

**ACT XV of 1951**  
**THE LEGISLATIVE ASSEMBLY (REMOVAL OF**  
**DISQUALIFICATIONS) ACT, 1951**

*Preamble.-* Whereas, pursuant to sub-clause (a) of clause (1) of Article 191 of the Constitution of India read with Article 238 thereof, it is expedient to declare certain offices as offices which will not disqualify the holders thereof for being chosen as, and for being, members of the Legislative Assembly of the State of Kerala

It is hereby enacted as follows:-

1. *Short title and commencement.-* (1) This Act may be called the Legislative Assembly Removal of Disqualifications Act, 1951.

(2) It shall come into force at once.

2. *Removal of certain disqualifications for membership.-* (1) A person shall not be 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 is in receipt of the salaries for allowances to which he is entitled under the law for the time being in force relating to the payment of salaries and allowances to members of the Legislative Assembly of the State of Kerala or of traveling and daily allowances while serving as a member of any Committee or Board constituted by the Government of India or the Government of any State specified in the First Schedule to the Constitution of India, or

(ii) that he holds under the Government of India or the Government of any State specified in the First Schedule to the Constitution of India an office which is not remunerated either by salary or by fees payable out of the Consolidated Fund of India or of any such State, or

(iii) that he is a member of the Committee constituted to translate the Constitution of India into Malayalam, or

(iv) that he holds an office in any educational institution other than a Government institution.

(v) that he holds an office in the National Cadet Corps raised and maintained under the National Cadet Corps Act, 1948 (Central Act XXXI of 1948), or in the Territorial Army raised and maintained under the Territorial Army Act, 1948 (Central Act LVI of 1948.)

(vi) that he is a member of the Air Defence Reserve or the Auxiliary Air Force raised under the Reserve and Auxiliary Air Forces Act, 1952 (62 of 1952).

(vii) that he holds the office of Chairman or member of the Kerala State Law Commission; or

(viii) that he is the Chairman or the Vice-Chairman or a member of the State Planning Board constituted by the Government or a member of the Backward Classes

Reservation Commission constituted by the Government.

(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 or Vice-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) 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 that he holds or has held the office of the Chairman of the Administrative Reforms Commission.

*Explanation.-* For the purposes of this clause, “Administrative Reforms Commission” means a body of experts constituted by the State Government from time to time, to study different aspects of administration and recommend measures for its improvement.

3. *Removal of Certain other disqualifications for membership.-* A person shall not be deemed to be or to have been disqualified for being a member of the Legislative Assembly of the State of Kerala} by reason only that such person had prior to the commencement of this Act held under the State Government an office which was not a whole time office or that he had held an office in any educational institution other than a Government institution.

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