The Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967

3 of 1967

Keyword(s):
Office of Profit, Disqualification of MLA's


[Received the assent of the Governor on the 10th April 1967, first published in the Fort St. George Gazette on the 12th April 1967 (Chaitra 22, 1889).]

An Act to declare that certain offices of profit under the Government shall not disqualify the holders thereof for being chosen as, or for being, members of the State Legislature.

Be it enacted by the Legislature of the [State of Tamil Nadu] in the Eighteenth Year of the Republic of India as follows:—

1. This Act may be called the [Tamil Nadu] Legislature (Prevention of Disqualification) Act, 1967.

(2) It shall be deemed to have come into force on the 1st day of April 1964.

2. It is hereby declared that none of the offices specified in the Schedule shall disqualify, or shall be deemed ever to have disqualified, the holder thereof for being chosen as, or for being, a member of the Legislative Assembly or of the Legislative Council.

1 These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

2 For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 25th March 1967, Part IV—Section 3, page 10.

3 This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.
3. [The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951).]

4. [The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Home Guard Act, 1963 (Tamil Nadu Act 3 of 1963).]

5. The Madras Legislature (Prevention of Disqualification) Ordinance, 1966 (Madras Ordinance 4 of 1966) is hereby repealed.

THE SCHEDULE.

(See section 2).

1. The office of Minister of State or Deputy Minister for the Union or for any State.


3. The office of Sheriff in the City of Madras.

4. The office of member of any delegation or Mission sent outside India by the Government for any special purpose.
5. The office of member of a committee (not being a body specified in item 11), set up temporarily for the purpose of advising the Government or any other authority in respect of any matter of public importance or for the purpose of making an inquiry into, or collecting statistics in respect of, any such matter.

6. The office of member of any force raised or maintained under the National Cadet Corps Act, 1948 (Central Act XXXI of 1948), the Territorial Army Act, 1948 (Central Act LVI of 1948), or the Reserve and Auxiliary Air Forces Act, 1952 (Central Act LXII of 1952).

7. The office of member of a Home Guard constituted under any law for the time being in force in any State.

1[7-A. The office of member of a District Development Council].

8. The office of honorary medical officer or honorary assistant medical officer in any hospital maintained by the Government.

9. The office of examiner or assistant examiner for any examination held by the Central or State Government or by the Union or State Public Service Commission.

10. The office of director of the—

2[(1) * * * ]

2[(2) Neyveli Lignite Corporation, Limited ;

3[(2-A) Tamil Nadu Handicrafts Development Corporation Limited ;

3[(3) * * * * ]

1 This item was inserted by section 2(1) of the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1971 (Tamil Nadu Act 46 of 1971).

2 The sub-items (1) and (3) in item 10 were omitted by subsection (1)(a) of section 2 of the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1975 (Tamil Nadu Act 53 of 1975).

3 This sub-item was added by section 2(1)(b), ibid.
11. 1The office of chairman, member or secretary
of the-

(1) Advisory Committee for a Rural Extension
Training Centre;

(2) Advisory Committee for Iron and Steel under
Agricultural Quota and Agricultural Implements;

(3) Board of Examiners for Cinema Operators;

(4) Board of Visitors under rule 41 of the Suppres-
sion of Immoral Traffic in Women and Girls 2[Tamil Nadu]
Rules, 1958;

(5) Committees for the Selection of Auxiliary
Nurse Midwife Pupils;

(6) Committee for the Selection of Nurse Pupils;

(7) Forage Resources Board;

3[(8) Tamil Nadu State Film Advisory Board];

(9) Managing Committees for the Aftercare Homes
at Madras and Vellore;

(10) State Agricultural Advisory Committee;

(11) State Campaign Committee for Freedom from
Hunger;

(12) State Committee on Employment;

1 These words were substituted for the words "The office of
chairman, member or secretary" by sub-section 2 (a) of section 2 of the Tamil

2 These words were substituted for the word "Madaras" by the
Tamil Nadu Adaptation of Laws Order, 1969, as amended by the
Tamil Nadu Adaptation of Laws (Second Amendment) Order,
1969.

3 This sub-item was substituted for the following sub-item
by paragraph 3 (1) of, and the Schedule to, the Tamil Nadu
Adaptation of Laws Order, 1970, which was deemed to have
come into force on the 14th January 1969:—

"(8) Madras State Film Advisory Board", "(8) Madras State Film Advisory Board".
(13) State Level Co-ordination Committee on Training;

(14) State Social Welfare Board;

(15) Allocation Committee under the Employees State Insurance (Medical Benefit) Panel System Rules, 1954;

¹(16) Board of Examinations, Tamil Nadu;

(17) Board of Studies to review the existing syllabi and curricula for the various courses conducted in the polytechnics and to suggest suitable modifications;

(18) Greater Madras Road Development and Traffic Planning Committee;

(19) Madras City Road Development and Traffic Planning Committee;

¹(20) Tamil Nadu State Road Development and Traffic Planning Committee;

(21) Medical Service Committee;

(22) Project Level Committees for Rural Industries at Nanguneri, Omalur and Sriperumpudur;

(23) State Level Advisory Committee for Rural Industries;

(24) Wenlock Downs Advisory Committee;

¹(25) Inspection Committee, Tamil Nadu;

(26) ¹[Tamil Nadu State Khadi and Village Industries Board] established under the ²[Tamil Nadu] Khadi and Village Industries Board Act, 1959 (²[Tamil Nadu] Act 18 of 1959);

¹ These expressions were substituted for the following expression by paragraph 3 (1) of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969, namely:

“¹(16) Board of Examinations, Madras; (20) Madras State Road Development and Traffic Planning Committee; (25) Inspection Committee, 'Madras'; ²Madras State Khadi and Village Industries Board”.

² These words were substituted for the word “Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969,
(27) 1[Tamil Nadu State Housing Board] constituted under the 2[Tamil Nadu] State Housing Board Act, 1961 (2nd Tamil Nadu) Act 17 of 1961;

(28) 3[Tamil Nadu Warehousing Corporation] established under the Warehousing Corporations Act, 1962 (Central Act 58 of 1962);

4[(29) Panchayat Development Consultative Committee on Administration and Works, Production Programmes and Welfare Services Programmes;

(30) State Cotton Committee;

(31) All-India Handicrafts Board;

(32) Central Advisory Committee for Consumer Co-operatives;

(33) Central Committee on Employment;

(34) Central Poultry Development Advisory Council;

(35) Coal Development Council;

(36) Committee on Untouchability, Economic Uplift and Educational Development of Scheduled Castes;

(37) Court of the Forest Research Institute and Colleges, Dehra Dun;

(38) Employees' State Insurance Corporation;

(39) Export Advisory Committee for books and periodicals;

(40) Film Export Advisory Committee;

(41) Khadi and Village Industries Committee;

(42) Indian Coconut Development Council;

(43) Indian Sugarcane Development Council;

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1 This expression was substituted for the following expression by paragraph 3 (1) of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969, namely:—

"Madras State Housing Board".

2 These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

3 This expression was substituted for the expression "Madras State Warehousing Corporation" vide G.O. Ms. No. 403, Food, dated 25th April 1969.

4 The sub-items (29) to (58) were added by sub-section (2) (b) of section 2 of the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1971 (Tamil Nadu Act 46 of 1971),
(44) Medical Benefit Council of the Employees' State Insurance Corporation;
(45) Mental Health Advisory Committee;
(46) National Committee for International Council of Scientific Unions;
(47) National Committee on Training in Community Development and Extension;
(48) National Commission on Labour;
(49) National Food and Agriculture Organisation Liaison Committee;
(50) National School Health Council;
(51) Panel for Air-conditioning and Refrigeration Industry;
(52) Railway Catering and Passenger Amenities Committee;
(53) Small Scale Industries (Official Level) Committee;
(54) State Advisory Committee for the Territorial Army in Delhi;
(55) Standing Technical Committee;
(56) State Advisory Committee for the Territorial Army in the State of Bihar;
(57) Selection Committees for the Marine Fisheries Training Centres at Colachel, Tuticorin, Mandapam, Nagapattinam, Cuddalore, Mettur and Madras;
* (58) Tamil Nadu Agro-Industries Corporation;]
[ (59) Tamil Nadu State Board for Salt and Allied Chemicals;
(60) Sub-Committee to fix ex-mill and ex-depot prices of Yarn produced in Co-operative Spinning Mills;
(61) State Level Advisory Committee for Co-operative Spinning Mills;
(62) Committee for selecting drama scripts and troupes on Family Planning.]

*Sub-item (58) was deemed to have come into force on 7th April 1971; and other items except sub-item (58) were deemed to have come into force on the 1st April 1964 by sub-section (2) of section 1 of the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1971 (Tamil Nadu Act 46 of 1971).

1 The sub-items (59) to (62) were added by sub-section (2) of section 2 of the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1975 (Tamil Nadu Act 53 of 1975).
THE TAMIL NADU LEGISLATURE (PREVENTION OF DISQUALIFICATION) AMENDMENT ACT, 1983.

[Received the assent of the Governor on the 28th February 1983, first published in the Tamil Nadu Government Gazette Extraordinary on the 1st March 1983 (Masi 17, Thiruvalluvar Aanu 2014).]

An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1983.

(2) Section 2 except in so far as it relates to addition of item 11 (71) to the Schedule to the principal Act shall be deemed to have come into force on the 9th June 1980 and the said section in so far as it relates to the addition of item 11 (71) to the said Schedule shall be deemed to have come into force on the 13th December 1982.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967 (Tamil Nadu Act 3 of 1967) (hereinbefore referred to as the principal Act), in item 11,—

(1) sub-item (28), shall be omitted;

(2) after sub-item (62), the following sub-items shall be added, namely:—

"(63) State Wakf Board;

(64) Minimum Wages Advisory Committee for employment in various trades, appointed under section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948);

(65) Minimum Wages (State) Advisory Board, appointed under section 7 of the Minimum Wages Act, 1948 (Central Act XI of 1948);"
(66) Press Accreditation Committee;

(67) State Level Advisory Committee for Co-operative Sugar Mills;

(68) State Labour Advisory Board;

(69) Tamil Nadu Tourism Development Corporation Limited;

(70) Tamil Nadu State Tube Wells Corporation Limited;

(71) Second Backward Classes Commission constituted in G.O. Ms. No. 3078, Social Welfare Department, dated the 13th December 1982;

(72) State Advisory Board for National Savings;

(73) State Industries Promotion Corporation of Tamil Nadu Limited;

(74) Tamil Nadu Small Industries Development Corporation Limited;

(75) Tamil Nadu Industrial Investment Corporation Limited;

(76) Tamil Nadu Small Industries Corporation Limited;

(77) Tamil Nadu Textile Corporation Limited;

(78) Tamil Nadu Ceramics Limited;

(79) Tamil Nadu Handloom Finance and Trading Corporation Limited;

(80) Tamil Nadu Theatre Corporation Limited;

(81) Tamil Nadu Forest Plantation Corporation Limited;

(82) Tamil Nadu Tea Plantation Corporation Limited;

(83) Tamil Nadu Dairy Development Corporation Limited;

(84) Tamil Nadu Sugarcane Farm Corporation Limited;

(85) Tamil Nadu Harijan Housing and Development Corporation Limited;

(86) Tamil Nadu Agro Engineering and Service Co-operative Federation Limited.”
The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 7th June 1986 and is hereby published for general information:

**ACT No. 34 OF 1986.**

*An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.*

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:

1. **Short title.**—This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1986.

2. **Amendment of Schedule to Tamil Nadu Act 3 of 1967.**—In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967 (Tamil Nadu Act 3 of 1967),—

   (1) in item (10), after sub-item (2-a), the following sub-item shall be inserted, namely:

   "(2-b) Tamil Nadu Backward Classes Economic Development Corporation (Private) Limited."

   (2) in item (11), after sub-item (86), the following sub-item shall be added, namely:

   "(87) State Organising Committee for Nehru Yuvak Kendras."

3. **Certain offices of State Organising Committee for Nehru Yuvak Kendras not to disqualify.**—The office of the Chairman, Member or Secretary of the State Organising Committee for Nehru Yuvak Kendras shall not be deemed to have disqualified the holder thereof, for being a member of the Legislative Assembly with effect on and from the 28th January 1981.

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government, Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 19th May 1989 and is hereby published for general information:—

ACT No. 12 OF 1989.

An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fortieth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1989.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, in item 11, in the opening paragraph, for the expression "The office of chairman, member or secretary", the expression "The office of chairman, vice-chairman, member or secretary" shall be substituted.

3. The office of vice-chairman, State Advisory Board for National Savings shall not be deemed to have disqualified the holder thereof for being a member of the Legislative Assembly with effect from and from the 25th February 1989.

(By order of the Governor.)

P. JEYASINGH PETER,
Secretary to Government, Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 31st March 1993 and is hereby published for general information:—

ACT No. 8 OF 1993.

An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1993.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, in item 11,—

(a) in the opening paragraph, for the expression "The office of chairman, vice-chairman, member or secretary," the expression "The office of chairman, president, vice-chairman, vice-president, member or secretary" shall be substituted;

(b) for sub-item (85), the following sub-item shall be substituted,

"(89) Tamil Nadu Adi-Dravidar Housing and Development Corporation;"

and after sub-item (87) the following sub-items shall be added,

"(88) Tamil Nadu Water Supply and Drainage Board constituted under the Tamil Nadu Water Supply and Drainage Board Act, 1970 (Tamil Nadu Act 1 of 1970);

(89) Tamil Nadu Corporation for Development of Women Limited;

(90) Tamil Nadu Co-operative Milk Producers' Federation;

(91) Tamil Nadu Fisheries Development Corporation Limited;

(92) Tamil Nadu Leather Development Corporation;

(93) Tamil Nadu Slum Clearance Board established under the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act 11 of 1971);

(94) Tamil Nadu Text Book Corporation Limited;

(95) Tamil Nadu Handloom Weavers' Co-operative Society;

(96) Tamil Nadu Poultry Development Corporation;

(97) Tamil Nadu Medicinal Plant Farms and Herbal Medicine Corporation Limited."

(By order of the Governor.)

M. MUNIRAMAN,
Secretary to Government, Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 9th July 1995 and is hereby published for general information:

ACT No. 24 OF 1995.

An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows:

1. (1) This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1995.

(2) Clause (a) of section 2 shall be deemed to have come into force on the 21st day of May, 1993 and clause (b) of section 2 shall be deemed to have come into force on the 5th day of November, 1993.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, in item 11,—

(a) in the opening paragraph, for the expression “The office of chairman, president, vice-chairman,” the expression “The office of the chairman, president, chairman-cum-managing director, vice-chairman,” shall be substituted;

(b) for sub-item (90), the following sub-item shall be substituted, namely:

“(90) (a) Tamil Nadu Co-operative Milk Producers' Federation;

(b) District Co-operative Milk Producers' Unions;”.

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government,
Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 23rd December 1998 and is hereby published for general information:—


An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1998. Short title.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, in item 11, after sub-item (97) the following sub-item shall be added, namely:—

"(98) State Council for Vocational Training."

(By Order of the Governor.)

A. K. RAJAN.
Secretary to Government.
Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 31st May 2000 and is hereby published for general information:—

**ACT No. 22 OF 2000.**

_An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967._

But it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 2000.

(2) Section 2, except in so far as it relates to the addition of item 11 (99) to the Schedule to the principal Act, shall come into force at once and the said section in so far as it relates to the addition of item 11 (99) to the said Schedule shall be deemed to have come into force on the 23rd day of September 1996.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967 (hereinbefore referred to as the principal Act), in item 11, after sub-item (98), the following sub-items shall be added, namely:—

"(99) Sports Development Authority of Tamil Nadu;

(100) District Man-power Planning and Employment Generation Council;

(101) Tamil Nadu Palm Products Development Board."

(By order of the Governor)

K. PARTHASARATHY,
Secretary to Government,
Law Department.
An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 2014.

(2) It shall come into force at once.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, the following item shall be added at the end, namely:—

“12. The office of the chairman, chairperson, director or member of any statutory or non-statutory body, other than those specified above, on being elected, appointed or nominated to such office by the Legislative Assembly or the State Government, as the case may be, if the holder of such office is not entitled to any remuneration other than compensatory allowance.

Explanation.—For the purposes of this item,—

(a) “compensatory allowance” means any sum of money payable to the holder of an office by way of daily allowance, conveyance allowance, house rent allowance or travelling allowance for the purpose of enabling him to recoup any expenditure incurred by him in performing the functions of that office;

(b) “statutory body” means any corporation, committee, commission, authority, board, society, trust (by whatever name called) or other body of persons, whether incorporated or not, established by or under any law for the time being in force;

(c) “non-statutory body” means any body of persons other than a statutory body.”.

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 2nd September 2014 and is hereby published for general information:—

**ACT No. 15 OF 2014.**

*An Act further to amend the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967.*

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Legislature (Prevention of Disqualification) Second Amendment Act, 2014.

   (2) It shall be deemed to have come into force on the 27th day of September, 2013.

2. In the Schedule to the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, in item 11, for sub-item (94), the following sub-item shall be substituted, namely:—

   “(94) Tamil Nadu Text Book and Educational Services Corporation;”.

(By Order of the Governor)

**G. JAYACHANDRAN,**

*Secretary to Government,*

*Law Department.*