

**KARNATAKA LEGISLATURE (PREVENTION OF
DISQUALIFICATION) ACT, 1956**

4 of 1957

[23 MARCH, 1989]

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**KARNATAKA LEGISLATURE (PREVENTION OF
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An Act to declare certain offices of profit not to disqualify their holders for being chosen as, or for being members of the Karnataka Legislative Assembly and the Karnataka Legislative Council. Whereas, it is expedient to declare that certain offices should not, under certain conditions, disqualify or be deemed to have disqualified, the holders thereof for being chosen as, or for being, members of the Karnataka Legislative Assembly and the Karnataka Legislative Council; Be it enacted by the Karnataka State Legislature in the Seventh Year of the Republic of India as follows.

1. Short title :-

This Act may be called the Karnataka Legislature (Prevention of Disqualification) Act, 1956.

2. Definitions :-

In this Act, unless the context otherwise requires.

(a) "Committee" means any Committee, Commission, Council, Board or any other body of one or more persons whether statutory or not, set up by the Government of India or the Government of any State;

(b) "Compensatory allowance" means such sum of money as the

Central Government, or the Government of any State, as the case may be, may determine as being payable to the Chairman or any other member of a Committee by way of travelling allowance, daily allowance, sitting fee, conveyance allowance or house rent allowance for the purpose of enabling the Chairman or other member to recoup any expenditure incurred by him in attending any meeting of a Committee or performing any other function as a member of a Committee;

¹[(bb) the office of a member of the Home Guards constituted under the Karnataka Home Guards Act, 1962;]

²[(bbb) the office of a member of a Village Defence Party constituted under the Karnataka Village Defence Parties Act, 1964;]

(c) "Statutory body" means any corporation, board, company, society or any other body of one or more persons, whether

³[(cc) the offices of Adhyaksha and Upadhyaksha of the Zilla Parishads ⁴ [and Pradhana and Upapradhana of Mandal Panchayats], constituted under the Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Karnataka Act 20 of 1985)

1. Clause (bb) inserted by Act No. 35 of 1962

2. Clause (bbb) inserted by Act No. 34 of 1964 and shall be and shall be deemed to have been renumbered as item (bbb), w.e.f. 1-11-1965 by Act No. 22 of 2000

3. Clause (cc) inserted by Act No. 22 of 1989 and shall be deemed to have been inserted w.e.f. 13-1-1989 and subsequently repealed by Act No. 22 of 2000, w.e.f. 29-11-2000

4. Inserted by Act No. 20 of 1991 and shall be deemed to have been inserted w.e.f. 14-8-1985 and subsequently repealed by Act No. 22 of 2000, w.e.f. 29-11-2000

3. Removal of certain disqualifications :-

It is hereby declared that the following offices shall not disqualify and shall be deemed never to have disqualified, the holders thereof for being chosen as, or for being members of the Karnataka Legislative Assembly or the Karnataka Legislative Council.

(a) the office of a Deputy Minister, a Parliamentary Secretary, ¹ [the Leaders of the opposition or the Government Chief Whips;]

(b) the offices held in the National Cadet Corps raised and maintained under the National Cadet Corps Act, 1948 (Central Act XXXI of 1948), in the Territorial Army raised and maintained under

the Territorial Army Act, 1948 (Central Act LVI of 1948), and in the Auxiliary Air Force and the Air Defence Reserve under the Reserve and Auxiliary Air Forces Act, 1952 (Central Act LXII of 1952);

(c) the office of the Secretaries of the District Development Boards constituted by the State Government (by whatever name called):

Provided that the holders of such office do not hold any other office of profit under the State Government;

(d) the office of the Chairman or Member of a Committee:

Provided that the holder of any such office is not in receipt of or entitled to, any remuneration other than the compensatory allowance.

1. Substituted for the words "a Chief Whip or a Deputy Chief Whip" by Act No 72 of 1976 and shall be deemed to have come into force w.e.f. 19-7-1976 and subsequently repealed by Act No. 22 of 2000, w.e.f. 29-11-2000