

21. केन्द्र या राज्य सरकार द्वारा या संघ लोक सेवा-आयोग या किसी अन्य राज्य लोक सेवा आयोग द्वारा आयोजित किसी परीक्षा के परीक्षक का पद ।
22. भारत सरकार द्वारा नियुक्त अनुसूचित जाति एवं अनुसूचित जनजाति आयोग के अध्यक्ष, उपाध्यक्ष या सदस्य का पद या राज्य सरकार द्वारा गठित झारखण्ड राज्य योजना बोर्ड के उपाध्यक्ष का पद ।

झारखण्ड राज्यपाल के आदेश से,
प्रशान्त कुमार,
सरकार के सचिव-सह-विधि परामर्शी
विधि (विधान) विभाग, झारखण्ड सरकार, राँची ।

अधिसूचना

29 अगस्त, 2006

संख्या एल०जी०16/2006-105/लेज०--झारखण्ड विधान मंडल द्वारा यथा-पारित और राज्यपाल द्वारा दिनांक 28 जून, 2006 को अनुमत झारखण्ड विधान-सभा (अनर्हता निवारण) अधिनियम, 2006 का निम्नांकित अंग्रेजी अनुवाद झारखण्ड राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है, जिसे भारतीय संविधान के अनुच्छेद 348 के खण्ड (3) के अधीन उक्त अधिनियम का अंग्रेजी भाषा में प्राधिकृत पाठ समझा जाएगा :-

Jharkhand Legislative (REMOVAL OF DISQUALIFICATIONS)

Act, 2006

[Jharkhand Act 16, 2006]

An Act to provide that holders of certain offices of profit shall not be disqualified for being chosen as, or for being, member of Jharkhand Legislative Assembly.

Whereas it is expedient to provide that holders of certain offices shall not be disqualified for being chosen as, or for being, members of Jharkhand Legislative Assembly.

It is hereby enacted as follows :-

1. Short title--This Act may be called the Jharkhand Legislative (Removal of Disqualifications) Act, 2006.
2. **Removal of Disqualifications for membership**-- A person shall not be and shall be deemed never to have been disqualified for being chosen as, or for being, a member of the Jharkhand Legislative Assembly by reason only of the fact that he holds any of the offices being offices of profit, mentioned in the Schedule.
3. **Determination of question arising after the commencement of the Act**--any question arising after the commencement of this Act as to any office being an office of profit under the Government of India or the Government of the State shall be determined as if the provisions of this Act had been in force at all material dates.

The Schedule

(Vide Section-2)

1. Speaker and Deputy Speaker of the State Legislative Assembly, including with the office of the acting Speaker under clause (1) of Articles 180 of the Constitution of India.
2. The Offices of Minister, State Minister and Deputy Minister.
3. The Office of Parliamentary Secretary.
4. Advocate General.
5. Government Pleader.
6. Public Prosecutor defined as in the Code of Criminal Procedure Code 1973.
7. Official Receiver appointed under the Provincial Insolvency Act, 1920 (5 of 1920).
8. The office of the Chief Whip, Deputy Chief Whip and Whip of the ruling Party and the post of Whip of the recognized main opposition Party in the Assembly.
9. Any office in the National Cadet Corps of the Territorial Army.
10. Any office in the Auxiliary Air Force or the Air Defence Reserve raised under the Reserved and Auxiliary Air Forces Act, 1952 (62 of 1952).
11. The offices of the Chairman or member of any Committee or body appointed by the central or a State Government or by a servant to the Government; provided that the Chairman or any member of such Committee or body does not receive any remuneration other than compensatory allowance.

Explanation (i) For the purpose of this item "compensatory allowances" shall mean-

(a) The travelling allowance, daily allowance, or any allowance in the shape of honorarium, which may be paid to the holder of the office for purpose of reimbursing the personal expenditure incurred by him in attending the meetings of the committee or body or performing any other functions as the holder of the said office; and

(b) The allotment of quarter and the provision for conveyance, and such other facilities, privileges and amenities to the holder of the office or cash payment in lieu thereof as the State Government, the Board or the managing authority of the committee or the body, as the case may be, may, by order made in this behalf, on such terms and conditions as may be mentioned therein, from time to time, determine.

Explanation (ii) For the purpose of the term, 'body' shall mean and include, Corporation, Trust, Board, Commission and Authority.

12. Any office under an insurer the management of whose controlled business has vested in the Central Government.

Explanation- For the purpose of this clause, the expression "controlled business" and the word "insurer" shall have the meanings respectively assigned to them in the Life Insurance (Emergency Provisions) Act, 1956 (9 of 1956).

13. The office of an agent or other like office under the Central Government or the State Government for the purpose of effecting sales of, or collecting subscriptions towards, National Plan Certificates for such Commission as the Central Government may have fixed in that behalf or without such commission.

Expalnation-For the purpose of the clause, a National Plan Certificate include-

- (i) 12 year's National Savings Certificate.
- (ii) 10 year's National Plan Certificate; and
- (iii) any other savings certificate or Government Securities notified as such by the Central Government.

- 14 The office of the Leader of opposition in the Jharkhand Legislative Assembly.
- 15 Chairman and Vice-Chairman or President and Vice-President or Managing Director or Director of a Statutory Body, or a member of any committee by Whatever name any of the aforesaid officer is called.
- Expalnation**-For the purpose of item 15, the office mentioned therein shall include any other office held jointly with the office or any office held jointly with the office mentioned in item 15 in the statutory body.
- 16 The office of a member of a Home Guard constituted under any law for the time being in force in any State.
- 17 The office of Chairman or member of the Syndicate, Senate, Executive Committee, Council or Court of a University or any other body connected with a University.
- 18 The office of the Vice-Chancellor of any University.
- 19 The office of any honorary medical officer or honorary assistant medical officer in a hospital under Government management.
- 20 A person drawing his service pension, political pension or grant, niansab, charitable grant or commutation sum of compensation in respect of a jagir, inam or other grant.
- 21 The office of an examiner for any examination held by the Central or State Government or by the Union Public Service Commission or any State Public Service Commission.
- 22 The office of the Chairman, Vice-Chairman, or Member of commission for Scheduled Castes and Scheduled Tribes appointed by the Government of India or the office of the Deputy Chairman of the Jharkhand State Planning Board constituted by the State Government.

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विधि (विधान) विभाग, झारखण्ड सरकार, राँची ।

अधीक्षक, झारखण्ड राजकीय मुद्रणालय, राँची द्वारा प्रकाशित एवं मुद्रित ।
झारखण्ड गजट (असाधारण) 476--300+400--शनि मुण्डा ।