

*THE TAMIL NADU LEGISLATURE (PREVENTION OF DISQUALIFICATION) ACT, 1967

TAMIL NADU ACT NO. 3 OF 1967

[10th April, 1967.]

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 *Tamil Nadu in the Eighteenth Year of the Republic of India as follows:—

1. Short title and commencement.—(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. Certain offices of profit not to disqualify.—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.^{ss}

3. Amendment of *Tamil Nadu Act XX of 1951.—In the *Tamil Nadu Payment of Salaries and Removal of Disqualifications Act, 1951 (*Tamil Nadu Act XX of 1951),—

(1) in the long title, the words "and for the removal of certain disqualifications" shall be omitted;

(2) in the preamble, the second paragraph shall be omitted;

(3) in section 1, the words "and Removal of Disqualifications" shall be omitted; and

(4) section 11 shall be omitted.

4. Amendment of section 17, *Tamil Nadu Act 3 of 1963.—In section 17 of the *Tamil Nadu Home Guard Act, 1953 (*Tamil Nadu Act 3 of 1953):—

(1) sub-section (1) shall be omitted; and

(2) the brackets and figure "(2)" occurring at the commencement of sub-section (2) shall be omitted.

5. Repeal of Madras Ordinance 4 of 1966.—The Madras Legislature (Prevention of Disqualification) Ordinance, 1966 (Madras Ordinance 4 of 1966), is hereby repealed.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.
2. The office of Chief Government Whip, Deputy Chief Government Whip, Government Whip or Parliamentary Secretary.
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 of any special purpose.

* Subs. by the Tamil Nadu Adaptation of Laws Order, 1969.

§§ Consequent on the abolition of the Tamil Nadu Legislative Council by the Tamil Nadu Legislative Council (Abolition) Act, 1986 (Central Act 40 of 1986), the term "or of the Legislative Council" occurred in Section 2 of the Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967, omitted by the Tamil Nadu Adaptation of Laws Order, 1987 (Tamil Nadu Government Gazette No. 654, Part IV, Section 2, dt. 28.10.1987).

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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, 1954 (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.
- #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 –
 - [§](1) Omitted.
 - [§](2) Neyveli Lignite Corporation Limited.
 - ^{**}(2) (a) Tamil Nadu Handicrafts Development Corporation Limited;
 - ^{***}(2) (b) Tamil Nadu Backward Classes Economic Development Corporation (Private) Limited.
 - [§](3) Omitted.
11. The office of Chairman, ¹[Vice-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 Suppression of Immoral Traffic in Women and Girls[@] (Tamil Nadu) Rules, 1958;
 - (5) Committees for the Selection of Auxiliary Nurse Midwife Pupils;
 - (6) Committee for the Selection of Nurse Pupils;
 - (7) Forge Resources Board;
 - ¹(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;

[#] Ins. by the Tamil Nadu Legislature (Prevention of Disqualification) (Amendment) Act, 1971.

[§] Omitted by the Tamil Nadu (Prevention of Disqualification) Amendment Act, 1975 (Tamil Nadu Act No. 53 of 1975).

^{**}Ins. *ibid.*

^{***}Sub-item (2-B) of item 10 ins. by the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1986 (Tamil Nadu Act No. 26 of 1986).

¹ Ins. by the Tamil Nadu Legislature (Prevention of Disqualifications) Amendment Act, 1989 (Tamil Nadu Act No. 12 of 1989).

[@] Subs. by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

[!]Subs. by the Tamil Nadu Adaptation of Laws Order, 1970.

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- (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;
- (16) Board of Examinations ¹Tamil 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;
- (20) ¹Tamil Nadu 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;
- (25) Inspection Committee, ¹Tamil Nadu;
- (26) ^{*}Tamil Nadu Khadi and Village Industries Board established under the ^{*}Tamil Nadu Khadi and Village Industries Board Act, 1959 (^{*}Tamil Nadu Act 18 of 1969);
- (27) ¹Tamil Nadu Housing Board constituted under the Tamil Nadu State Housing Board Act, 1961 ([^]Tamil Nadu Act 17 of 1961);
- (28) @@Omitted;
- ^{!!}(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;

¹Subs. by the Tamil Nadu Adaptation of Laws Order, 1970.

^{*}Subs. by the Tamil Nadu Adaptation of Laws order, 1969.

@@Omitted by the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1983 (Tamil Nadu Act No. 5 of 1983).

!!Sub-items (29) to (58) were ins. by the Tamil Nadu Legislature (Prevention of Disqualification) (Amendment) Act, 1971.

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- (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;
- (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;

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** (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;

*** (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;

**Ins. by the Tamil Nadu (Prevention of Disqualification) Amendment Act, 1975 (Tamil Nadu Act No. 53 of 1975).

***Sub-items (63) to (86) were ins. by the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1983 (Tamil Nadu Act No. 5 of 1983).

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- (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;
- *** (87) State Organising Committee for Nehru Yuvak Kendras.

*** Sub-item (87) of item 11 ins. by the Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1986 (Tamil Nadu Act No. 26 of 1986).