



**The Arunachal Pradesh Legislature Members (Prevention of Disqualifications)
Act, 1977**

Act 4 of 1977

Keyword(s):
Disqualification of MLAs, Office of Profit.

Amendment appended: 9 of 2006

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THE ARUNACHAL PRADESH LEGISLATURE
MEMBERS (PREVENTION OF DISQUALIFICATIONS)

ACT, 1977

Act No. 4 of 1977

(Received the assent of the Lt. Governor on 19th September, 1977)

AN

ACT

to provide for the prevention of certain disqualifications for being chosen as, and for being, a member of the Arunachal Pradesh Legislative Assembly.

Whereas it is expedient to provide in accordance with the provisions of section 14(i) (a) of the Government of Union Territories Act, 1963 (No. 20 of 1963) that the holders of the offices hereinafter mentioned shall not be disqualified for being chosen as, and for being, a member of the Arunachal Pradesh Legislative Assembly.

It is hereby enacted by the Legislative Assembly of Arunachal Pradesh in the Twenty-eighth Year of the Republic of India as follows:—

1. (i) This act may be called the Arunachal Pradesh Legislature Members (Prevention of Disqualifications) Act, 1977; (ii) It extends to the whole of Arunachal Pradesh. (iii) It shall come into force at once.

Short title, extent and commencement.

2. A person shall not be disqualified for being chosen as, or for being, a member of the Arunachal Pradesh Legislative Assembly by reason of the fact that he holds any of the offices being offices of profit specified in the Schedule appended hereto.

Removal of certain disqualifications for membership.

THE SCHEDULE

(See section 2)

1. Gaonbura, whether called by this or any other title
2. Any office held in the Territorial Army or National Cadet Corps or Auxiliary Air Force or Air Defence Reserve.
3. The office of Chairman, Vice-Chairman or members of any Committee, Society, Board or authority appointed by the Government of India or the Government of any State or Union Territory 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.

4. Any office under the Government, which is not a whole-time office remunerated either by salary or fees.
5. The office of part-time Professor, Lecturer, Instructor or Teacher in Government educational institutions.
6. Medical practitioner rendering part-time service to Government.
7. Any office in the Home Guard which is not whole-time and is not remunerated by salary or fees.
8. The office of Village Volunteer in the SSB Organisation.
9. Any office held by a Minister of State or Deputy Minister for the Union or any State specified in the First Schedule to the Constitution of India.

NOTE: Published in the Arunachal Pradesh Gazette, Extraordinary, No. 48, dated October 3, 1977.

THE ARUNACHAL PRADESH LEGISLATURE
MEMBERS (PREVENTION OF
DISQUALIFICATIONS) (AMENDMENT) ACT, 2006

(ACT NO. 9 OF 2006)

(Received the assent of the Governor on
15th May, 2006)

AN

ACT

*further to amend the Arunachal Pradesh Legislature
Members (Prevention of Disqualifications) Act, 1977
(Act No. 4 of 1977).*

BE it enacted by the Legislative Assembly of
Arunachal Pradesh in the Fifty-seventh year of the
Republic of India as follows :-

1. (1) This Act may be called the Arunachal
Pradesh Legislature Members (Prevention of
Disqualifications) (Amendment) Act, 2006.

Short title and
commence-
ment.

(2) It shall be deemed to have come into force with
effect from 1st day of September, 2004.

2. In the Schedule appended to section 2 of the
Arunachal Pradesh Legislature Members (Prevention of
Disqualifications) Act, 1977 (hereinafter referred to as
the Principal Act), -

Amendment
of the Sched-
ule.

(1) In para 3, after explanation (2) the following
explanation shall be inserted, namely :-

"Explanation (3) - For the purpose of this section,
the office of Chairman shall include every office of that
description by whatever name called and the office of
Vice-Chairman shall include every office of that
description by whatever name called."

(2) In para 4, after the word "fee", the following
words shall be inserted, namely :-

"or any office under the Government which is
declared by the State Government to be not an
office of profit within the meaning of article 191 (1)
(a) of the Constitution of India".

(3) In para 9, the article 'a' shall be deleted and the words "Chief Minister", "Minister" shall be inserted after the words "Any office held by" and before the words "Minister of State".

(4) After para 10, the following paras shall be added, namely :-

"11. The office of the Speaker and Deputy Speaker of the Arunachal Pradesh Legislative Assembly.

12. The office of the Chief Whip and Deputy Chief Whip in the Arunachal Pradesh Legislative Assembly or of a Parliamentary Secretary.

13. The office of the Advisor to the Chief Minister of Arunachal Pradesh."