

THE PROHIBITION OF SIMULTANEOUS MEMBERSHIP RULES, 1950¹

In exercise of the powers conferred by clause (2) of article 101 and clause (2) of article 190 of the Constitution of India, the President is pleased to make the following Rules, namely: —

1. These Rules may be called the Prohibition of Simultaneous Membership Rules, 1950.

2. The period at the expiration of which the seat in Parliament of a person who is chosen a member both of Parliament and of a House of Legislature of a State specified in ^{2***} the First Schedule to the Constitution of India (hereinafter referred to as “the Constitution”) shall become vacant, unless he has previously resigned his seat in the Legislature of such State, shall be fourteen days from the date of publication in the Gazette of India or in the Official Gazette of the State, whichever is later, of the declaration that he has been so chosen.

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3. The period at the expiration of which the seat of a person who is chosen a member of the Legislatures of two or more States specified in the First Schedule to the Constitution in the Legislatures of all such States shall become vacant, unless he has previously resigned his seat in the Legislature of all but one of the States, shall be ten days from the later or, as the case may be, the latest of the dates of publication in the Official Gazettes of such States of the declarations that he has been so chosen.

1. Ministry of Law Notification No. F. 46/50-C, dated the 26th January, 1950.

2. The words “Part A or Part B of” omitted by Notification No. S.R.O. 2178 dated the 2nd July, 1957.

3. Proviso omitted, *ibid*.