

ASSAM STATE LEGISLATURE MEMBERS (REMOVAL OF DISQUALIFICATIONS) ACT, 1950

13 of 1950

[30th March, 1950]

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ASSAM STATE LEGISLATURE MEMBERS (REMOVAL OF DISQUALIFICATIONS) ACT, 1950

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An Act to provide for removal of certain disqualifications for being chosen as and for being a member of the Assam Legislative Assembly Preamble. Whereas it is expedient to provide in accordance with the provisions of Art. 191 (1) (a) of the Constitution that the holders of the offices hereinafter mentioned shall not be disqualified for being chosen as, and for being a member of, the Assam Legislative Assembly. It is hereby enacted as follows :

1. Short title, extent and commencement :-

(1) This Act may be called the Assam State Legislature Members (Removal of Disqualifications) Act, 1950.

(2) It extends to the whole of Assam.

(3) It shall come into force on the date on which the Assam State Legislature Members (Removal of Disqualifications) Ordinance, 1950 (Assam Ordinance No. II of 1950), ceases to operate.

2. Removal of certain disqualifications :-

A person shall not be disqualified for being chosen as, or for being a member of, the Assam Legislative Assembly by reason of the fact

that he holds any of the offices specified in the Schedule appended hereto in so far as it is an office of profit under the State Government.

SCHEDULE 1

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1. The office of the Parliamentary Secretary to the Government of Assam.
2. The office of the Government Pleaders or Public Prosecutor.
3. The office of part-time Professor, Lecturer, Instructor or Teacher in Government educational institution.
4. Medical practitioner rendering part-time service to the Government.
5. Gaonburha, Chowkidar whether called by this or any other title.
6. The office of the Minister of State and Deputy Minister to the Government of Assam.
- 6-A. Any office held by a Minister, Minister of State, Deputy Minister or Parliamentary Secretary for the State of Assam.
7. The office of Chairman and Director of the Assam State Warehousing Corporation and of Public Sector Corporations like Major Industries Development Corporation, etc., and Chairman, Vice Chairman or members of any Committee, Board or Authority appointed by the Government of India or the Government of any State specified in the First Schedule to the Constitution of India.
8. Any office under the Government which is not a whole-time office remunerated either by salary or fees.
9. The office of the Chief Executive Member and the other Executive Members of a District Council in an Autonomous District and of the members nominated to such a District Council by the Governor.
10. Any office held in the Territorial Army or National Cadet Corps.
11. Any office held in the Auxilliary Air Force or Air Defence Reserve.
12. The Leader of Opposition as defined in the Salary and Allowances of the Leader of Opposition in the Assam Legislative Assembly Act, 1978.