

'THE ORISSA OFFICES OF PROFIT (REMOVAL OF DISQUALIFICATIONS) ACT, 1951

ORISSA ACT NO. XXXV OF 1951

[31st October, 1951.]

An Act to declare certain offices of profit not to disqualify their holders for being chosen as, and for being a member of the Orissa Legislative Assembly.

WHEREAS it is expedient to declare certain offices of profit under the Government of India or Government of any State so as not to disqualify their holders for being chosen as, and for being members of the Orissa Legislative Assembly.

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Orissa Offices of Profit (Removal of Disqualifications) Act, 1951.

(2) It extends to the whole of the State of Orissa.

(3) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context:—

(a) "Government" means Government of India or Government of any State specified in the First Schedule to the Constitution;

(b) "compensatory allowance" means travelling allowance, daily allowance, conveyance allowance and house rent allowance.

3. Removal and prevention of disqualifications.—It is hereby declared that the following offices of profit under the Government shall not disqualify and shall be deemed never to have disqualified, the holders thereof for being chosen as, and for being members of the Orissa Legislative Assembly, namely:—

(i) office of members of the Regional Posts and Telegraphs Advisory Committee, Local Advisory Committee (Railway) and any other Committee, Board, Tribunal or Commission, office for advising Government or for performance of any special duty and such other like offices the holders of which being appointed by Government are allowed daily allowance not exceeding twenty rupees per day besides receiving any other compensatory allowance:

Provided that such holders of office are not paid any fee or remuneration other than any compensatory allowance;

(ii) the office of a Parliamentary Secretary to a Minister if and when it is created;

²[(iii) any office in the National Cadet Corps or the Territorial Army;]

³[(iv) membership of the Statutory Bodies constituted under the Employees' State Insurance Act, 1948 (34 of 1948);

(v) persons in the employ of an insurer the management of whose controlled business has vested in the Central Government under the Life Insurance (Emergency Provisions) Act, 1956 (9 of 1956)].

4. Repeal of Orissa Act V of 1937.—The Orissa Offices of Profit (Removal of Disqualifications) Act, 1937 is hereby repealed.

1. LEGISLATIVE PAPERS—For Statement of Objects and Reasons *see*, Orissa Gazette, Extraordinary, dated the 18th September, 1951, p. 2 and for proceedings in the Assembly, *see* Proceedings of the Orissa Legislative Assembly, 1951, Vol XIV, No. 23, pp. 43-44.

2. Ins. by the Orissa Offices of Profit (Removal of Disqualifications) (Amendment) Act, 1954 (Orissa Act X of 1954), s. 2.

3. Ins. by the Orissa Offices of Profit (Removal of Disqualifications) (Amendment) Act, 1956 (Orissa Act 20 of 1956), s. 2.