeting at a fixed sum of Rs. 100/- for the first day and Rs. 50/- for each subsequent day. These sums exceeded the 'compensatory allowance'. Besides, the Board of Directors exercised executive and financial powers. As such, the Committee felt that the Directorship of the company ought not to be exempt from disqualification.

Mysore Iron and Steel Limited, Bhadravati (Ministry of Steel and Mines)—Memorandum No. 547.

8. The Committee noted that the non-official Directors of the Mysore Iron and Steel Limited, Bhadravati were entitled to a sitting fee of Rs. 50/- for every meeting alongwith TA, hotel and other expenses properly incurred by them which might exceed the 'compensatory allowance'. Besides, the Board of Directors exercised executive and financial powers. As such, the Committee felt that the Directorship of the company ought not to be exempt from disqualification.

Board of Directors of Manganese Ores India Limited (Ministry of Steel and Mines)—Memorandum No. 548.

9. The Committee noted that the non-official Directors of Manganese Ores India Limited were entitled to a sitting fee of Rs. 200/-. The non-official Chairman was getting remuneration which was other than 'compensatory allowance'. Besides, the Board of Directors exercised executive and financial powers.

As such, the Committee felt that the Directorship of the Company in so far as it was office of profit under the Government, ought not to be exempt from disqualification.

Hindustan Copper Limited (Ministry of Steel and Mines)—Memorandum No. 550.

10. The Committee noted that the non-official Directors of the Hindustan Copper Limited were entitled to get Rs. 150|-for attending each meeting of the Board of Directors. In addition to this, they were entitled to get a fixed sum of Rs. 100|-as incidental expenses and halting allowance for the first day of the meeting and Rs. 50|-for each subsequent day. Thus the amount admissible to the non-official Directors exceeded the 'compensatory allowance'. Besides, the Board of Directors exercised executive and financial powers. As such, the Committee felt that the non-official Directors of the company ought not to be exempt from disqualification.

The Secondary Education Board (Government of Karnataka)—Memorandum No. 532.

11. The Committee noted that the payment admissible to the non-official members of the Secondary Education Board was less than the 'compensatory allowance.' Although, the Board conducted examinations, its individual members were not in a position to wield influence. The text Books were prescribed by Government on the recommendations of another body, viz., the Text Book Committee. Also, a similar Board of High School and Intermediate Education, U. P. was recommended for exemption by the Joint Committee on Offices of Profit *vide* para 16—Appendix II (Third Report—Third Lok Sabha). As such, the Committee recommended that the non-official members of the Secondary Education Board ought to be exempt from disqualification.

12. In regard to the following bodies, the Committee noted that the non-official members thereof either did not get any TA|DA etc. or the amount of TA|DA admissible to them was less than the 'compensatory allowance.' Besides, the functions of these bodies were mainly advisory in nature. As such, the Committee recommended that the membership of these bodies ought to be exempt from disqualification:

- (1) Craftsmen Training Scheme Wing State Council for Training in Vocational Trades (Karnataka)—Memorandum No. 527.
- (2) Sub-Committee of the National Council for Training in Vocational Trades for Evaluation of Industrial Training Institutes under the Craftsmen Training Scheme (Karnataka)—Memorandum No. 528.
- (3) Combined Standing Committee for affiliation of Private Training Centres|Institutes (Karnataka)—Memorandum No. 529.

- (4) Selection Committee for selection of candidates for admission to the Industrial Training Institute/Centres in the State (Karnataka)—Memorandum No. 530.
- (5) Technical Committee to decide the State awards for the best printed nationalised Text Books (Karnataka)—Memorandum No. 531.
- (6) Karnataka State Apprenticeship Council—(Memorandum No. 534).
- (7) Trade Committee Liaison with industries (Karnataka)—Memorandum No. 536.
- (8) District Committees on Employment (Karnataka)—Memorandum No. 537.
- (9) Karnataka State Minimum Wage Advisory Board—Memorandum No. 538.
- (10) Plantation Labour Housing Advisory Board (Karnataka)—Memorandum No. 539.
- (11) Delhi Haj Committee—Memorandum No. 541.
- (12) Board of Technical Education (Delhi)—Memorandum No. 542.
- (13) State Advisory Committee for N.C.C. (Haryana)—Memorandum No. 543.
- (14) Advisory Committee for National Service Corps Scheme (Haryana)—Memorandum No. 544.
- (15) Mineral Advisory Board (Ministry of Steel and Mines)—Memorandum No. 549.

13. The Committee then adjourned to meet again on Friday, the 14th March, 1975.

IV

Thirty-Ninth Sitting

The Committee sat on Friday, the 14th March, 1975 from 10.15 to 11.00 hours.

PRESENT

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

MEMBERS

Lok Sabha

2. Shri Chandrika Prasad
3. Shri Somnath Chatterjee

4. Shri Jagannathrao Joshi
5. Shri Arjun Sethi
6. Shri Ramavatar Shastri
7. Shri Ram Shekhar Prasad Singh

Rajya Sabha

8. Shri Yogendra Sharma

SECRETARIAT

Shri J. R. Kapur—*Chief Financial Committee Officer.*

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

3. The Committee decided that the Report might be presented to Lok Sabha on the 20th March, 1975 and laid on the Table of Rajya Sabha on the same day.

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

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

6. The Committee then took up for consideration Memoranda Nos. 551-576 relating to Committees|Boards|Corporations, etc. constituted by State Governments.

Haryana Bhoodan Yagna Board (Memorandum No. 551).

7. In view of the opinion of the Ministry of Law, Justice and Company Affairs that the Chairman and members of the Bhoodan Yagna Board, Haryana, did not hold an office of profit *under the Government* within the meaning of Article 102 (1) (a) of Constitution, the Committee decided not to take any further action in the matter.

Haryana State Council of Gosamvardhana (Memorandum No. 552).

8. The Committee noted that the amount admissible to the non-official members of the Haryana State Council of Gosamvardhana as TA and DA was less than the 'compensatory allowance.' However, the Council exercised executive and financial powers and was in a position to wield influence.

As such, the Committee felt that the non-official members of the Haryana State Council of Gosamvardhana ought not to be exempt from disqualification.

State Board of Technical Education, Haryana (Memorandum No. 554).

9. The Committee noted that the payment admissible to the non-official members of the State Board of Technical Education, Haryana, as TA and DA was less than the 'compensatory allowance.' It, however, functioned as the highest body for technical education in the State, and exercised executive functions. *Inter alia*, it conducted examinations.

The Committee, however, observed that in terms of Section 3 (f) of the Parliament (Prevention of Disqualification) Act, 1959, the office of the Chairman or member of the Syndicate, Senate, Executive Committee, Council or Court of a University or any other body connected with a University had been specifically exempted from disqualification for membership of Parliament. Although the Board of Technical Education was not a body connected with a University, it was a body similar in nature. Also individual members of the Board were not in a position to wield influence. As such, the Committee felt that the membership of the Board (including Chairmanship) ought to be exempt from disqualification.

Haryana Housing Board (Memorandum No. 555).

10. The Committee noted that such of the non-official members of the Haryana Housing Board, as might be appointed whole-time members of the Board, would, *inter alia*, be entitled to 'pay', which did not fall within the ambit of 'compensatory allowance,' as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The payment admissible to the part-time members was less than the 'compensatory allowance.' However, the Board exercised executive and financial powers. As such, the Committee felt that membership of the Board ought not to be exempt from disqualification.

Tamil Nadu Khadi and Village Industries Board (Memorandum No. 565).

11. The Committee noted that the payment admissible to the non-official members of the Tamil Nadu Khadi and Village Industries Board as TA and DA was less than the 'compensatory allowance.' However, the Board exercised executive and financial powers. As such, the Committee felt that the membership of the Board ought not to be exempt from disqualification.

The U.P. Khadi and Village Industries Board (Memorandum No. 573).

12. The Committee noted that the non-official Vice-Chairman of the U. P. Khadi and Village Industries Board get an honorarium of Rs. 1000|- per mensem, which did not come within the ambit of 'compensatory allowance', as defined in section 2 (a) of the Parliament (Prevention of Disqualification) Act, 1959. The other non-official members of the Board were entitled to draw TA/DA, which was less than the 'compensatory allowance'. However, the Board exercised executive and financial powers. As such, the Committee felt that membership (including Vice-Chairmanship) of the U.P. Khadi and Village Industries Board ought not to be exempt from disqualification.

Board of Directors of the Pradeshiya Industrial and Investment Corporation of U.P. Limited (Memorandum No. 574)

13. The Committee noted that the remuneration payable to the non-official Directors of the Pradeshiya Industrial and Investment Corporation of U. P. Limited, per day exceeded the 'compensatory allowance'. Besides, the functions of the Corporation were executive and financial in nature. As such, the Committee felt that Directorship of the Corporation ought not to be exempt from disqualification.

14. The Committee deferred consideration of the following memoranda, pending receipt of further information on the points noted against these from the State Governments concerned:—

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|---|---|--|
| <p>(1) Memorandum No. 558 regarding State Committee on Employment (Government of Haryana).</p> | } | <p>(i) Number of sittings held by the Committee during each of the last three years.</p> |
| <p>(2) Memorandum No. 564 regarding Public Relations and Grievances Advisory Committee (Government of Haryana).</p> | | <p>(ii) Whether the members of the Committee were in a position to wield influence.</p> |
| <p>(3) Memorandum No. 569 regarding State Committee on Employment (Government of Tamil Nadu).</p> | | <p>(iii) The exact nature and quantum of work done by the Committee.</p> |

15. In regard to the following bodies, the Committee noted that the non-official members thereof either did not get any TA DA, etc.

or the amount of TA and DA admissible to them. was less than the 'compensatory allowance'.

Besides, the functions of these bodies were mainly advisory in nature. As such, the Committee recommended that the membership of these bodies ought to be exempt from disqualification:

- (1) National Savings State Advisory Board, Haryana (Memorandum No. 553).
- (2) State Advisory Committee for Revenue (Haryana) (Memorandum No. 556).
- (3) State Advisory Committee for Excise and Taxation Department (Haryana) (Memorandum No. 557).
- (4) District Committee on Employment, Karnal (Haryana) (Memorandum No. 559).
- (5) State Transport Advisory Committee (Haryana) (Memorandum No. 560).
- (6) State Advisory Committee for the Development and Panchayat Department (Haryana) (Memorandum No. 561).
- (7) State Committee on Education (Haryana) (Memorandum No. 562).
- (8) State Advisory Committee for Tourism (Haryana) (Memorandum No. 563).
- (9) State Small Scale Industries Board (Tamil Nadu) (Memorandum No. 566).
- (10) District Level Committee of the Small Scale Industries Board (Tamil Nadu) (Memorandum No. 567).
- (11) Public Health Board (Tamil Nadu) (Memorandum No. 568).
- (12) State Co-ordination Committee for Vocational Guidance and Employment counselling (Tamil Nadu) (Memorandum No. 570).
- (13) Advisory Committee for Special Employment Office for Physically Handicapped (Tamil Nadu) (Memorandum No. 571).
- (14) Advisory Committees for University Employment Information and Guidance Bureau, Madras, Madurai and Annamalainagar (Tamil Nadu) (Memorandum No. 572).

(15) U. P. Small Scale and Cottage Industries Board (Memorandum No. 575).

(16) U.P. Handloom and Powerloom Board (Memorandum No. 576).

16. The Committee then adjourned to meet again on Tuesday, the 15th April, 1975.