



Office of Profit

Disqualification Row

What is the role of a parliamentary secretary, and what constitutes office of profit?

Parliamentary Secretaries

- Initially appointed to assist PMs – Nehru appointed two in 1951 – and CMs, they have no defined duty and mostly carry out supervisory roles, like in the case of the 21 AAP legislators in Delhi
- Haryana, Punjab, Rajasthan, Karnataka and most northeastern states have parliamentary secretaries
- They get salaries, allowances, perks like cars, govt housing, free water and power, travel and medical benefits, etc

Office of Profit

- **Articles 102(1) and 191(1) of Constitution** say a person will be disqualified as a member of Parliament/assembly if he holds an office of profit under central/state govt 'other than an office declared by Parliament not to disqualify its holder'.
- Ministers exempt under both laws
- Office of profit doesn't necessarily mean financial benefit

Contentious Post

The office of parliamentary secretary:

- The Constituent Assembly first debated whether India should have the Institution of parliamentary secretaries like the Westminster system
- The secretaries had the power to advise the govt. on issues such as foreign affairs.
- After the Union govt. enacted law to cap the number of ministers in states and the Centre, the number of parliamentary secretaries went up. Many CMs allotted posts of parliamentary secretaries to give MLAs elevated status and perks.

Well-known cases



Sonia Gandhi quit Lok Sabha in 2006 over her appointment as national advisory council chairperson



SP's Jaya Bachchan lost Rajya Sabha seat for holding post of UP Film Development Federation Chairperson

