

THE LEGISLATIVE ASSEMBLY (REMOVAL OF DISQUALIFICATIONS)
AMENDMENT ACT, 1979

ACT NO. 4 OF 1979

An Act further to amend the Legislative Assembly (Removal of Disqualifications) Act, 1951.

Preamble.—Whereas it is expedient further to amend the Legislative Assembly (Removal of Disqualifications) Act, 1951, for the purpose hereinafter appearing;

BE it enacted in the Thirtieth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Legislative Assembly (Removal of Disqualifications) Amendment Act, 1979.

2. Amendment of section 2.—Section 2 of the Legislative Assembly (Removal of Disqualifications) Act, 1951 (15 of 1951) (hereinafter referred to as the principal Act), shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) No person shall be disqualified or deemed ever to have been 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 holds or has held the office of the Chairman of a Government Company.

Explanation.—For the purposes of this clause, "Government Company" means a company in which not less than fifty-one per cent. of the paid up share capital is held by the Government of Kerala or jointly by the Central Government and the Government of Kerala, and includes a company which is a subsidiary of any such company; or

(ii) that he holds or has held the office of the Chairman of a Corporation established or constituted by or under any Central or State Act and owned or controlled by the Government of Kerala".

3. Repeal and savings.—(1) The Legislative Assembly (Removal of Disqualifications) Amendment Ordinance, 1978 (Ord. 30 of 1978), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the Principal Act as amended by this Act as if this Act had come into force on the 29th day of December, 1978.