

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

FIFTH REPORT

Presented to Lok Sabha on 09.03.2016
Laid in Rajya Sabha on 09.03.2016



**LOK SABHA SECRETARIAT
NEW DELHI**

March, 2016/Phalguna, 1937(Saka)

Price : _____

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COMPOSITION OF THE JOINT COMMITTEE ON OFFICES OF PROFIT
(SIXTEENTH LOK SABHA)

Shri P.P. Chaudhary - **Chairperson**

**MEMBERS
LOK SABHA**

2. Shri T.G. Venkatesh Babu
3. Adv. Sharad Bansode
4. Smt. Meenakshi Lekhi
5. Shri Bhagwant Maan
6. Shri Arjun Ram Meghwal
7. Shri M.K. Raghavan
8. Prof. Saugata Roy
9. Dr. Satya Pal Singh
10. Smt. Supriya Sule

RAJYA SABHA

11. Shri Naresh Agrawal
12. Shri C.P. Narayanan
13. Shri Dilipbhai Pandya
14. Shri Sukhendu Sekhar Roy
15. Shri K.C. Tyagi

SECRETARIAT

- | | | | |
|----|--------------------|---|---------------------|
| 1. | Shri U.B.S. Negi | - | Joint Secretary |
| 2. | Smt Rita Jailkhani | - | Director |
| 3. | Smt. Maya Lingi | - | Additional Director |
| 4. | Shri T.R. Nauriyal | - | Under Secretary |
| 5. | Shri Prem Ranjan | - | Committee Officer |

INTRODUCTION

I, the Chairperson of the Joint Committee on Offices of Profit, having been authorized by the Committee to present the Report on their behalf, present this Fifth Report of the Committee.

2. At their sitting held on 16 February, 2016, the Committee examined the term, composition, character, functions, etc., of the Zila School Advisory Samittee with a view to consider as to whether the nomination of Members of Parliament (Lok Sabha) to the Zila School Advisory Samittee would attract disqualification from the angle of 'office of profit' under Article 102 (1) (a) of the Constitution of India.

3. The Committee considered and adopted this Report at their sitting held on 02 March, 2016.

4. The Committee wish to express their thanks to the State Government of Rajasthan for furnishing the information desired by the Committee for detailed examination of the issues involved in the matter.

5. The observations/recommendations made by the Committee in respect of the matter considered by them are given at the end of this Report in bold letters. The recommendations of the Committee will, however, remain advisory in nature and as such cannot give any protection from disqualification under the law until the recommendations are given Statutory effect by the Government by amending suitably the Parliament (Prevention of Disqualification) Act, 1959.

NEW DELHI:

02 March, 2016
12 Phalguna, 1937 (Saka)

P.P. CHAUDHARY
Chairperson,
Joint Committee on Offices of Profit

REPORT

NOMINATION OF MEMBERS OF PARLIAMENT (LOK SABHA) TO THE ZILA SCHOOL ADVISORY SAMITI - DISTRICT WISE.

State Government of Rajasthan (Department of Parliamentary Affairs) vide letter No.F.15(2) Sansad/2015 dated 17.12.2015 has requested for approval/consent of Hon'ble Speaker, Lok Sabha for nomination of Members of Parliament (Lok Sabha) to the Zila School Advisory Samiti – District wise. Thus, the issue before the Joint Committee on Offices of Profit is whether nomination of Members of Parliament (Lok Sabha) to the Zila School Advisory Samiti could be considered as a disqualification for being a Member of Parliament from the angle of 'Office of Profit' under Article 102 (1) (a) of the Constitution.

1.2 State Government of Rajasthan (Department of Parliamentary Affairs) has also furnished/supplied information regarding constitution, objective, functioning, functions, administrative control, travelling expenditure for meeting, etc. in connection with nomination of Members of Parliament to the Zila School Advisory Samiti. The gist of the information furnished by them is reproduced as under :-

In pursuance of the Budget Announcement 2015-16 by the Chief Minister, Rajasthan, a District wise, Zila School Advisory Samiti of a permanent nature has been constituted by the State Government of Rajasthan.

Constitution and Composition of the Samiti

The main work of the Samiti is to advise regarding activities related to the improvement of education level in the district and to review the implementation thereof after approval of State Government. It is proposed to constitute a Samiti for nomination of experts of various subjects, retired educationists, representatives of N.G.Os., representative of well established private School, people's representative, Govt. Officers for all round development of education in the district with following composition:-

1.	District Collector	Chairperson
2.	Concerned Member of Lok Sabha	Member
3.	People's representative -4 (two Member of Vidhan Sabha, District head and one Pradhan, whose cycle-wise nomination by the State Government)	Member
4.	Chief Executive Officer, Zila Parishad	Member
5.	District Education Officer, Secondary	Member
6.	District Education Officer, Primary	Member Secretary
7.	Principal DIET	Member
8.	Parents (minimum 4 Member) (Nominated by the District Collector)	Member
9.	Civil Society-2 (Nominated by the District Collector)	Member

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|-----|---|--------|
| 10. | Teacher Category (minimum 4 in which 1 Principal , 1 Block Primary Education Officer, 1 Principal, High Primary School and 1 Teacher should be there) (Nominated by the District Collector) | Member |
| 11. | Retired National/State Level awarded one teacher | Member |
| 12. | Principal of the best result earned private school in the district. | Member |
| 13. | Bhamashah of concerned district-2 (Nominated by the District Collector) | Member |
| 14. | Specialist related to the school education (retired) | Member |

Term of Office of the Members

The term of private Members in the abovesaid Samiti shall be two years. The whole action taken related to the Zila School Advisory Samiti shall be conducted by the Member Secretary.

Purpose/Objectives

It is proposed to constitute a Zila School Advisory Samiti to advise and prepare a district level plan regarding sustainable development of basic amenities in all government schools being run in the district , proper use of financial resources available with the schools, co-ordination among teachers, guardians and school management committee, qualitative improvement by inspecting the schools on regular basis and improvement of education level among students through sustainable evaluation.

Functioning

Zila School Advisory Samiti shall hold its quarterly and annual meetings. Quarterly meetings shall be held in the month of April, July, October and January and the annual meeting shall be held in the month of December every year and related proceedings thereto shall be conducted by the Member Secretary

Functions

The functions of the Zila School Advisory Samiti shall be as follow:-

- To advise regarding implementation of provisions of 'Right of Children to Free and Compulsory Education Act, 2009' and 'Rajasthan Right of Children to Free and Compulsory Education Act, 2011' in the district.
- To advise the District Level Committee which prescribe fee for private schools in the district.
- To assist in conducting Elementary Education Certificate Examination.
- To prepare an advisory plan for qualitative improvement of education in the district.
- To prepare school-wise action plan for improvement of education level of students studying in Government schools of the district by evaluating it.
- To prepare a comprehensive plan regarding development of basic amenities of schools and to get the construction work done through District Councils with Bhamashah/Representatives/NAREGA/MP fund/MLA fund.

- To prepare an advisory plan regarding teaching of the teacher.
- To ensure attendance of teachers on time in schools and their full stay there.
- To organise programme regarding functions related to the admission to increase the number of enrolment of students in Government schools and to prepare an action plan for retention of students throughout the year.
- To do necessary work for educational achievements, 100% attendance and motivation of students.
- To advise regarding development of curricular and co-curricular activities for students and to identify and recommend the meritorious students and efficient hardworking teachers giving good result for conferring award upon them at district level.
- To ensure participation of society for integrated development of school and to prepare an action plan to strengthen the relation between school and society.
- To constitute various Committees to ensure qualitative improvement of education and physical resources in the schools.
- To prepare an advisory action plan for annual review of education plan of the district and achievement in the targets of annual plan.
- To advise regarding filling up the vacant posts of teachers in the district.
- To advise in preparing the annual plan for Sarva Shiksha Abhiyan and National Council for Secondary Education.
- To make efforts for getting the funds sanctioned from Bhamashahs, Industrialists, MP fund and MLA fund for providing drinking water, maintenance of toilets, denting-painting of buildings and minor repair works in the schools in the district.

Administrative Control

The Samiti shall be under administrative control of the Department of Elementary Education, Government of Rajasthan.

Travelling Expenditure for Meetings

Non-official members shall be reimbursed actual fare to and fro for rail or bus under the Head 'District Project Coordination, Sarva Shiksha Abhiyan.

Annual Report

The Samiti shall have to submit the Annual Report of the last Academic session in the month of September every year.

1.3 Article 102(1)(a) of the Constitution of India reads as under:

“A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament –

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

1.4 Parliament has passed a law, namely the Parliament (Prevention of Disqualification) Act, 1959 (**ANNEXURE**) laying down which offices would not disqualify holders thereof from the membership of Parliament. Briefly this Act provides that if a member/director of a statutory or non-statutory body/company is not entitled to any remuneration other than the compensatory allowance, she/he would not incur disqualification for receiving those allowances. Under Section 2(a) of the said Act, “compensatory allowance” has been defined as any sum of “money payable to the holder of an office by way of daily allowance (such allowance not exceeding the amount of daily allowance to which a Member of Parliament is entitled under the Salary, Allowances and Pension of Members of Parliament Act, 1954) any conveyance allowance, house-rent allowance or travelling allowance for the purpose of enabling her/him to recoup any expenditure incurred by her/him in performing the functions of that office”

1.5 The expression “holds any office of profit under the Government” occurring in Articles 102 (1)(a) and 191(1)(a) has nowhere been defined precisely. However, the Joint Committee on Offices of Profit has been following the undermentioned criteria for determining as to whether an office ought or ought not to disqualify the holder thereof for being chosen as, and for being, a Member of Parliament:-

- (i) Whether the Government exercise control over the appointment to and removal from the office and over the performance and functions of the office;
- (ii) Whether the holder draws any remuneration other than the ‘compensatory allowance’ as defined in Section 2(a) of the Parliament (Prevention of Disqualification) Act, 1959;
- (iii) Whether the body in which an office is held, exercises executive, legislative or judicial powers or confers powers of disbursement of funds, allotment of lands, issue of licenses, etc., or gives powers of appointment, grant of scholarships, etc; and
- (iv) Whether the body in which an office is held enables the holder to wield influence or power by way of patronage.

1.6 The Joint Committee on Offices of Profit considered the matter under reference at its sitting held on 16 February, 2016 .

1.7 The Committee note from the information as furnished by the State Government of Rajasthan (Department of Parliamentary Affairs) that the Zila School Advisory Samiti is of permanent nature and shall be under the administrative control of the Department of Elementary Education, State Government of Rajasthan. The functions of the Samiti are primarily advisory in nature for qualitative improvement of education at the district level, to assist in conducting Elementary Education Certificate Examination, to prepare an advisory plan regarding teaching of the teacher and to develop curricular and co-curricular activities for students etc. The Committee also note that the Samiti does not exercise any executive, legislative or judicial powers and also does not have powers of disbursement of funds, allotment of land, appointment/removal etc. and therefore, the Samiti as such can not wield any influence by way of patronage even. According to State Government of Rajasthan, non-official members will be reimbursed actual fare to and fro for rail or bus under the Head 'District Project Co-ordination, Sarva Shiksha Abhiyan'. However, they have not precisely and clearly stipulated that Members of Parliament, being a Member of Zila School Advisory Samiti, are not entitled to any remuneration other than 'Compensatory Allowance' as defined under the Act, 1959.

1.8 In view of the foregoing, the Committee are of the considered opinion that the membership of the Zila School Advisory Samiti constituted by the State Government of Rajasthan may not be treated as an office of profit to disqualify its holder for being chosen as, or for being, a Member of Parliament under Article 102 (1) (a) of the Constitution subject to the over-riding condition that he/she is not entitled for any remuneration other than 'Compensatory Allowance' as defined under Section 2 (a) of the Parliament (Prevention of Disqualification) Act of 1959.

NEW DELHI;

P.P. CHAUDHARY
Chairperson,
Joint Committee on Offices of Profit

02 March, 2016
12 Phalguna, 1937 (Saka)

**THE PARLIAMENT (PREVENTION OF DISQUALIFICATION) ACT, 1959
(10 OF 1959)****[4th April, 1959.]**

An Act to declare that certain offices of profit under the Government shall not disqualify the holders thereof for being chosen as, or for being, members of Parliament. BE it enacted by Parliament in the Tenth Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Parliament (Prevention of Disqualification) Act, 1959.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "compensatory allowance" means any sum of money payable to the holder of an office by way of daily allowance [such allowance not exceeding the amount of daily allowance to which a member of Parliament is entitled under 1 [the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954)]], any conveyance allowance, house rent allowance or travelling allowance for the purpose of enabling him to recoup any expenditure incurred by him in performing the functions, of that office;

(b) "statutory body" means any corporation, committee, commission, council, board or other body of persons, whether incorporated or not, established by or under any law for the time being in force;

(c) "non-statutory body" means any body of persons other than a statutory body.

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

(a) any office held by a Minister, Minister of State or Deputy Minister for the Union or for any State, whether ex officio or by name;

² [(aa) the office of a Leader of the Opposition in Parliament;]

³ [(ab) the office of Deputy Chairman, Planning Commission;]

⁴ [(ac) the office of ⁵ [each leader and deputy leader] of a recognised party and recognised group in either House of Parliament;]

⁶ [(ad) the office of the Chairperson of the National Advisory Council constituted by the Government of India in the Cabinet Secretariat vide Order No. 631/2/1/2004-Cab., dated the 31st May, 2004;]

(b) the office of Chief Whip, Deputy Chief Whip or Whip in Parliament or of a Parliamentary Secretary;

⁷ [(ba) the office of Chairperson of—

(i) the National Commission for Minorities constituted under section 3 of the National Commission for Minorities Act, 1992 (19 of 1992);

⁸ (ii) the National Commission for the Scheduled Castes and Scheduled Tribes constituted under clause (1) of article 338 of the Constitution;

(iia) the National Commission for the Scheduled Castes and Scheduled Tribes constituted under clause (1) of article 338 of the Constitution;

(iii) the National Commission for Women constituted under section 3 of the National Commission for Women Act, 1990 (20 of 1990);]

(c) the office of member of any force raised or maintained under the National Cadet Corps Act, 1948 (31 of 1948), the Territorial Army Act, 1948 (56 of 1948), or the Reserve and Auxiliary Air Forces Act, 1952 (62 of 1952);

(d) the office of a member of a Home Guard constituted under any law for the time being in force in any State;

(e) the office of sheriff in the city of Bombay, Calcutta or Madras;

1. Subs. by Act 54 of 1993, s. 2, for certain words (w.e.f. 27-8-1993).

2. Ins. by Act 33 of 1977, s. 12 (w.e.f. 1-11-1977).

3. Ins. by Act 54 of 1993, s. 3 (w.e.f. 19-7-1993).

4. Ins. by Act 5 of 1999, s. 5.

5. Subs. by Act 18 of 2000, s. 5, for certain words (w.e.f. 7-6-2000).

6. Ins. by Act 31 of 2006, s. 2 (w.e.f. 18-8-2006).

7. Ins. by Act 54 of 1993, s. 3 (w.e.f. 27-8-1993).

8. Subs. by Act 2 of 2013, s.2(w.e.f.19-2-2014)

(f) the office of chairman or member of the syndicate, senate, executive committee, council or court of a university or any other body connected with a university;

(g) the office of a member of any delegation or mission sent outside India by the Government for any special purpose;

(h) the office of chairman or member of a committee (whether consisting of one or more members), set up temporarily for the purpose of advising the Government or any other authority in respect of any matter of public importance or for the purpose of making an inquiry into, or collecting statistics in respect of, any such matter, if the holder of such office is not entitled to any remuneration other than compensatory allowance;

¹ [(i) the office of chairman, director or member of any statutory or non-statutory body other than any such body as is referred to in clause (h), if the holder of such office is not entitled to any remuneration other than compensatory allowance, but excluding (i) the office of chairman of any statutory or non-statutory body specified in Part I of the Schedule, (ii) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule;]

(j) the office of village revenue officer, whether called a lambardar, malguzar, patel, deshमुख or by any other name, whose duty is to collect land revenue and who is remunerated by a share of, or commission on, the amount of land revenue collected by him, but who does not discharge any police functions.

² [(k) the office of Chairman, Deputy Chairman, Secretary or Member (by whatever name called) in any statutory or non-statutory body specified in the Table;

(l) the office of Chairman or Trustee (by whatever name called) of any Trust, whether public or private, not being a body specified in the Schedule;

(m) the office of Chairman, President, Vice-President or Principal Secretary or Secretary of the Governing Body of any society registered under the Societies Registration Act, 1860 (21 of 1860) or under any other law relating to registration of societies, not being a body specified in the Schedule.]

³ [Explanation 1].—For the purposes of this section, the office of 4 [Chairman, Deputy Chairman or Secretary] shall include every office of that description by whatever name called.

⁵ [Explanation 2].—In clause (aa), the expression "Leader of the Opposition" shall have the meaning assigned to it in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (33 of 1977).]

⁶ [Explanation 3.—In clause (ac), the expressions "recognised party" and "recognised group" shall have the meanings assigned to them in the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998 (5 of 1999).]

4. Temporary suspension of disqualification in certain cases.—If a person being a member of Parliament who immediately before the commencement of this Act held an office of profit declared by any law repealed by this Act not to disqualify the holder thereof for being such member, becomes so disqualified by reason of any of the provisions contained in this Act, such office shall not, if held by such person for any period not extending beyond a period of six months from the commencement of this Act disqualify him for being a member of Parliament.

5. Repeals.—The Parliament (Prevention of Disqualification) Act, 1950 (19 of 1950), the Parliament Prevention of Disqualification Act, 1951 (68 of 1951), the Prevention of Disqualification Act, 1953 (1 of 1954), and any provision in any other enactment which is inconsistent with this Act are hereby repealed.

1. Subs. by Act 54 of 1993, s. 3, for cl. (i) (w.e.f. 19-7-1993).

2. Ins. by Act 31 of 2006, s. 12 (w.e.f. 4-4-1959).

3. Explanation numbered as Explanation 1 thereof by Act 33 of 1977, s. 12 (w.e.f. 1-11-1977).

4. Subs. by Act 54 of 1993, s. 3, for certain words (w.e.f. 27-8-1993).

5. Ins. by Act 33 of 1977, s. 12 (w.e.f. 1-11-1977).

6. Ins. by Act 5 of 1999, s. 5.

THE SCHEDULE
[See section 3(i)]
PART I

BODIES UNDER THE CENTRAL GOVERNMENT

Air India International Corporation established under section 3 of the Air Corporations Act, 1953 (27 of 1953).

Air Transport Council constituted under section 30 of the Air Corporations Act, 1953 (27 of 1953).

Board of Directors of the Export Risks Insurance Corporation ¹ *** Limited.

Board of Directors of the Heavy Electrical ¹ *** Limited.

Board of Directors of the Hindustan Cables ¹ *** Limited.

Board of Directors of the Hindustan Insecticides ¹ *** Limited.

Board of Directors of the Hindustan Machine Tools ¹ *** Limited.

Board of Directors of the Hindustan Shipyard Limited.

Board of Directors of the ² [Hindustan Chemicals and Fertilizers Limited].

Board of Directors of the National Coal Development Corporation (Private) Limited.

Board of Directors of the National ³ [Industrial] Development Corporation ¹ *** Limited.

Board of Directors of the National Instruments ¹ *** Limited.

Board of Directors of the National Small Industries Corporation ¹ *** Limited.

Board of Directors of the Neyveli Lignite Corporation (Private) Limited.

Board of Directors of the Sindri Fertilizers and Chemicals ¹ *** Limited.

Board of Directors of the State Trading Corporation of India ¹ *** Limited.

Central Warehousing Corporation established under section 17 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956).

Coal Board established under section 4 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952).

Coal Mines Labour Housing Board constituted under section 6 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947).

Commissioners for the Port of Calcutta.

Committee for the allotment of land in the township of Gandhidham.

Company Law Advisory Commission constituted under section 410 of the Companies Act, 1956 (1 of 1956).

Cotton Textiles Fund Committee constituted under the Textile Funds Ordinance, 1944 (Ord. 34 of 1944).

Dock Labour Board, Bombay, established under the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).

Dock Labour Board, Calcutta, established under the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).

Dock Labour Board, Madras, established under the Madras Dock Workers (Regulation of Employment) Scheme, 1956, made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948).

Forward Markets Commission established under section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952).

Indian Airlines Corporation established under section 3 of the Air Corporations Act, 1953 (27 of 1953).

Industrial Finance Corporation of India established under section 3 of the Industrial Finance Corporation Act, 1948 (15 of 1948).

1. The brackets and word "(Private)" omitted by Act 58 of 1960, s. 3 and the Second Schedule.

2. Subs. by Act 58 of 1960, s. 3 and the Second Schedule, for "Nangal Fertilizers and Chemicals (Private) Limited".

3. Ins. by s. 3 and the Second Schedule, *ibid*.

Licensing Committee constituted under rule 10 of the Registration and Licensing of Industrial Undertakings Rules, 1952, made under the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Mining Boards constituted under section 12 of the Mines Act, 1952 (35 of 1952).

National Co-operative Development and Warehousing Board established under section 3 of the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956).

Rehabilitation Finance Administration constituted under section 3 of the Rehabilitation Finance Administration Act, 1948 (12 of 1948).

Tariff Commission established under section 3 of the Tariff Commission Act, 1951 (50 of 1951).

Trustees of the Port of Bombay.

Trustees of the Port of Madras.

Trustees or Commissioners of any major port as defined in the Indian Ports Act, 1908 (15 of 1908), other than the Port of Calcutta, Bombay or Madras.

Bodies under State Governments

Andhra Pradesh

Agricultural Improvement Fund Committee constituted under section 3 of the Hyderabad Agricultural Improvement Act, 1952.

Co-operative Agricultural and Marketing Development Fund Committee.

Livestock purchasing Committee.

Assam

Adhi Conciliation Boards constituted under section 2A of the Assam Adhiars Protection and Regulation Act, 1948.

Assam Evacuee Property Management Committee constituted under section 12 of the Assam Evacuee Property Act, 1951.

Assam Text Book Committee.

Bihar

Mining Board for Coal Mines.

Text Book and Education Literature Committee.

Bombay

Allocation Committee (Allopathic) under the Employees' State Insurance Scheme.

Allocation Committee (Ayurvedic) under the Employees' State Insurance Scheme.

Board to conduct over-all supervision of the business and affairs of the Narsinggiriji Mills, Sholapur.

Bombay Housing Board constituted under section 3 of the Bombay Housing Board Act, 1948.

Bombay State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).

Bombay State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).

Medical Service Committee under the Employees' State Insurance Scheme.

Pharmaceutical Committee under the Employees' State Insurance Scheme.

Regional Transport Authority for Ahmedabad, Aurangabad, Bombay, Nagpur, Poona, Rajkot and Thana constituted under section 44 of the *Motor Vehicles Act, 1939 (4 of 1939).

Saurashtra Housing Board constituted under section 3 of the Saurashtra Housing Board Act, 1954.

State Transport Authority constituted under section 44 of the * Motor Vehicles Act, 1939 (4 of 1939).

Vidarbha Housing Board constituted under section 3 of the Madhya Pradesh Housing Act, 1950.

* Now see the relevant provisions of the Motor Vehicles Act, 1988 (59 of 1988).

Kerala

Board of Examiners appointed under rule 8 of the Travancore-Cochin Boiler Attendants Rules, 1954.
Panel of Assessors constituted under rule 63 of the Travancore-Cochin Boiler Attendants Rules, 1954.
Panel of Assessors constituted under the Travancore-Cochin Economiser Rules, 1956.

Madhya Pradesh

Madhya Pradesh Housing Board constituted under section 3 of the Madhya Pradesh Housing Board Act, 1950.
Mahakoshal Housing Board.

¹ [Tamil Nadu]

Committee to select Books for Study for S.S.L.C. Examination.
Landing and Shipping Fees Committees for Minor Ports.
Local Committee constituted under regulation 10A of the Employees' State Insurance (General) Regulations, 1950.
Madras Board of Transport.
² [Tamil Nadu Electricity Board] constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).
Madras State Electricity Consultative Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).
Port Conservancy Boards.
Port Trust Boards of Minor Ports.
State Board of Communications.
Text Books Committee.

³ [Karnataka]

Board of Management, Mysore Iron and Steel Works, Bhadravathi.
Board of Management of Industrial Concerns.

Orissa

Appeal Committee under the Board of Secondary Education.
Orissa Board of Communications and Transport.
Regional Transport Authority constituted under section 44 of the *Motor Vehicles Act, 1939 (4 of 1939).
State Transport Authority constituted under section 44 of the *Motor Vehicles Act, 1939 (4 of 1939).

Punjab

Punjab State National Workers (Relief and Rehabilitation) Board.

Rajasthan

City Improvement Trust, Kota, constituted under the City of Kota Improvement Act, 1946.
Excise Appellate Board, Ajmer.
Rajasthan State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 (54 of 1948).
Urban Improvement Board, Jaipur.

Uttar Pradesh

Government Cement Factory Board.
Local Committees for Agra, Kanpur, Lucknow and Saharanpur appointed under section 25 of the Employees' State Insurance Act, 1948 (34 of 1948).
Sub-Committee to select books for Educational Expansion Department.
U.P. Sugar and Power Alcohol and Labour Housing Board constituted under section 10 of the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950.

1. Subs. by the Madras State (Alteration of Name) (Adaptation of Laws on Union Subjects) Order, 1970, for "Madras" (w.e.f. 14-1-1969).
2. Subs., *ibid.*, for "Madras State Electricity Board".
3. Subs. by the Mysore State (Alteration of Name) (Adaptation of Laws on Union Subjects) Order, 1974, for "Mysore" (w.e.f. 1-11-1973).
* Now see the relevant provisions of the Motor Vehicles Act, 1988 (59 of 1988).

West Bengal

Licensing Board constituted under the regulations made under rule 45 of the Indian Electricity Rules, 1956. West Bengal Housing Board constituted under the West Bengal Development Corporation Act, 1954.

BODIES IN UNION TERRITORIES

Delhi Development Authority constituted under section 3 of the Delhi Development Act, 1957 (61 of 1957).

Delhi Electricity Power Control Board constituted under section 5 of the Bombay Electricity (Special Powers) Act, 1946, as applied to Delhi.

Delhi State Electricity Council constituted under section 16 of the Electricity (Supply) Act, 1948 (54 of 1948).

PART II

BODIES UNDER THE CENTRAL GOVERNMENT

Advisory Committee for the Air-India International Corporation appointed under section 41 of the Air Corporations Act, 1953 (27 of 1953).

Advisory Committee for the Indian Airlines Corporation appointed under section 41 of the Air Corporations Act, 1953 (27 of 1953).

Central Silk Board constituted under section 4 of the Central Silk Board Act, 1948 (61 of 1948).

Coffee Board constituted under section 4 of the Coffee Act, 1942 (7 of 1942).

Coir Board constituted under section 4 of the Coir Industry Act, 1953 (45 of 1953).

Development Council for Acids and Fertilizers established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Alkalis and Allied Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Bicycles established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Drugs, Dyes and Intermediates established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Food Processing Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Heavy Electrical Engineering Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Internal Combustion Engines and Power Driven Pumps established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Light Electrical Engineering Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Machine Tools established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Non-ferrous Metals including alloys established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Oil-based and Plastic Industries established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Sugar Industry established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Textiles made of artificial silk including artificial silk yarn established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Development Council for Textiles made of wool including woollen yarn, hosiery, carpets and druggest established under section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951).

Durgah Committee, Ajmer, constituted under section 4 of the Durgah Khwaja Saheb Act, 1955 (36 of 1955).

Indian Central Arecanut Committee.

Indian Central Coconut Committee constituted under section 4 of the Indian Coconut Committee Act, 1944 (10 of 1944).

Indian Central Cotton Committee constituted under section 4 of the Indian Cotton Cess Act, 1923 (14 of 1923).

Indian Central Jute Committee.

Indian Central Oilseeds Committee constituted under section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946).

Indian Central Sugarcane Committee.

Indian Central Tobacco Committee.

Indian Lac Cess Committee constituted under section 4 of the Indian Lac Cess Act, 1930 (24 of 1930).

Rubber Board constituted under section 4 of the Rubber Act, 1947 (24 of 1947).

Tea Board constituted under section 4 of the Tea Act, 1953 (29 of 1953).

BODIES UNDER STATE GOVERNMENTS

Andhra Pradesh

Market Committee constituted under section 4 of the Hyderabad Agricultural Market Act No. II of 1339 F.

Market Committee constituted under section 4A of the Madras Commercial Crops Markets Act, 1933.

Bihar

Bihar State Board of Religious Trusts.

Bihar Subai Majlis Awqaf.

Bodh Gaya Temple Advisory Committee constituted under section 15 of the Bodh Gaya Temple Act, 1949.

Bodh Gaya Temple Management Committee constituted under section 3 of the Bodh Gaya Temple Act, 1949.

Kerala

Administration Committee for Coir Purchase Scheme.

Malabar Market Committee constituted under section 4A of the Madras Commercial Crops Markets Act, 1933.

Tapioca Market Expansion Board.

¹ [Tamil Nadu]

Area Committee for Hindu Religious and Charitable Endowments constituted under section 12 of the Madras Hindu Religious and Charitable Endowments Act, 1951.

Madras State Wakf Board constituted under section 9 of the Wakf Act, 1954 (29 of 1954).

Punjab

State Marketing Board constituted under section 3 of the Patiala Agricultural Produce Markets Act, 2004.

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³ [TABLE

[See section 3(k)]

S.No.

Name of body

1. The Tripura Khadi and Village Industries Board, a body constituted under the Tripura Khadi and Village Industries Act, 1966.
2. The Uttar Pradesh Development Council.
3. The Irrigation and Flood Control Commission, Uttar Pradesh.

1. Subs. by the Madras State (Alteration of Name) (Adaptation of Laws on Union Subjects) Order, 1970, for "Madras" (w.e.f. 14-1-1969).

2. Part III omitted by Act 54 of 1993, s. 4 (w.e.f. 19-7-1993).

3. Ins. by Act 31 of 2006, s. 3 (w.e.f. 4-4-1959).

4. The Indian Statistical Institute, Calcutta.
5. The West Bengal Handicrafts Development Corporation Limited.
6. The West Bengal Small Industries Development Corporation Limited.
7. The West Bengal Industrial Development Corporation Limited.
8. The Sriniketan Santiniketan Development Authority, a body constituted under the West Bengal Town and Country (Planning and Development) Act, 1979 (West Bengal Act No. 13 of 1979).
9. The Haldia Development Authority, a body constituted under the West Bengal Town and Country (Planning and Development) Act, 1979 (West Bengal Act No. 13 of 1979).
10. The West Bengal Minorities Development and Finance Corporation, a body constituted under the West Bengal Minorities Development and Finance Corporation Act, 1995.
11. The Hooghly River Bridge Commissioners, constituted under the Hooghly River Bridge Act, 1969 (West Bengal Act No. 36 of 1969).
12. The Board of Wakf, West Bengal, a body constituted under the Wakf Act, 1995 (43 of 1995).
13. The State Fisheries Development Corporation Limited, West Bengal.
14. The West Bengal State Haj Committee, constituted under the Haj Committee Act, 2002 (35 of 2002).
15. The Asansol Durgapur Development Authority, West Bengal, a body constituted under the West Bengal Town and Country (Planning and Development) Act, 1979 (West Bengal Act No. 13 of 1979).
16. The West Bengal Pharmaceutical and Phytochemical Development Corporation Limited.
17. The West Bengal Handloom and Powerloom Development Corporation Limited.
18. The West Bengal Khadi and Village Industry Board.
19. The Society for Self-employment for Urban Youth, a society registered under the West Bengal Societies Registration Act, 1961 (West Bengal Act No. 26 of 1961).
20. The Tirumala Tirupathi Devasthanams Board.
21. The Agricultural and Processed Food Products Export Development Authority, an authority constituted under section 4 of the Agricultural and Processed Food Products Export Development Authority Act, 1985 (2 of 1986).
22. The National Agricultural Co-operative Marketing Federation of India Limited (NAFED).
23. The Indian Farmer Fertilizers Co-operative Limited (IFFCO).
24. The Krishak Bharati Co-operative Limited (KRIBHCO).
25. The National Co-operative Consumers Federation of India Limited (NCCF).
26. The Auroville Foundation established under sub-section (1) of section 10 of the Auroville Foundation Act, 1988 (54 of 1988).
27. The National Commission of Enterprises in the Unorganised Sector.
28. The Planning Board (Asiatic Society) established under sub-section (1) of section 8 of the Asiatic Society Act, 1984 (5 of 1984).
29. The Delhi Rural Development Board.
30. The Maulana Azad Education Foundation.
31. The Indira Gandhi National Centre for the Arts.
32. The Dr. Ambedkar Foundation.
33. The Bihar State Board of Religious Trust, a body constituted under the Bihar Hindu Religious Trust Act, 1950 (Bihar Act No. 1 of 1951).
34. The Research and Information System for the Non-Aligned and Other Developing Countries.
35. The Indian Institute of Psychometry.
36. The Uttar Pradesh Film Development Council.
37. The Uttar Pradesh Provincial Co-operative Federation.

38. The Uttar Pradesh Co-operative Federation Limited.
39. The National Co-operative Union of India.
40. The Uttar Pradesh Krishi and Gram Vikas Bank.
41. The Uttar Pradesh Co-operative Bank Limited.
42. The Indian Council for Cultural Relations.
43. The Board of Control—A.N. Sinha Institute of Social Studies, Patna.
44. All India Council for Sports.
45. The Howrah Improvement Trust.
46. The Dalit Sena, 12, Janpath, New Delhi.
47. The Social Justice Trust, 12, Janpath, New Delhi.
48. The Bahujan Foundation (Charitable Trust), Lucknow, Uttar Pradesh.
49. The Bahujan Prerna Charitable Trust, Delhi.
50. The Central Wakf Council established under section 9 of the Wakf Act, 1995 (43 of 1995).
51. The Nehru Memorial Museum and Library (NMML).
52. The Jalianwala Bagh Memorial Trust.
53. The Haj Committee of India constituted under section 3 of the Haj Committee Act, 2002 (35 of 2002).
54. The Mallickghat Phoolbazar Parichalan Committee.
55. The West Bengal Fisheries Corporation Limited.]

APPENDIX - I

EXTRACTS OF THE MINUTES OF THE TWENTY FIFTH SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (SIXTEENTH LOK SABHA) HELD ON 16 FEBRUARY, 2016

The Committee met on Tuesday, 16 February, 2016 from 1600 hrs to 1700 hrs. in Committee Room 'B', Parliament House Annexe, New Delhi.

PRESENT

Shri P.P. Chaudhary - Chairperson

MEMBERS

LOK SABHA

2. Shri T.G. Venkatesh Babu
3. Adv. Sharad Bansode
4. Shri Arjun Ram Meghwal
5. Prof. Saugata Roy
6. Dr. Satya Pal Singh

RAJYA SABHA

7. Shri Dilipbhai Pandya

SECRETARIAT

1. Shri U.B.S. Negi - Joint Secretary
2. Smt. Rita Jaikhani - Director
3. Smt. Maya Lingi - Additional Director

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2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee and briefly apprised them about the agenda of the sitting, i.e (i) to Consider Memorandum No.6 regarding nomination of Members of Parliament (Lok Sabha) to the Zila School Advisory Samiti by Government of Rajasthan; xx xx xx xx

3. Thereafter, the Memorandum No.6 was unanimously adopted by the Committee without any modification.

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The Committee then adjourned.

APPENDIX - II

EXTRACTS OF THE MINUTES OF THE TWENTY SIXTH SITTING OF THE JOINT COMMITTEE ON OFFICES OF PROFIT (SIXTEENTH LOK SABHA) HELD ON 02 MARCH, 2016

The Committee met on Wednesday, 02 March, 2016 from 1600 hrs to 1630 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Shri P.P. Chaudhary - Chairperson

MEMBERS

LOK SABHA

2. Smt. Meenakshi Lekhi
3. Shri Arjun Ram Meghwal
4. Dr. Satya Pal Singh

RAJYA SABHA

5. Shri C.P. Narayanan
6. Shri Dilipbhai Pandya

SECRETARIAT

1. Smt. Rita Jaikhani - Director
2. Smt. Maya Lingi - Additional Director

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them about the agenda of the sitting.

3. Thereafter, the Committee considered the draft Fifth Report regarding nomination of Members of Parliament (Lok Sabha) to the Zila School Advisory Samiti - District wise in the State Government of Rajasthan.

4. The Committee considered and adopted the draft Fifth Report without any modification.

5. The Committee also authorized the Chairperson to finalize the Report and present the same to the Parliament in the current Budget Session, 2016.

The Committee then adjourned.

