



The Punjab Legislature (Prevention of Disqualification) Act, 1952

Act 7 of 1952

Keyword(s):

Office of Profit, Disqualification from Elected Office

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PUNJAB STATE LEGISLATURE (PREVENTION OF DISQUALIFICATION) ACT, 1952.

PUNJAB ACT NO. 7 OF 1952.

[Received the assent of the Governor of Punjab on the 7th of August, 1952, and was first published in the Punjab Government Gazette (Extra-ordinary) of the 9th August, 1952.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1952	7	Punjab State Legislature (Prevention of Disqualification) Act, 1952	Amended by Punjab Act 7 of 1954 ² Amended by Punjab Act 25 of 1956 ³ Amended by Punjab Act 41 of 1956 ⁴ Extended to Pepsu Territory and amended by Punjab Act 33 of 1957 ⁵ Amended by Punjab Act 40 of 1960 ⁶ Amended by Punjab Act 3 of 1963 ⁷ Amended by Punjab Act 8 of 1964 ⁸ Amended by Punjab Adapatation of laws (State and Concurrent subjects) order, 1968

1. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary) dated 10th July, 1952, pages 548-49; for proceedings in the Assembly, see *Punjab Legislative Assembly Debates*, 1952, Volume II, pp. (24)43—(24) 62 and (30)4—(30)6 for proceedings in the Council see *Punjab Legislative Council Debates*, 1952, Volume II, pp. (16)3-(16)4.

2. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1954 page 62.

3. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1956 page 1076

4. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary) 1956 page 1298.

5. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary) 1957 page 1638.

6. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1960 page 2048.

7. For Statement of Objects and Reasons see *Punjab Government Gazette* (Extraordinary)k 1963, page 212.

8. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1964 page 124,

An Act to declare certain offices of profit not to disqualify their holders for being chosen as, and for being, members of the State Legislature.

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Punjab State Legislature (Prevention of Disqualification) Act, 1952.
- (2) It shall be deemed to have come into force on the 26th day of January, 1950.

Prevention of disqualification for membership of State Legislature.

2. A person shall not be disqualified for being chosen as, and for being, a member of the Punjab State Legislature by reason only of the fact that he holds any of the following offices of profit under the Government of India or under the Government of the State of Punjab, namely:—

(a) Lambardar;

¹[(b) Sub-Registrar, whether departmental or honorary, notary Public, Oath Commissioners or an official receiver who is not a whole-time salaried Government servant, or any person who holds any office of profit under an insurer the management of whose controlled business has vested in the Central Government under the Life Insurance [Emergency Provisions) Act, 1956 (Central Act No. 9 of 1956);]

²(c) Officers, non-commissioned officers and persons enrolled under the Territorial Army Act, 1948 (Act LVI of 1948); persons enrolled under the National Cadet Corps Act, 1948 (Act XXXI of 1948); and persons of the Auxiliary Air Force or the Air Defence Reserve under the Reserve and Auxiliary Air Force Act, 1952 (Act LXII of 1952);],

³[(cc) the office of a member of the Punjab Home Guards constituted under the Punjab Home

1. *Substituted* by Punjab Act 33 of 1957, Schedule.

2. *Substituted* by Punjab Act 41 of 1956 Section 2, previously it was amended by Punjab Act 7 of 1954.

3. *Inserted* by Punjab Act 3 of 1963, section 2.

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Guards Act, 1947, or the office of a member of the Civil Defence Service deemed to be constituted under section 7 of the Defence of India Act, 1962],

- (d) Officer in the Army Reserve of Officers;
- (e) A member of any statutory body or authority, or a member of any Committee or other body, appointed or constituted by the Punjab Government ¹[for the Union Government] and who is not in receipt of a salary but who is paid only travelling and daily allowance during the performance of his duties;
- (f) A Parliamentary Secretary or a Parliamentary Under-Secretary;
- ²[(g) A Deputy Minister;]
- ³[(h) the office of the adviser and Co-ordinator (Prohibition) set up temporarily for the period commencing on the 11th June, 1963 and ending on the 7th November, 1963 and the office of the Honorary Adviser to the State Government Co-operation Department or any other Department.]

⁴[2-A * * * * *]

Repeal

3. The Punjab Legislative Assembly (Removal of Disqualifications) Act, 1937 and the Punjab Provisional Legislature (Prevention of Disqualification) Act, 1950, are hereby repealed.

1. *Inserted* by Punjab Act, 41 of 1956, section 2.

2. *Inserted* by Punjab Act 25 of 1956, section 2.

3. *Inserted* by Punjab Act 8 of 1964.

4. Section 2—A omitted by Punjab Adaptation of Laws (State and concurrent subjects) orders, 1968, which was inserted by Punjab Act 40 of 1960, section 2.