MEGHALAYA ACT 3 OF 1972

THE PREVENTION OF DISQUALIFICATION (MEMBERS OF THE LEGISLATIVE ASSEMBLY OF MEGHALAYA) ACT, 1972

(As passed by the Assembly)

(Received the assent of the Governor on the 23rd April, 1972)

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An

Act

to declare certain offices of profit not to disqualify their holders for being chosen as, and for being, members of the Legislative Assembly of Meghalaya.

Be it enacted by the Legislature of Meghalaya in the Twenty-third Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1972.

(2) It shall be deemed to have come into force on the 21st day of January, 1972.

Removal of disqualification in certain cases

2. A person shall not be disqualified or shall not be deemed ever to have been disqualified for being a member of the Legislative Assembly of Meghalaya by reason of the fact that he holds any of the offices specified in the Schedule in so far as it is an office of profit under the State Government.

Repeal of Meghalaya State Ordinances and 5 or 1972

3. The Prevention of Disqualification (Members of the Legislative Assembly of the State of Meghalaya) Ordinance, 1972 and the Prevention of Disqualification (Members of the Legislative Assembly of the State of Meghalaya) Ordinance, 1972 are hereby repealed.

THE SCHEDULE

(See Section 2)

1. Any office held by a Minister, Minister of State, Deputy Minister or Parliamentary Secretary for Meghalaya.

2. The office of the Minister of State or the Deputy Minister to the Government of Meghalaya.

See Section 2)
3. The office of the Parliamentary Secretary to the Government of Meghalaya.

4. The office of the Government Pleader or Public Prosecutor.

5. The office of the part-time. Professor, Lecturer, Instructor or Teacher in Government Educational Institutions.

6. Medical practitioner rendering part-time service to Government.

7. The office of the Chairman, Vice-Chairman or member of any Committee, Board or authority appointed by the Government of India or Government of any State specified in the First Schedule to the Constitution of India.

**Explanation:- 1** “Committee” means any Committee, Commission, Council 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.

**Explanation:- 2** “Board or Authority” means any corporation, company, society or any other body of one or more persons whether incorporated or not, established, registered or formed by or under any Central law or law of any State for the time being in force or exercising powers and functions under any such law.

8. Any office under the Government which is not a whole time office remunerated either by salary or fee.

9. The office of the Chairman, Chief Executive Member, or other Executive Member or ordinary member of a District Council in an autonomous District or any member nominated to such a District Council by the Governor.

10. Any office hold in the Territorial Army or National Cadet Corps.

11. The office of the Speaker or Deputy Speaker of the Legislative Assembly of the Meghalaya.

12. The office of the Chairman or Vice-Chairman of the Municipal Board.

13. Any office in a Village Defence Party (by whatever name called) constituted by or under the authority of the State Government.

14. The Office of Chairman or Member of the Committee of any Cooperative Society (which is registered under any law for the time being in force relating to the registration of Co-operative Societies) to which appointment is made by the State Government, or the office of Liquidator or Joint Liquidator to which appointment is made by the Registrar of Co-operative Societies or the Office of nominee of the Registrar whether appointed individually or to a board or nominees.