

Tamil Nadu Legislature (Prohibition of Simultaneous Membership) Act, 1950

TAMILNADU

India

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Act 20 of 1950

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Tamil Nadu Legislature (Prohibition of Simultaneous Membership) Act, 1950(Tamil Nadu Act 20 of 1950)Received the assent of the Governor on the 27th September 1950 and first published in the Fort St. George Gazette, dated the 3rd October 1950.An Act to provide for the vacation by a person who is chosen a member of both Houses of the State Legislature of his seat in one House or the other.Whereas it is necessary to provide for the vacation by a person who is chosen a member of both Houses of the State Legislature of his seat in one House or the other. It is hereby enacted as follows:-

1. Short title.

- This Act may be called the [Tamil Nadu] [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.] Legislature (Prohibition of Simultaneous Membership) Act, 1950.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context,-(1)"Assembly" means the Legislative Assembly of the State of Tamil Nadu.(2)"Council" means the Legislative Council of the [State of Tamil Nadu] [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)"House" means the Assembly or the Council.

3. Vacation of seat by a person who is a member of one House chosen member of the other House.

(1) If a person is chosen a member of the Council after he has taken his seat in the Assembly and while he continues to be a member thereof, his seat in the Assembly shall become vacant on the date on which he is chosen a member of the Council. (2) If a person is chosen a member of the Assembly after he has taken his seat in the Council and while he continues to be a member thereof, his seat in the Council shall become vacant on the date on which he is chosen a member of the Assembly.

4. Vacation of seat by a person who is chosen member of both the Assembly and the Council.

(1) In cases not governed by section 3, any person who is chosen a member of both the Assembly and the Council may, within fifteen days from the date on which he is so chosen or if he is so chosen on different dates, then, within fifteen days from the later of such dates—(a) take his seat in either Houses, whereupon his seat in the other House shall become vacant; or (b) by notice in writing signed by him and delivered to the Secretary of each of the Houses or to any person authorized by the Governor in this behalf intimate in which of the Houses he wishes to serve, whereupon his seat in the other House shall become vacant. (2) If the seat of such person in one of the Houses does not become vacant in pursuance of clause (a) or clause (b) of sub-section (1), then, upon the expiry of the time specified in that sub-section, his seat in the Assembly shall become vacant.