

C.B. II No. 452

# JOINT COMMITTEE ON OFFICES OF PROFIT

(THIRTEENTH LOK SABHA)

## THIRD REPORT

*Presented to Lok Sabha on 9 August, 2001*

*Laid in Rajya Sabha on 9 August, 2001*



LOK SABHA SECRETARIAT  
NEW DELHI

*July, 2001/Asadha, 1923 (Saka)*

*Price : Rs. 10.00*

## CONTENTS

	PAGE
COMPOSITION OF THE JOINT COMMITTEE ON OFFICES OF PROFIT ..	(iii)
INTRODUCTION .....	(v)
<b>REPORT</b>	
CHAPTER I	
Nomination of Members of Parliament to Rajasthan State Committee:—	
Committee to celebrate the 2600th birth Anniversary of Tirthankar Mahavir, Rajasthan—Nomination of Dr. Girija Vyas, Shri Pusp Jain (Members of Lok Sabha) and Dr. L. M. Singhvi (Member of Rajya Sabha) as Members thereof.....	1
CHAPTER II	
Committees/Boards/Corporations constituted by Central Government:—	
(i) Life Sciences Research Board (Ministry of Defence).....	2
(ii) Naval Research Board (Ministry of Defence).....	2
(iii) National Institute of Agricultural Extension Management, Hyderabad (Ministry of Agriculture).....	3
<b>APPENDIX</b>	
Minutes of the sittings of Joint Committee on Offices of Profit .....	4

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

Shri Virendra Kumar — *Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri Nand Kumar Singh Chauhan
3. Shri G. Putta Swamy Gowda
4. Shri Moinual Hassan
5. Shri Nawal Kishore Rai
6. Shri G. Ganga Reddy
7. Shri K. A. Sangtam
8. Shri Kunwar Sarvaraj Singh
9. Shri Kharabela Swain
10. Shri Braja Kishore Tripathy

*Rajya Sabha*

- \*11. Shri Sangh Priya Gautam
- \*\*12. Shri Sanjay Nirupam
- @13. Shri Nilotpall Basu
14. Dr. M. N. Das
15. Shri Banarsi Das Gupta

**SECRETARIAT**

1. Shri Ram Autar Ram — *Joint Secretary*
2. Shri A. K. Singh — *PCPI*
3. Shri P. D. Malvalia — *Under Secretary*

---

\* Elected by Rajya Sabha on 15 May, 2000 *vice* Shri Onkar Singh Lakhwat retired.

\*\* Retired from Rajya Sabha on 2 April, 2000 and Re-elected by Rajya Sabha on 15 May, 2000.

@ Elected by Rajya Sabha on 25 August, 2000 *vice* Shri E. Balanandan retired.

## REPORT OF THE JOINT COMMITTEE

### 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 Third Report of the Committee.

2. The matters covered by the Report were considered by the Joint Committee on Offices of Profit at their sittings held on 9 January and 4 April, 2001. The Minutes of the sittings form part of the Report and are at Appendix.

3. The Committee examined the composition, character, functions, etc. of 4 Committee/Boards constituted by the Central and State Governments and the emoluments and allowances payable to their members and non-official Directors, Chairman etc. with a view to considering whether holders of the offices of the these bodies would incur disqualification under Article 102 of the Constitution of India.

4. The detailed information regarding the composition, character, functions, emoluments and allowances payable to the members of these bodies was furnished by the concerned Central/State Governments. The Committee wish to express their thanks to the Ministries/Departments of Central/State Governments for furnishing the information desired by the Committee.

5. The Committee considered and adopted the Report at their sitting held on 10 July, 2001.

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

NEW DELHI;  
July, 2001  

---

Asadha, 1923 (Saka)

VIRENDRA KUMAR  
Chairman,  
Joint Committee on Offices of Profit.

# I

## NOMINATION OF MEMBERS OF PARLIAMENT TO RAJASTHAN STATE COMMITTEE

*Committee to celebrate the 2600th birth-anniversary of Tirthankar Mahavir, Rajasthan—Nomination of Dr. Girija Vyas, Shri Pusp Jain (Members of Lok Sabha) and Dr. L. M. Singhvi (Member of Rajya Sabha) as members thereof.*

1.1 The Committee note from the information furnished by the Government of Rajasthan that non-official members, if nominated to the Committee to celebrate the 2600th birth-anniversary of Tirthankar Mahavir will not be paid any Salary, TA/DA, House Rent Allowance etc.

1.2 The Committee also note that the function of the Committee is to prepare the programmes at State Level for celebrating the 2600th birth anniversary of Tirthankar Mahavir. The Committee observe that the function of the Committee are advisory in nature.

1.3 Keeping in view the above, the Committee recommend that the non-official members of the State Committee *should be exempted* from disqualification for being chosen as, or for being, Members of Parliament.

## II

### COMMITTEES/BOARDS/CORPORATIONS CONSTITUTED CENTRAL GOVERNMENT

#### Life Sciences Research Board (Ministry of Defence)

2.1 The Committee note from the information furnished by the Ministry of Defence that the Chairman and non-official members of the Life Sciences Research Board are entitled to TA/DA as per Government Rules. The payment of TA/DA is covered by the 'Compensatory Allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.

2.2 The Committee also note that the Life Sciences Research Board shall exercise overall superintendence over the promotion of Life Sciences Research and its application in the Armed Services and to support basic research in the Life Sciences, consider and approve research proposals, set funding patterns and funding methodologies for research panels, decide individual projects whose estimated expenditure exceeds Rs. 20 lakhs or involves expenditure on major civil works and to execute the LSRB programme on training and mobility of researchers. The Committee observe that the Board exercises both executive and financial powers.

2.3 Keeping in view the above, the Committee recommend that the Chairman and non-official members of the Life Sciences Research Board *should not be exempted* from disqualification for being chosen as, or for being, Members of Parliament.

#### Naval Research Board, New Delhi (Ministry of Defence)

2.4 The Committee note from the information furnished by the Ministry of Defence that the Naval Research Board shall exercise overall superintendence and control in all matters relating to the promotion of Naval Research and its application in the country and to support basic research that will generate new knowledge potentially useful to Navy. The Committee also note that the other functions of the Naval Research Board are to consider and approve research proposals submitted to the Naval Research Board, set funding patterns and funding methodologies for research panels of the Naval Research Board and approve their respective spending proposals for the year. The Naval Research Board will also take decision on specific research programmes or individual projects whose estimated expenditure exceeds Rs. 20 lakhs or involves expenditure on major civil works. The Committee further note that the Naval Research Board will

fund the development of any specially designed sensors, instrumental data acquisition and display systems necessary for carrying out the research funded by the Board and financial sanctions and instruments of financial sanctions including sanctions and instruments of transactions with respect to foreign exchange upto the full extent of the provisions made for the Naval Research Board in the budget of DRDO. The Committee also note that the Board will also procure by purchase, lease or hire of equipments, store and support services including by offshore purchases. Naval Research Board is also empowered to offer fellowships. The Committee, therefore, observe that the Board exercises both executive and financial powers.

2.5 Keeping in view the above, the Committee recommend that the non-official members (including Members of Parliament, if nominated) of Naval Research Board *should not be exempted* from disqualification for being chosen as, or for being, members of Parliament.

National Institute for Agricultural Extension Management, Hyderabad  
Ministry of Agriculture (Department of Agriculture and Co-operation)

2.6 The Committee note from the information furnished by the Ministry of Agriculture (Department of Agriculture and Co-operation) that the non-official members of National Institute of Agricultural Extension (MANAGE) are paid to and fro flight tickets for attending meetings of the Institute and will also be paid DA @ Rs. 500/- per day for 3 days and Rs. 300/- per meeting as sitting fee. The Committee observe that the payment of DA exceeds the Compensatory Allowance which a member of Parliament is entitled for and the sitting fee payable to them is also not covered under Parliament (Prevention of Disqualification) Act, 1959.

2.7 The Committee also note that the functions and powers of the General Council of the MANAGE are to exercise control and issue such directions for the efficient management and administration of the affairs of the MANAGE as might be necessary, approve the annual budget of the MANAGE, consider the annual report, balance sheet and audited accounts for outgoing year, frame bye-laws for the conduct of the affairs of the MANAGE. Hence the Committee observe that the General Council has executive powers.

2.8 Keeping in view the above, the Committee recommend that the non-official members including Members of Parliament of National Institute of Agricultural Extension Management *should not be exempted* from disqualification for being chosen as, or for being, Members of Parliament.

NEW DELHI;  
July, 2001  

---

Asadha, 1923(Saka)

VIRENDRA KUMAR  
Chairman,  
Joint Committee on Offices of Profit.

**APPENDIX**

(Vide para 2 of the Report)

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

**VIII**

**(EIGHTH SITTING)**

The Committee sat on Tuesday, 9 January, 2001 from 1500 to 1540 hrs. in Room No. 139, First Floor, Parliament House Annexe, New Delhi.

**PRESENT**

Shri Virendra Kumar — *Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri Nand Kumar Singh Chauhan
3. Shri Moinul Hassan
4. Shri G. Ganga Reddy
5. Shri Kharabela Swain

*Rajya Sabha*

6. Shri Sanjay Nirupam
7. Shri Nilotpal Basu
8. Shri Banarsi Das Gupta

**SECRETARIAT**

1. Shri Ram Autar Ram — *Director*
2. Shri P.D. Malvalia — *Under Secretary*

2. At the outset, the Chairman welcomed the Members of the Committee. Thereafter, the Committee took up the following Memoranda for consideration:

.. .. .. ..

**Life Sciences Research Board (Ministry of Defence)  
(Memorandum No. 15)**

7. The Committee then considered Memorandum No. 15 and noted from the information furnished by the State Government of Goa that the Chairman and Non-official members of the Board are entitled to TADA as per Government Rules. The payment of TADA is covered by the 'Compensatory Allowance' as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959.



8. The Committee also noted that the Life Sciences Research Board shall exercise overall superintendence over the promotion of Life Sciences Research and its application in the Armed Services and to support basic research in the life sciences, consider and approve research proposals, set funding patterns and funding methodologies for research panels, decide individual projects whose estimate of expenditure exceeds Rs. 20 lakhs or involves expenditure on major civil works and to execute the LSRB programme on training and mobility of researchers. The Committee observed that the Board exercise both executive and financial powers.

9. Keeping in view the above, the Committee recommended that the Chairman and non-official members of the Life Sciences Research Board may not be exempted from disqualification for being chosen as, or for being, Members of Parliament.

*The Committee then adjourned.*

**IX**  
**(NINTH SITTING)**

The Committee sat on Wednesday, 4 April, 2001 from 1500 to 1540 hrs. in Chairman's Room No. 129, First Floor, Parliament House Annexe, New Delhi.

**PRESENT**

Shri Virendra Kumar — *Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri Moinul Hassan
4. Shri K.A. Sangtam
5. Shri Kunwar Sarvaraj Singh

*Rajya Sabha*

6. Shri Nilotpal Basu
7. Shri Banarsi Das Gupta

**SECRETARIAT**

1. Shri Ram Autar Ram — *Joint Secretary*
2. Shri A.K. Singh — *PCPI*

2. At the outset, the Chairman welcomed the members of the Committee. The Committee, thereafter, took up for consideration Memoranda Nos. 16 to 18 relating to the bodies constituted by the State Governments/ Ministries of the Government of India and made the following recommendations:—

Proposal to nominate Dr. Girija Vyas, Shri Pusp Jain (Members of Lok Sabha) and Dr. L.M. Singhvi (Member of Rajya Sabha) as members of the Committee to celebrate the 2600th birth anniversary of Tirthankar Mahavir, Rajasthan

**(Memorandum No.16)**

3. The Committee noted from the information furnished by the State Government of Rajasthan that non-official members, if nominated to the Committee to celebrate the 2600th birth anniversary of Tirthankar Mahavir, will not be paid any salary, TA/DA. House Rent Allowance, etc.

4. The Committee also noted that the function of the Committee was to prepare the programmes at State Level for celebrating the 2600th birth anniversary of Tirthankar Mahavir. The Committee also noted that the function of the Committee are thus advisory in nature. The Committee, therefore, recommended that non-official members of the State Committee *should be exempted* from disqualification for being chosen as, or for being, Members of Parliament.

**Naval Research Board, New Delhi (Ministry of Defence)  
(Memorandum No. 17)**

5. The Committee noted from the information furnished by the Ministry of Defence that the Naval Research Board would exercise overall superintendence and control in all matters relating to the promotion of Naval Research and its application in the country and to support basic research that would generate new knowledge potentially useful to Navy. The Committee also noted that the other functions of the Naval Research Board are to consider and approve research proposals submitted to the Naval Research Board, set funding patterns and funding methodologies for research panels of the Naval Research Board and approve their respective spending proposals for the year. The Naval Research Board would also take decision on specific research programmes or individual projects whose estimated expenditure exceeds Rs. 20 lakhs or involves expenditure on major civil works. The Committee further noted that the Naval Research Board would fund the Development of any specially designed sensors, instrumental data acquisition and display systems necessary for carrying out the research funded by the Board and financial sanctions and instruments of financial sanctions including sanctions and instruments of transactions with respect to foreign exchange upto the full extent of the provisions made for the Naval Research Board in the budget of DRDO. The Committee also noted that the Board would also procure by purchase, lease or hire of equipments, store and support services including offshore purchases. Naval Research Board was also empowered to offer fellowships. The Committee, therefore, observed that the Board exercises both executive and financial powers.

6. Keeping in view the above, the Committee recommended that the non-official members (including Members of Parliament, if nominated) of Naval Research Board *should not be exempted* from disqualification for being chosen as, or for being, Members of Parliament.

**National Institute for Agricultural Extension Management, Hyderabad  
Ministry of Agriculture (Department of Agriculture and Co-operation)  
(Memorandum No.18)**

7. The Committee then considered Memorandum No.18 and noted from the information furnished by the Ministry of Agriculture (Department of Agriculture and Co-operation) that the non-official members of National

Institute of Agricultural Extension (MANAGE) were paid to and fro flight tickets for attending meetings of the Institute and would also be paid D.A. @ Rs.500/- per day for 3 days and Rs.300/- per meeting as sitting fee. The Committee observed that the payment of DA exceeds the Compensatory Allowance which a Member of Parliament was entitled for and the sitting fee payable to them was also not covered under Parliament (Prevention of Disqualification) Act, 1959.

8. The Committee also noted that the functions and powers of the General Council of the MANAGE were to exercise control and issue such directions for the efficient management of administration of the affairs of the MANAGE as might be necessary, approve the annual budget of the MANAGE, consider the annual report, balance sheet and audited accounts for outgoing year, frame bye-laws for the conduct of the affairs of the MANAGE. The Committee, therefore, observed that the General Council had executive powers.

9. Keeping in view the above, the Committee recommended that the non-official members (including Members of Parliament) of National Institute of Agricultural Extension Management *should not be exempted* from disqualification for being chosen as, or for being, Members of Parliament.

*The Committee then adjourned.*

**XI**

**(ELEVENTH SITTING)**

**MINUTES OF THE ELEVENTH SITTING OF THE JOINT  
COMMITTEE ON OFFICES OF PROFIT**

**(THIRTEENTH LOK SABHA)**

The Committee sat on Tuesday, 10 July, 2001 from 1600 to 1640 hrs. in Chairman's Room No. 129, First Floor, Parliament House Annexe, New Delhi.

**PRESENT**

Shri Virendra Kumar — *Chairman*

**MEMBERS**

*Lok Sabha*

2. Shri G. Putta Swamy Gowda
3. Shri Moinul Hassan

*Rajya Sabha*

4. Dr. M.N. Das
5. Shri Banarsi Das Gupta

**SECRETARIAT**

1. Shri Ram Autar Ram — *Joint Secretary*
2. Shri A.K. Singh — *PCPI*
3. Shri P.D. Malvalia — *Under Secretary*

2. At the outset, the Chairman welcomed the Members of the Committee.

3. Thereafter, the Committee considered and adopted their draft Third Report.

4. The Committee then took up for consideration Memoranda Nos. 21 to 23.

*The Committee then adjourned.*