

**LOCAL GOVERNMENT IN DELHI (DISQUALIFICATION FOR
MEMBERSHIP) (SMALL FAMILY) ACT, 1996**

5 of 1998

[22nd April, 1998]

CONTENTS

1. Short title, extent and commencement
2. Definitions
- 3 . Disqualification for Membership to an office under a local government
4. Power to remove difficulties

**LOCAL GOVERNMENT IN DELHI (DISQUALIFICATION FOR
MEMBERSHIP) (SMALL FAMILY) ACT, 1996**

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An Act to provide for the disqualification for membership to an office of a local Government in the National Capital Territory of Delhi. Be it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Forty-Seventh year of the Republic of India as follows

1. Short title, extent and commencement :-

- (1) This Act may be called local government in Delhi (Disqualification for Membership) (Small Family) Act, 1996.
- (2) The Act extends to the local government in the Union Territory of the National Capital Territory of Delhi.
- (3) It shall come into force at once.

2. Definitions :-

In this Act, unless the context otherwise requires:

- (a) "local government" means a panchayat (at village, Intermediate or district level), a Municipality (including a Nagar Panchayat, a Municipal Council, a Municipal Corporation), an improvement trust,

a district board, a mining settlement authority or other local authorities for the purpose of local self-government or village administration;

(b) "member" means a person who holds an office in a local government, which is filled by election or nomination by the Government of the National Capital Territory of Delhi;

3. Disqualification for Membership to an office under a local government :-

A person shall be disqualified for being chosen as, and for being, a member of local government functioning in the Union Territory of the National Capital Territory of Delhi if he has more than two children :

Provided that the birth within ten months from the date of commencement of this Act of an additional child shall not be taken into consideration for the purposes of this section :

Provided further that a person having more than two children (excluding the child, if any, born within ten months from the date of commencement of this Act) shall not be disqualified under this section, so long as the number of children he had on the date of such commencement does not increase.

Explanation:- For the purposes of this section, the addition of children from a pregnancy within ten months from the date of coming into force of this Act shall be treated as addition of one child only.

4. Power to remove difficulties :-

(1) If any difficulty arises in giving effect to the provisions of this Act at any time, the Govt. of National Capital Territory of Delhi may by order as occasion requires, do anything which appears to it necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under sub-section (1) shall be laid before the legislative Assembly of the National Capital Territory of Delhi.