

THE LEGISLATIVE ASSEMBLY (REMOVAL OF DISQUALIFICATIONS)
ACT, 1951

ACT NO. 15 OF 1951

Preamble.—Whereas, pursuant to sub-clause (a) of clause (1) of Article 191 of the Constitution of India read with Article 238 thereof, it is expedient to declare certain offices as offices which will not disqualify the holders thereof being chosen as, and for being, members of the (Legislative Assembly of the State of Kerala).

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Legislative Assembly (Removal of Disqualifications) Act, 1951.

(2) It shall come into force at once.

2. Removal of certain disqualifications for membership.—A person shall not be disqualified for being chosen as and for being, a member of the Legislative Assembly of the State of Kerala by reason only—

(i) that he is in receipt of the salaries or allowances to which he is entitled under the law for the time being in force relating to the payment of salaries and allowances to members of the Legislative Assembly of the State of Kerala or of travelling and daily allowances while serving as a member of any Committee or Board constituted by the Government of India or the Government of any State specified in the First Schedule to the Constitution of India; or

(ii) that he holds under the Government of India or the Government of any State specified in the First Schedule to the Constitution of India an office which is not remunerated either by salary or by fees payable out of the Consolidated Fund of India or of any such State; or

(iii) that he is a member of the Committee constituted to translate the Constitution of India into Malayalam; or

(iv) that he holds an office in any educational institution other than a Government institution; or

(v) that he holds an office in the National Cadet Corps raised and maintained under the National Cadet Corps Act, 1948 (Central Act XXXI of 1948), or in the Territorial Army raised and maintained under the Territorial Army Act, 1948 (Central Act LVI of 1948); or

(vi) that he is a member of the Air Defence Reserve or the Auxiliary Air Force raised under the Reserve and Auxiliary Air Forces Act, 1952 (62 of 1952).

(vii) that he holds the office of Chairman or member of the Kerala State Law Commission; or

(viii) that he is the Chairman or the Vice-Chairman or a member of the State Planning Board constituted by the Government or a member of the Backward Classes Reservation Commission constituted by the Government.

3. Removal of certain other disqualifications for membership.—A person shall not be deemed to be or to have been disqualified for being a member of the Legislative Assembly of the State of Kerala by reason only that such person had prior to the commencement of this Act held under the State Government an office which was not a whole time office or that he had held an office in any educational institution other than a Government institution.