

The Manipur Legislature (Removal of Disqualifications) Act, 1972 Act 1 of 1973

Keyword(s):

Compensatory Allowance, Legislature, Disqualification, Removal, MLA, Member

Amendments appended: 1 of 1975, 28 of 1976, 2 of 1981, 11 of 2006, 18 of 2021

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THE MANIPUR LEGISLATURE (REMOVAL OF DISQUALIFICATIONS) ACT, 1972

MANIPUR ACT NO. 1 OF 1973

An Act to declare in accordance with the provisions contained in sub-clause (a) of clause (1) of article 191 of the Constitution of India that the holders of certain offices of profit under the Government of India or the Government of any State specified in the First Schedule to the Constitution of India shall not be disqualified for being chosen as, and for being, members of the Manipur Legislative Assembly.

It is hereby enacted by the Legislature of Manipur in the Twenty-third Year of the Republic of India as follows:—

- **1. Short title and commencement.**—(1) This Act may be called the Manipur Legislature (Removal of Disqualifications) Act, 1972.
 - (2) It shall come into force at once.
- **2. Removal of certain disqualification for membership.**—(1) It is hereby declared that a person shall not be disqualified for being chosen as, and for being, a member of the Manipur Legislative Assembly by reason only of the fact that he holds any of the following offices of profit under the Government of India or the Government of any State specified in the First Schedule to the Constitution of India, namely:—
 - (a) an office of the Parliamentary Secretary or Deputy-Chairman of the State Planning Board, Manipur or the Chairman of the Hill Areas Committee of the Manipur Legislative Assembly;
 - (b) an office which is not a whole time office remunerated either by salary or by fees;
 - (c) the office of a Minister of State or of a Deputy Minister;
 - (d) the office of the Speaker or the Deputy Speaker of the Manipur Legislative Assembly;
 - (e) the office of the Chief Whip or Deputy Chief Whip or Whip in Parliament or in the Manipur Legislative Assembly;
 - (f) Chairman of the District Council, Manipur;
 - (g) Chairman of the Manipur State Pay Commission;
 - (h) Chairman or Vice-Chairman, Manipur Khadi and Village Industries Board, Imphal.
- (2) Notwithstanding any judgment or order of any Court or Tribunal, the aforesaid offices from clauses (c) to (h) shall not disqualify or shall be deemed never to have disqualified the holders thereof for being chosen as, or for being, members of the Manipur Legislative Assembly as if this Act had been in force on 6th day of February, 1973.



PUBLISHED BY AUTHORITY

Friday, April 25, 1975 (Vaisakha 5, 1897)

GOVERNMENT OF MANIPUR

NO. 2/1/75-Act/Lcg.

SECRETARIAT: LAW DEPARTMENT Imphal, the 25th April, 1975.

The following Act of the Legislature of Manipur which received Assent of the Governor on 22-4-75 is hereby published in the Manipur Gazette.

> S. Sarat Singh, Under Secretary (Law), Govt. of Manipur.

THE MANIPUR LEGISLATURE (REMOVAL OF DISQUALIFICA-TIONS) (AMENDMENT) ACT, 1975.

(Manipur Act 1 of 1975)

ACT

To amend the Manipur Legislature (Removal of Disqualifications) Act, 1972 Manipur Act 1 of 1973).

Thereby enacted by the Legislature of Manipur in the Twenty-sixth Year of Republic of India as follows:—

1. (1) This Act may be called the Manipur Legislature (Removal of Disqualifications) (Amendment) Act, 1975.

(2) This Act shall be deemed to have come into force with effect from 6th February, 1973.

2. (1) The existing section 2 of the Manipur Legislature (Removal of Disqualifications) Act, 1972 (hereinaster referred to as the 'Act') shall the renumbered as sub-section (1) of section 2 of the Act; and for the full-stop occurring after the word "fees" at the end of clause (b) of subsection (1) so renumbered a semi colon shall be substituted and thereafter the following clauses shall be inserted, namely:--

the office of a Minister of State or of a Deputy Minister;

the office of the Speaker or the Deputy Speaker of the Manipur Legislative Assembly;

the office of the Chief Whip or Deputy Chief Whip or Whip in Parliament or in the Manipur Legislative Assembly;

Short title commence-

Amendment of section 2 Manipur Act 1 of 1973.

- (f) Chairman of the District Council, Manipur;
- (g) Chairman of the Manipur State Pay Commission".
- (2) After sub-section (1) of section 2 of the Act so renumbered the following sub-section (2) shall be inserted, namely:—
 - "(2) Notwithstanding any judgment or order of any Court or Tribunal, the aforesaid offices from clauses (c) to (g) shall not disqualify or shall be deemed never to have disqualified the holders thereof for being chosen as, or for being members, of the Manipur Legislative Assembly as if this Act had been in force on 6th day of February, 1973".

Repeal.

3. The Manipur Legislature (Removal of Disqualifications) (Amendment) Ordinance, 1975 (Manipur Ordinance No. 1 of 1975), shall stand repealed on the day this Act comes into force.

Imphal—Printed & published by tho Supdt., Ptg. & Sty., Manipur-350-C/25-4-75.

Maninum



Gazette

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 105 (M)

Imphal, Tuesday, October 26, 1976 (Kartika 4, 1898)

GOVERNMENT OF MANIPUR SECRETARIAT: LAW DEPARTMENT Imphal, the 26th October, 1976

No. 2/38/76-Act/Leg--The following Act of the Legislature, Manipur which received assent of the Governor on 20-10-76 is hereby published in the Manipur Gazette.

I. BIJOY SINGH.

Deputy Secretary (Law) to the Govt. of Manipur.

THE MANIPUR LEGISLATURE (REMOVAL OF DISQUALIFICATION) (SECOND AMENDMENT) ACT, 1976

(Manipur Act No. 28 of 1976)

An Act

to further amend the Manipur Legislature (Removal of disqualification) Act, 1972 (Manipur Act 1 of 1973).

Be it enacted by the Legislature of Manipur in the Twenty seventh Year of Republic of India as follows:—

1. (1) This Act may be called the Manipur Legislature (Removal of Disqualification) (Second Amendment) Act, 1976.

Short Title & Commons.

- (2) It shall come into force at once.
- 2. In Sub-Section (1) of Section 2 of the Manipur Legislature (Removal of Disqualification) Act, 1972 (Manipur Act 1 of 1973), the following clause (h) shall be added after Clause (2), namely:—

Insertion of a new Clauss. in Section 2.

(h)... Chairman or Vice-Chairman, Manipur Khadi and Village Industries Board, Imphal.

Printed by the Supdi., Pig. & Siy., Manipur at the Govt Press, Imphal/500-C/26-10-76.

Manipur



GAZCLIE

BXTRAORDINARY PUBLISHED BY AUTHORITY

No. 194 Imphal, Monday, September 21, 1981 (Bhadra 30, 1903)

GOVERNMENT OF MANIPUR
SECRETARIAT: LAW & LEGISLATIVE AFFAIRS
DEPARTMENT

Imphal, the 21st September, 1981

No. 2/56/80-Leg/L.—The following Act of the Legislature, Manipur which received assent of the Governor on 8-9-81 is hereby published in the Manipur Gazette.

A. SUKUMAR SINGH, Under Secretary (Law) to the Govt. of Manipur.

THE MANIPUR LEGISLATURE (REMOVAL-OF DISQUALIFICATIONS) (THIRD AMENDMENT)

ACT, 1981

(Manipur Act No. 2 of 1981)

AN ACT

further to amend the Manipur Legislature (Removal of Disqualifications) Act, 1972 (Manipur Act of 1972).

BE it enacted by the Legislature of Manipur in the Thirty-second Year of Republic of India as follows:

1. (1) This Act may be called the Manipur Legis-lature (Removal of Disqualifications) (Third Amendment) Act, 1981.

Short title & commence-

(2) This Act shall be deemed to have come into force from the 6th February, 1973.

Amendment of section 2.

- 2. (1) In clause (a) of sub-section (1) of section 2 of the Manipur Legislature (Removal of Disqualifications) Act, 1972 (hereinalter referred to as the Principal Act), for the words "Vice-Chairman of the State Planning Committee", the words "Deputy Chairman of the State Planning Board, Manipur" shall be substituted.
- (2) In sub-section (2) of section 2 of the Principal Act, for the words and brackets "from clauses (c) to (g)", the words and brackets "from clauses (c) to (h)" shall be substituted.

Printed at the Directorate of Ptg. & Sty., Manipur/350-C/21-9-81.



GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 97 Imphal, Friday, June 9, 2006 (Jyaistha 19, 1928)

GOVERNMENT OF MANIPUR SECRETARIAT: LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION

Imphal, the 8th June, 2006

No. 2/52/2006-Leg/L:— The following Act of the Legislature, Manipur which received assent of the Governor on 8-6-2006 is hereby published in the Manipur Gazette.

THE MANIPUR LEGISLATURE (REMOVAL OF DISQUALIFICATIONS)
FOURTH AMENDMENT ACT, 2006
(Manipur Act No. 11 of 2006)

An Act

further to amend the Manipur Legislature (Removal of Disqualifications) Act, 1972.

Be it enacted by the Legislature of Manipur in the Fifty-seventh Year of the Republic of India as follows:

- 1. Short title and commencement.- This Act may be called the Manipur Legislature (Removal of Disqualifications) Fourth Amendment Act, 2006.
- 2. Insertion of new section.- After section 1 of the Manipur Legislature (Removal of Disqualifications) Act, 1972 (hereinafter referred to as the principal Act), the following new section 2 shall be inserted namely.-
 - "2. Definitions.- In this Act, unless the context otherwise requires -
 - (a) "compensatory allowance" means any sum of money payable to the holder of an office by way of daily allowance (such allowance not exceeding the amount of daily allowance to which a Member of the

Manipur Legislative Assembly is entitled under the Salaries and Allowances of Members of the Legislative Assembly (Manipur) Act, 1972), any conveyance allowance or traveling 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, council, board 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.
- 3. Amendment of section 2. The existing section 2 of the principal Act shall be re-numbered as section 3. In sub-section (1) of section 3 so re-numbered, for the words "and for being", the words "or for being" shall be substituted and thereafter after clause (h) thereto, the following clauses shall be inserted and shall be deemed to have been inserted with effect from February 6, 1973 or the date on which the offices indicated below came into existence or whichever is later, namely,-
 - "(i) any office held by the Chief Minister or a Minister or Minister of State whether ex-officio or by name or under a statute;
 - (j) the office of Leader of Opposition or leader of a recognized political party or recognized group in the Manipur Legislative Assembly;
 - (k) the office of Chairperson or Chairman or Vice-Chairperson or Vice-Chairman or Member or Director (by whatever name called) in any statutory or non-statutory body specified below-
 - (i) the Kangla Fort Board, a body constituted on 26.11.2004 under the Manipur Kangla Fort Act, 2005 Vide Order No.5/10/93-S(AC) Pt dated 26.11.2004;
 - (ii) the State Town and Country Planning Board, a body constituted under the Manipur Town & Country Planning Act, 1975;

- the Loktak Development Authority, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No.333/IMPH of 1986 dated 25.3.1986 or the Loktak Development Authority that may be constituted under the Manipur Loktak Lake (Protection) Act, 2006;
- (iv) the Programme Implementation Committee, Manipur set up on 6.7.2004;
- (v) the Manipur Electronics Development Corporation Ltd. incorporated on 28.4.1987;
- (vi) the Planning and Development Authority, a body constituted under the Manipur Town & Country Planning Act, 1975;
- (vii) the Manipur Pollution Control Board, a body constituted under the Water (Prevention and Control of Pollution).

 Act, 1975 and the Air (Prevention and Control of Pollution)

 Act, 1981;
 - (viii) the Manipur Tribal Development Corporation Ltd. incorporated on 21.6.1979;
 - the Manipur Urban Development Agency, a society registered under the Manipur Societies Registration Act, 1989 constituted on 26.11.1996 vide order No.1/8/96-MAHUD dated 26.11.1996:
 - the Manipur AIDS Control Society, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No.56/Manipur of 1998;
 - (xi) the Manipur State Health Society, a society registered on 1.4.2005 under the Manipur Societies Registration Act, 1989;
 - (xii) the Shri Govindaji Temple Board, a body constituted under the Shri Shri Govindaji Temple Act, 1972;
 - (xiii) the Eastern Border Areas Development Authority, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No.18/M/SR/1995 dated 1.9.1995;

- (xiv) the Barak River Valley Development Board, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No.17/M/SR/1995 dated 1.9.95;
- (xv) the Manipur State Housing Board, constituted under the Manipur State Housing Board Act, 1981;
- the Manipur State Rural Road Development Agency, a society registered on 10.3.2005 under the Manipur Societies Registration Act, 1989 bearing registration No.124/M/SR/2004 dated 18.9.2004;
- (xvii) the Wakf Board, Manipur, a body constituted under the Wakf Act, 1995;
- (xviii) the Manipur Live Stock Board, a society registered under the Manipur Societies Registration Act, 1989 constituted on 12.4.2004 vide Notification No.15/90/2002-Vety dated 12.4.2004;
- (xix) the Minority & Other Backward Economic Development Society, a society set up on 31.12.2003;
- the Manipur Remote Sensing Application Centre, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No.75/M/SR/1999 set up on 31.3.1999 vide Notification No.2/19/98-S&T dated 31.3.1999.
- (xxi) the Manipur Science & Technology Council, a society registered under the Manipur Societies Registration Act, 1989 bearing Registration No.1/SR/Manipur of 1996 constituted and set up on 18.1.1996 vide Notification No.2/1/95-STE dated 18.1.1996.
- (xxii) the Manipur State Haj Committee, a body constituted under the Haj Committee Act, 2002 (35 of 2002);
- (xxiii) the State Institute of Rural Development, a society registered under the Manipur Societies Registration Act. 1989, and set up on 23.1.2006 vide order No.3/3/2003-DV(SIPRARD) dated 23.1.2006;

- (xxiv) the Manipur Film Development Corporation Ltd. incorporated on 1.5.1987, bearing registration No.6088 of 1987-88;
- (xxv) the Manipur Industrial Development Corporation Ltd. bearing registration No.1299 of 1969-70;
- (xxvi) the Manipur Handloom & Handicraft Development Corporation Ltd. incorporated on 16.10.1976;
- (xxvii) the Manipur Food Industries Corporation Ltd. incorporated on 29.4.1987;
- (xxviii) the Manipur State Women Development Corporation Ltd. incorporated on 5.4.1995;
- (xxix) the Manipur Plantation Crops Corporation, bearing registration No.1872 of 1980-81;
- (xxx) the Manipur Agro-Industries Corporation Ltd. incorporated on 19.3.1981 bearing registration No.1871 of 1980-81;
- (xxxi) the Spinning Mills Corporation Ltd. incorporated on 27.3.1974;
- (xxxii) the Manipur Cements Ltd. bearing registration No.12-02981 of 1988-89 dated 10.5.1988;
- (xxxiii) the Manipur State Road Transport Corporation Ltd. established on 27.3.1976 under the Road Transport Corporation Act, 1950;
- (xxxiv) the Manipur Cycles Corporation Ltd. incorporated on 28.6.1985 bearing registration No. 2374 of 1985-86 dated 28.6.1985;
- (xxxv) the Manipur State Drugs and Pharmaceuticals Ltd. incorporated on 18.7.1989 bearing registration No.12-03315 of 1989-90 dated 18.7.1989;
- (xxxvi) the Manipur Renewable Energy Development Agency, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No.76/M/SR/1999, set up on 31.3.1999 vide Notification No.6/2/94-STE(pt) dated 31.3.1999;

- (xxxvii) the Sarva Shiksha Abhiyan State Mission Authority, a society registered under the Manipur Societies Registration Act, 1989 bearing registration No. 146M/SR/2000 dated 31.12.2000;
- (xxxviii) the Advisor to Chief Minister, Manipur;
- (xxxix) the Manipur Public School Society, a society bearing registration No.2742 of 21.3.1979;
- (XL) the Manipur Pulp & Allied Products Ltd. incorporated on 27.10.1988;
- (XLI) the Manipur Vanaspati & Allied Industries Ltd. incorporated on 14.10.1988;
- (XLII) the State Planning Board, Manipur set up in 1972;
- (XLIII) the Hill Areas Committee, under Manipur Legislative Assembly constituted under the Manipur Legislative Assembly (Hill Areas Committee) Order, 1972.
 - (1) the office of Chairperson or Vice-Chairperson or Chairman or Vice-Chairman or Director or member of any statutory or non-statutory body or a corporation constituted under the Companies Act, 1956, if the holder of such office is not entitled to any remuneration other than compensatory allowance;
 - (m) the office of Chairperson or any Trustee (by whatever name called) of any Trust, whether public or government aided, not being a body specified in this Act.
- A. Special provision as to validation and other matters.- (1) Notwithstanding any order or opinion of any authority, the offices mentioned in clause (i), (j), (k), (l) and (m) of section 3 of the principal Act shall not disqualify or shall be deemed never to have disqualified the holders thereof for being chosen as or for being a Member of the Manipur Legislative Assembly as if the principal Act as amended by this Act have been in force at all material times.
 - (2) For the removal of doubts, it is hereby clarified that any petition or reference pending before any authority on the date of commencement of this Act shall be disposed of in accordance with the provisions of the principal Act as amended by this Act.

A. Sukumar Singh Secretary (Law) to the Governor of Manipur

Printed at the Directorate of Printing & Stationery, Govt. of Manipur/310 - C/9-6-2006



EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 160

Imphal, Monday, September 20, 2021

(Bhadra 29, 1943)

GOVERNMENT OF MANIPUR SECRETARIAT: LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION

Imphal, September 13, 2021

No. 2/20/2021-Leg/L: The following Act of the Legislature, Manipur which received assent of the Governor of Manipur on September 9, 2021 is hereby published in the Official Gazette:

THE MANIPUR LEGISLATURE (REMOVAL OF DISQUALIFICATIONS) (SIXTH AMENDMENT) ACT, 2021

(MANIPUR ACT NO. 18 OF 2021)

AN

ACT

further to amend the Manipur Legislature (Removal of Disqualifications) Act, 1972 (Manipur Act No. 2 of 1973).

BE it enacted by the Legislature of Manipur in the Seventy-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Manipur Legislature (Removal of Short title Disqualifications) (Sixth Amendment) Act, 2021.

and commence-

(2) It shall come into force from the date of its publication in the Official Gazette.

ment.

2 of 1973 In clause (b) of section 2 of the Manipur Legislature (Removal of Disqualifications) Act, 1972 (hereinafter referred to as the Principal Act), coma and the word "Authority" shall be inserted between the words "Board" and "or".

Amendment of section 2.

5. In sub-section (1) of section 3 of the Principal Act,

Amendment of section 3.

(1) in clause (a), for the words "State Planning Board, Manipur", the words "Manipur State Planning Authority" shall be substituted.

- (2) in clause (k), the words "or Deputy Chairman" shall be inserted between the words "Vice-Chairman" and "or".
- (3) for sub-clause (xlii) of clause (k), the following shall be substituted, namely,-

"(xlii) the Manipur State Planning Authority constituted under the Manipur 17 of 2021 State Planning Authority Act, 2021;".

NUNGSHITOMBI ATHOKPAM, Secretary (Law) to the Govt. of Manipur.