

# **Telangana State Legislature (Vacation of Seat on Simultaneous Membership) Act, 1959**

TELENGANA

India

## **Telangana State Legislature (Vacation of Seat on Simultaneous Membership) Act, 1959**

### **Act 12 of 1959**

- Published on 1 January 1959
- Commenced on 1 January 1959
- [This is the version of this document from 1 January 1959.]
- [Note: The original publication document is not available and this content could not be verified.]

Telangana State Legislature (Vacation of Seat on Simultaneous Membership) Act, 1959(Act No. 12 of 1959)Last Updated 17th January, 2020The Andhra Pradesh State Legislature (Vacation of Seat on Simultaneous Membership) Act, 1959 in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws Order, 2016, issued in G.O.Ms.No.45, Law (F) Department, dated. 01.06.2016.

### **1. Short title and commencement.**

(1)This Act may be called the [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] State Legislature (Vacation of Seat on Simultaneous Membership) Act, 1959.(2)It shall be deemed to have come into force on the 1st day of July, 1958.

### **2. Definitions.**

- In this Act, unless the context otherwise requires,-(1)"Assembly" means the Legislative Assembly of the State of [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.];(2)"Council" means the Legislative Council of the State of [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.];(3)"House" means the Assembly or the Council.

### **3. Vacation of seat by a person already member of one House, on being chosen a member of the other House.**

(1) If a person who is already a member of the Assembly and has taken his seat in that House, is chosen a member of the Council, his seat in the Assembly, shall on the date on which he is so chosen, become vacant. (2) If a person who is already a member of the Council and has taken his seat in that House, is chosen a member of the Assembly, his seat in the Council shall become vacant. (a) where he is so chosen in a bye-election, on the date on which he is so chosen, and (b) where he is so chosen in a general election, on the date next proceeding the date the new Assembly is constituted under section 73 of the Representation of the People Act, 1951 (Central Act 43 of 1951).

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

(1) Any person who is chosen a member of both the Assembly and the Council and who has not taken his seat in either of the said Houses may, by notice in writing signed by him and delivered to the Speaker of the Assembly or the person authorised by him in that behalf and to the Chairman of the Council or the person authorised by him in that behalf, within fifteen days from the date, or the later of the dates on which he is so chosen, intimate in which of the Houses he wishes to serve, and thereupon, his seat in the other House shall become vacant. (2) In default of such intimation within the aforesaid period, his seat in the Council shall, at the expiration of that period, become vacant. (3) Any intimation given under-section (1) shall be final and irrevocable.

#### **5. Meaning of date on which a person is chosen for purposes of sections 3 and 4.**

- For the purposes of sections 3 and 4, the date on which a person is chosen to be a member of either House shall be, in the case of an elected member, the date of publication in the [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] Gazette of the declaration that he has been so chosen under the Representation of the People Act, 1951 (Central Act 43 of 1951), and in the case of a nominated member, the date of publication in the [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] Gazette of his nomination.