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Laws Setting Up Universities

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
1.	Karnataka Rajya Dr. Gangubai Hangal Sangeetha Mattu Pradarshaka Kalegala Vishwavidyalaya Act, 2009	An Act to provide for the establishment and incorporation of the Karnataka Rajya Dr. Gangubai Hangal Sangeetha Mattu Pradarshaka Kalegala Vishwavidyalaya.	**Section 35 -** **Removal From membership of the university.-** (1) The Syndicate may remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two thirds of the members of the Syndicate present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Syndicate may withdraw any degree or diploma conferred on or granted to that person by the University. **(2) The Syndicate may also by an order in writing made in this behalf, remove any person from membership of any authority of the University if he becomes of unsound mind, deaf, mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated an insolvent.**	Article 14, 19(1)(g) and 21

			(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken. (4) A copy of every order passed under sub-section (1) or sub- section (2), as the case may be, shall as soon as may be, after it is so passed be communicated to the person concerned in the manner prescribed.	
2.	Visva Bharati Act, 1951	An Act to declare the institution known as "Visva-Bharati" to be an institution of national importance and to provide for its functioning as a unitary teaching and residential university.	**Section 38(b) -** **Authorities by whom order for removal or dismissal or adhyapaka, etc., may be made and the procedure therefor.** (1) No adhyapaka, or other member of the academic staff, appointed by the University shall be dismissed or removed from service or punished in any other manner by any authority other than the Karma- Samiti (Executive Council). (2) No adhyapaka, or other member of the academic staff, appointed by the University shall be dismissed or removed from service or punished in any other manner except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges:	Article 14, 19(1)(g) and 21

			Provided that where it is proposed after such inquiry, to impose upon the adhyapaka or other member of the academic staff any punishment, such punishment may be imposed on the basis of the evidence adduced during such inquiry and it shall not be necessary to give such adhyapaka or other member of the academic staff any opportunity of making representation on the punishment proposed. (3) The Karma- Samiti (Executive Council) shall be entitled to dismiss or remove from service, without holding any such inquiry as is referred to in sub-section (2), an adhyapaka, or other member of the academic staff, of the University, where the Karma- Samiti (Executive Council), for reasons to be recorded in writing, is satisfied that such adhyapaka or other member of the academic staff- **(a) is of unsound mind or is a deaf- mute or suffers from contagious leprosy; or** (b) is an undischarged insolvent; or (c) has been convicted, by a court of law, of an offence involving moral turpitude. (4) The dismissal or removal from service of, or any other punishment imposed on, an adhyapaka, or other member of the academic staff, appointed by the University shall take effect from the date on which the order of dismissal or	

			removal from service is made or other punishment is imposed: Provided that, where the adhyapaka or other member of the academic staff is under suspension at the time when the order for his dismissal or removal from service is made or other punishment is imposed, such order may, if the Karma- Samiti (Executive Council) so directs, take effect from the date on which he was placed under suspension. (5) Notwithstanding the terms of contract between the University and an adhyapaka, or other member of the academic staff, appointed by the University, such adhyapaka or other member of the academic staff may resign his office-- (a) where he is permanent, by giving three months' notice in writing to the Karma- Samiti (Executive Council) or by paying to the University three months' salary in lieu of such notice; or (b) where he is not permanent, one month' s notice in writing to the Karma-Samiti (Executive Council) or by paying to the University one month' s salary in lieu of such notice: Provided that if the Karma-Samiti (Executive Council) so permits, the period of three months' notice or of one month' s notice, as the case may be, may be reduced	

			or waived: Provided further that such resignation shall take effect from the date on which it is accepted by the Karma- Samiti (Executive Council). Explanation.--"Suspension" shall not be deemed to be a punishment within the meaning of this section.	
3.	Karnataka Samskrita Vishwavidyalaya Act, 2009	An Act to provide for the establishment and incorporation of the Karnataka Samskrita Vishwavidyalaya.	**Section 35 -** **Removal From Membership of the University.-** (1) The Syndicate may remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two thirds of the members of the Syndicate present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Syndicate may withdraw any degree or diploma conferred on or granted to that person by the University. **(2) The Syndicate may also by an order in writing made in this behalf, remove any person from membership of any authority of the**	Article 14, 19(1)(g) and 21

			University if he becomes of unsound mind, deaf, mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated an insolvent. (3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken. (4) A copy of every order passed under sub-section (1) or sub- section (2), as the case may be, shall as soon as may be, after it is so passed be communicated to the person concerned in the manner prescribed.	
4.	Sri Venkateswara Vedic University Act, 2006	An Act to provide for the Establishment of Vedic University and for matters connected therewith or incidental thereto.	**Section 37 -** **Disqualification for membership** (1) No person shall be qualified for election or nomination as a member of any of the authorities of the University, if, on the date of such election or nomination, he is: **(a) of unsound mind, deaf-mute or suffering from leprosy; or** (b) an applicant to be adjudicated as an insolvent or an un- discharged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude;	Article 14, 19(1)(g) and 21

			(2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1) the Executive Council shall refer such case to the Chancellor, whose decision thereon shall be final.	
5.	Dravidian University Act, 1997	An Act to provide for the establishment of The Dravidian University in the State by law and confer the status of a University thereon and for matters connected therewith or incidental thereto.	**Section 40 -** **Disqualification for Membership** (1) No person shall be qualified for election or nomination as a member of any of the authorities of the University if on the date of such election or nomination, he is:- **(a) of unsound mind, deaf-mute or suffering from leprosy; or** (b) an applicant to be adjudicated as an insolvent or an un-discharged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude; (2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1) the Executive Council shall refer such case to the Chancellor, whose decision thereon shall be final.	Article 14, 19(1)(g) and 21
6.	Andhra Pradesh	An Act to amend and consolidate the laws relating to	**Section 29 -** **Disqualification for Membership**	Article 14, 19(1)(g) and 21

	Universities Act, 1991	certain Universities in the State of Andhra Pradesh and for matters connected therewith and incidental thereto.	No person shall be qualified for nomination as a member of any of Authorities of the University, if he,— **(a) is, on the date of nomination, of unsound mind, a minor, a deaf-mute or is suffering from leprosy;** or (b) applied to be adjudicated as an insolvent or is an undischarged insolvent; or (c) has been convicted and sentenced by a criminal court to imprisonment for a period of more than one year for an offence involving moral turpitude unless such sentence has been reversed or the offence has been pardoned or a period of five years has elapsed from the date of the expiration of the sentence. **Section 34 -** **Removal from membership of the University** The Academic Senate may on the recommendation of not less than two-thirds of the members of the Executive Council and by the votes of majority of the total membership of the Academic Senate and two-thirds of the members present and voting remove the name of any person from the register of graduates and remove any person from membership of any Authority of the University if he has been convicted by a Court of law of what in the opinion of the Academic Senate	

			is an offence involving moral turpitude or if he has been guilty of scandalous conduct, and for the same reasons may withdraw any degree or diploma conferred or granted by the University. **The Academic Senate may also remove any person from the membership of any Authority of the University if he becomes of unsound mind or a deaf-mute or is suffering from leprosy or has applied to be, or is adjudicated as an insolvent.**	
7.	Kannada University Act, 1991	An Act to provide for the establishment and incorporation of Kannada University at Hampi.	**Section 7 -** **Disqualification of membership** (1) A person shall be disqualified for election or nomination as a member of any of the authorities of the University, if on the date of such election or nomination, he is,- **(a) of unsound mind, deaf, mute or suffering from leprosy; or** (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt, the Executive Council shall determine whether a person is	Article 14, 19(1)(g) and 21

			disqualified or not under sub-section (1) and its decision shall be final. **Section 40 -** **Removal from membership of the University** (1) The Executive Council may remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Executive Council and by a majority of not less than two thirds of the members of the Executive Council present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the Executive Council involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Executive Council may withdraw any degree or diploma conferred on or granted to that person by the University. **(2) The Executive Council may also by an order in writing made in this behalf, remove any person from membership of any authority of the University if he becomes of unsound mind, deaf, mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated as an insolvent.** (3) No action under this section shall be taken against any person unless he has been given a	

			reasonable opportunity to show cause against the action proposed to be taken. (4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall, as soon as may be, after it is so passed be communicated to the person concerned in the manner prescribed.	
8.	University of Health Sciences Act, 1986	An, Act to provide for the establishment and incorporation of a Teaching and Affiliating University in the State of Andhra Pradesh for the purpose of ensuring Efficient and Systematic Education, Training and Research on the Allopathic and Indian Systems of Medicine, Dentistry, Pharmacy and Nursing.	**Section 41 -** **Disqualification for Membership** (1) No person shall be qualified for election or nomination as a member of any of the authorities of the University if, on the date of such election or nomination, he is **(a) of unsound mind, deaf-mute or suffering from leprosy, or** (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1), the Executive Council shall refer such case to the Chancellor, whose decision thereon shall be final.	Article 14, 19(1)(g) and 21

9.	Pondicherry University Act 1985	An Act to establish and incorporate a teaching and affiliating University in the Union territory of Pondicherry and to provide for matters connected therewith or incidental thereto.	**Section 27 -** **Removal of employees other than teachers of the University.-** (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee-- **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a Court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct: Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting. (2) No employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.	Article 14, 19(1)(g) and 21

			(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months 'notice in writing or paid three months' salary in lieu of such notice. (4) Notwithstanding anything contained in the Statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign,-- (i) if he is a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof; (ii) if he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof: Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority. **Section 36 -** **Disqualifications.-** (1) A person shall be disqualified for being chosen as, and for being, member of any of the authorities of the University--	

			(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy; (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the Visitor and his decision shall be final and not suit or other proceeding shall lie in any civil court against such decision.	
10.	Potti Sreeramulu Telugu University Act, 1985	An Act to provide for the establishment and incorporation of a Teaching and affiliating University in the State of Andhra Pradesh for the promotion and advancement of Telugu Language, Literature and Culture.	**Section 39 -** **Disqualification for Membership** (1) No person shall be qualified for election or nomination as a member of any of the authorities of the University if, on the date of such election or nomination, he is- **(a) of unsound mind, deaf-mute or suffering from leprosy; or** (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or	Article 14, 19(1)(g) and 21

			(c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1) the Executive Council shall refer such case to the Chancellor, whose decision thereon shall be final.	
11.	Telugu University Act, 1985	An Act to provide for the establishment and Incorporation of a Teaching and affiliating University in the State of Andhra Pradesh for the promotion and advancement of Telugu Language, Literature and Culture.	**Section 39 -** **Disqualification for Membership or** (1) No person shall be qualified for election or nomination as a member of any of the authorities of the University if, on the date of such election or nomination, he is— **(a) of unsound mind, deaf-mute or suffering from leprosy; or** (b) an applicant to be adjudicated as an insolvent or an un-discharged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt as whether a person is disqualified under sub-section (1) the Syndicate shall refer such case to the Chancellor, whose decision thereon shall be final.	Article 14, 19(1)(g) and 21

12.	Alagappa University Act, 1985[1]	An Act to provide for the establishment and incorporation of a University at Alagappa Nagar in Sankarapuram panchayat in Karaikudi taluk.	**Section 7 -** **Disqualification for membership** (1) No person shall be qualified for nomination or election as a member of any of the authorities of the University, if, on the date of such nomination or election, he is-- **(a) of unsound mind, a deaf-mute or suffering from leprosy; or** (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt the Syndicate shall determine whether a person is disqualified under sub-section (1) and its decision shall be final.	Article 14, 19(1)(g) and 21
13.	Goa University Act, 1984	AN ACT to establish and incorporate a teaching and affiliating University in the Union Territory of Goa, Daman and	**Section 23 -** **Removal of employees other than teachers of the University.-** (1) Notwithstanding anything contained in the terms of his contract of service or his	Article 14, 19(1)(g) and 21

[1] http://www.lawsofindia.org/pdf/tamil_nadu/1985/1985TN23.pdf

		Diu and to provide for matters connected therewith or incidental thereto.	appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee- **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct: Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of not less than two-thirds of its members present and voting. (2) No employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. (3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of such notice.	

			(4) Notwithstanding anything contained in these Statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign,- (i) if he is a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof; (ii) if he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof: Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority. **Section 30 -** **Disqualifications.-** (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University- **(a) if he is of unsound mind or is a deaf, mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law	

			of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the[1][Chancellor] and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.	
14.	Mother Teresa Women's University Act, 1984	An Act to provide for the establishment and incorporation of Women's University in Tamil Nadu.	**Section 6 -** **Disqualification for membership** (1) No person shall be qualified for nomination as a member of any of the authorities of the University if, on the date of such nomination, she is-- **(a) of unsound mind or deaf-mute or suffering from leprosy, or** (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent, or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt the Executive Council shall determine whether a person is	Article 14, 19(1)(g) and 21

			disqualified under sub-section (1) and its decision shall be final.	
15.	Dr. B.R Ambedkar Open University, 1982	An Act to establish and incorporate an Open University by the Name of Dr. B.R. Ambedkar Open University in the State of Andhra Pradesh and to provide for matters connected therewith or incidental thereto.	**Statute 12 of the Schedule to the Act -** No person shall be qualified for nomination as a member of any of the authorities of the University if he: **(a) is at the date of nomination of unsound mind, a minor, a deaf-mute or is suffering from leprosy; or** (b) applies to be adjudicated as an insolvent or is an undischarged insolvent; or (c) has been convicted and sentenced by a criminal court to transportation or imprisonment for a period of more than one year for an offence involving moral turpitude unless such sentence has been reversed or the offence has been pardoned or a period of five years has elapsed from the date of the expiration of the sentence.	Article 14, 19(1)(g) and 21
16.	Bharathiar University Act, 1981	An Act to provide for the establishment and incorporation of a University at Coimbatore.	**Section 6 -** **Disqualification for membership -** (1) No person shall be qualified for nomination or election as a member of any of the authorities of the University, if, on the date of such nomination or election, he is -	Article 14, 19(1)(g) and 21

			(a) of unsound mind" a deaf-mute or suffering from leprosy; or (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt the Syndicate shall determine whether a person is disqualified under sub-section (1) and its decision shall be final. "Restriction for election or nomination to Senate, Standing Committee on Academic Affairs and Syndicate in certain cases:- (1) Notwithstanding anything contained in section 20,23 or 24, any person who has completed two terms of three years each, continuously in any one or two of the following authorities of the University namely:- (i) the Senate, (ii) the Standing Committee on Academic Affairs, and (iii) the Syndicate shall be eligible, after a period of three years has lapsed from the date of his ceasing to be such member, for election or nomination to any of the above mentioned authorities: Provided that for the purpose of this sub-section, if a person was elected or nominated to one authority and such person become a member	

			of another authority by virtue of the first mentioned authority alone shall be taken into account. " (2) Nothing in sub-section (1) shall have application in respect of - (i) ex-officio members referred to in section 20 (a), Class I, but not including members of the Syndicate who are not otherwise members of the Senate referred to in item (13); and (ii) ex-officio members referred to in section 23 (2) (4 Class L and Section 24 (b), Class I. "Explanation II - For the purpose of this sub-section, the expression "period" shall include the period of office held by any person prior to the 5th July 1984	
17.	Tamil University Act, 1982	An Act to provide for the establishment and incorporation of Tamil University at Thanjavur.	**Section 39 -** **Removal from membership of the University** (1) The Syndicate may remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two-thirds of the members of the Syndicate present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the	Article 14, 19(1)(g) and 21

			Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Syndicate may withdraw any degree or diploma conferred on or granted to that person by the University. **(2) The Syndicate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated as an insolvent.** (3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken. (4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed.	
18.	Bharathidasan University Act, 1981	An Act to provide for the establishment and incorporation of a University at Tiruchirappalli.	**Section 6 -** **Disqualification for membership** (1) No person shall be qualified for nomination or election as a member of any of the authorities of the University, if, on the date of such nomination or election, be is--	Article 14, 19(1)(g) and 21

			(a) of unsound mind, a deaf-mute or suffering from leprosy; or (b) an applicant; to be adjudicated as an insolvent or an undischarged insolvent; or. (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude. (2) In case of dispute or doubt the Syndicate shall determine whether a person is disqualified under sub-section (1) and its decision shall be final. **Section 49 -** **Removal from membership of the University** (1) The Syndicate may-- (a) on the recommendation of not less than two-thirds of the members of the Syndicate, remove by an order in writing made in this behalf the name of any person from the register of graduates; or (b) remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two-thirds of the members of the Syndicate present and voting at the meeting,	

			if such person has been convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Senate may withdraw any degree or diploma conferred on or granted to that person by the University. **(2) The Syndicate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if, he becomes of unsound mind or deaf-mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated as an insolvent.** (3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken. (4) A copy of every order passed under sub-section (1) or subsection (2), as the case may be, shall, as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed by regulations.	
19.	Sri Krishnadevaraya University Act, 1981	An Act to establish and incorporate a Teaching University in the State of Andhra Pradesh and	**Schedule -** **Statute 24 -** (1) Notwithstanding anything in the terms of, his	Article 14, 19(1)(g) and 21

		to provide for matters connected therewith or incidental thereto.	contract of service or of his appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee,-- **(a) if he is of unsound mind or is a deaf mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law for an offence punishable under the Protection of Civil Rights Act 1955, or any other offence involving moral turpitude and sentenced in respect of the latter offence to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct : Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Syndicate by a majority of two-thirds of its members present and voting. (2) No employee shall be removed under clause (1) until he has been given an opportunity of showing cause against the action proposed to be taken in regard to him. (3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (i), he shall be given	

			three months notice in writing or paid three months salary in lieu of such notice. (4) Notwithstanding anything contained in these statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign-- (i) if he is a permanent employee, only after, giving three months, 'notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof; (ii) If he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof: Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority. **Statute 31 -** (1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University-- **(a) if he is of unsound mind or is a deaf mute or suffers from contagious leprosy;** (b) If he is an Undischarged insolvent, (c) if he has been convicted by a court of law	

			for an offence under the Protection of Civil Rights Act, 1955 or of an offence involving moral turpitude and sentenced in respect of the latter offence to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications, mentioned in clause (1), the question shall be referred for the decision of the Chancellor and his decisions shall be final and no suit or other proceeding shall lie in any civil court against such decision.	
20.	Nagarjuna University Act, 1976	An Act to establish and incorporate a teaching and affiliating University for certain areas in the State of Andhra Pradesh and to provide for matters connected therewith or incidental thereto.	**Schedule** **Statute 23 -** (1) Notwithstanding anything in the terms of his contract of service or of his appointment, an employee other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee-- **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy**; (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of any offence punishable under the Untouchability (Offences) Act, 1955 (Central	Article 14, 19(1)(g) and 21

			Act 22 of 1955) or any other offence involving moral turpitude and sentenced in respect of the latter offence to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct: Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Syndicate by a majority of two-thirds of its members present and voting. (2) No employee shall be removed under clause (1) until he has been given an opportunity of showing cause against the action proposed to be taken in regard to him. (3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of such notice. (4) Notwithstanding anything contained in these statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to, resign,-- (i) if he is a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months salary in lieu thereof;	

			(ii) if he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof: Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority. **Statute 30 -** (1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University:-- **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law for an offence under the Untouchability (Offences) Act, 1955, (Central Act 22 of 1955) or of an offence involving moral turpitude and sentenced in respect of the latter offence to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the Chancellor and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.	

21.	University Of Hyderabad Act, 1974	An Act to establish and incorporate a teaching University in the State of Andhra Pradesh and to provide for matters connected therewith or incidental thereto.	**Schedule** **Statute 28 -** (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee- **(a) if he is of unsound mind or is a deaf, mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent: (c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct: Provided that no employee shall be removed from his office unless- a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting. **Statute 35 -** A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University	Article 14, 19(1)(g) and 21

			(a) if he is of unsound mind or is a deaf mute or suffers from contagious leprosy; (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the Visitor and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.	
22.	North-Eastern Hill University Act, 1973	An Act to establish and incorporate a teaching and affiliating University for the hill areas of the North-Eastern region.	**Schedule** **Statute 28 -** (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee: **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;**	Article 14, 19(1)(g) and 21

			(b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct: Provided that no employee shall be removed from his office unless, a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting. (2) No employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. (3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of such notice. (4) Notwithstanding anything contained in these Statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign: (i) if he is a permanent employee, only after giving three months' notice in writing to the	

			appointing authority or paying to the University three months' salary in lieu thereof; (ii) If he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof: Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority. **Section 37 -** (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University: **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the	

			Visitor and his decision shall be final and no suit or other proceedings shall lie in any civil court against such decision.	
23.	Jawahar Lal Nehru University Act, 1966	An Act to establish and incorporate a University in Delhi.	**Schedule** **Statute 23 -** **Disqualifications.--** (1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University— **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-section (1), the question shall be referred for the decision of the Visitor and his decision shall be final, and no suit or other proceeding shall lie in any court of law against such decision. **Statute 31 -**	Article 14, 19(1)(g) and 21

			Removal of employees other than teachers.-- (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee of the University, other than a teacher, may be removed by the authority which is competent to appoint the employee— **(a) if he is of unsound mind or is deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct; Provided that no officer of the University shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting. (2) No such employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.	

			(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months notice in writing or paid three months' salary in lieu of notice. (4) Notwithstanding anything contained in these Statutes, an employee of the Univer-sity, not being a teacher, shall be entitled to resign— (i) in the case of a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof; (ii) in any other case, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof.	
24.	Madurai-Kamaraj University Act, 1965	An Act to provide for the establishment and incorporation of a University at Madurai	**Section 6 -** (1) No person shall be qualified for election as a member of any of the authorities of the University, if on the date of nomination or election, he is - **(a) Of unsound mind, a deaf-mute or suffering from leprosy** (b) An applicant to be adjudicated insolvent or an un discharged insolvent	Article 14, 19(1)(g) and 21

			(c) Sentenced by a criminal court to imprisonment or any offence involving moral turpitude (2) In case of dispute or doubt the syndicate shall determine whether a person is disqualified under sub section 1 and its decision shall be final.	
25.	Osmania University Act, 1959	An Act to amend and consolidate the law relating to the Osmania University.	**Section 29 -** **Disqualification for Membership** No person shall be qualified for election or nomination as a member of any of the Authorities of the University if he-- **(a) is, at the date of election or nomination, of unsound mind, a minor, a deaf-mute or is suffering from leprosy; or** (b) applies to be adjudicated as an insolvent or is an undischarged insolvent; or (c) has been convicted and sentenced by a criminal court to transportation or imprisonment for a period of more than one year for an offence involving moral turpitude unless such sentence has been reversed or the offence has been pardoned or a period of five years has elapsed from the date of the expiration of the sentence; or (d) is an enrolled student of the University. In the case of dispute or doubt, the Chancellor	Article 14, 19(1)(g) and 21

			shall determine whether a person is or is not disqualified under this section and his decision shall be final. **Section 34: Removal from membership of the University** The Senate may, on the recommendation of not less than two-thirds of the members of the Syndicate and by the votes of not less than half of the total membership of the Senate and two-thirds of the members present and voting, remove the name of any person from the register of graduates, and remove any person from membership of any Authority of the University if he has been convicted by a Court of Law of what in the opinion of the Senate is an offence involving moral turpitude or if he has been guilty of scandalous conduct, and for the same reasons may withdraw any degree or diploma conferred or granted by the University. **The Senate may also remove any person from the membership of any Authority of the University if he becomes of unsound mind or a deaf-mute or is suffering from leprosy or has applied to be, or is adjudicated an insolvent.**	
26.	Madras University Act, 1923	An Act to provide for the reorganization of the Madras University.	**Section 5: University open to all classes and creeds** (1) No person shall be excluded from membership of any of the authorities of the University or from	Article 14, 19(1)(g) and 21

			admission to any degree or course of study on the sole ground of sex, race, 1[creed, class, or political views] and it shall not be lawful for the University to adopt or impose on any person any test whatsoever 2[relating to religious belief or profession or political views] in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to graduate thereat or to enjoy or exercise any privileges thereof except where in respect of any particular benefaction accepted by the University such test is made a condition thereof. **Disqualification for membership.** (2) No person shall be qualified for election or nomination as a member of any of the authorities of the University, if he **(a) is at the date of election or nomination of unsound mind, deaf-mute or suffers from contagious leprosy, or** (b) is an uncertificated bankrupt or undischarged insolvent, or (c) has been convicted by a court of law of an offence which involves moral delinquency. In case of dispute or doubt, the Syndicate shall determine whether a person is disqualified under this sub-section and its decision shall be final.	

			Section 40: Removal from membership of the University The Senate may, on the recommendation of not less than two-thirds of the members of the Syndicate, remove the name of any person from the register of graduates and remove any person from membership of any authority of the University if he has been convicted by a Court of Law of what in the opinion of the Senate is a serious offence involving moral delinquency or if he has been guilty of scandalous conduct and for the same reasons may withdraw any degree or diploma conferred or granted by the University. **The Senate may also remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or suffers from contagious leprosy or has applied to be adjudicated or has been adjudicated a bankrupt or insolvent.**	
27.	Banaras Hindu University Act, 1915	An Act to establish and incorporate a teaching and residential Hindu University at Banaras.	**Section 12(b) -** **Disqualifications** (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University— **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;**	Article 14, 19(1)(g) and 21

			(b) if he is an undischarged insolvent; (c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months. (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-section (1), the question shall be referred for the decision of the Visitor and his decision shall be final, and no suit or other proceeding shall lie in any court of law against such decision. **Section 32 -** **Removal of employees other than teachers.-** (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee of the University, other than a teacher, may be removed by the authority which is competent to appoint the employee— **(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;** (b) if he is an undischarged insolvent; (c) if he has been convicted by a Court of law	

			of an offence involving moral turpitude and entered in respect thereof to imprisonment for not less than six months; (d) if he is otherwise guilty of misconduct: Provided that no officer of the University shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two thirds of its members present and voting. (2) No such employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. (3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of Clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of notice. (4) Notwithstanding anything contained in the Statutes, an employee of the University, not being a teacher, shall be entitled to resign.-- (i) in the case of a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof; (ii) in any other case, only after giving one	

			month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof.	

Municipal Laws, including Panchayati Raj Acts

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
28.	Orissa Municipal Corporation Act, 2003	An Act to provide for the constitution of Municipal Corporations in the state of Orissa and for matters connected therewith or incidental thereto.	**Section 70 -** **Disqualification of candidates** (1) A person who has been sentenced by Criminal Court to imprisonment for a period exceeding six months for any offence other than an offence of a political character or an offence not involving moral delinquency (such sentence not having been reversed or the offence pardoned) shall be disqualified for election as a Corporator while undergoing the sentence and for five years from the date of the expiration of the sentence. (2) A person convicted of an offence punishable under the Protection of Civil Rights Act, 1955 shall be disqualified for election as a Corporator for a period of five years from the date of such conviction. (3) A person shall be disqualified for election as a Corporator, if such person at the date of nomination - (a) is unable to read and write Hindi or the language of the State; or **(b) has been adjudged by a competent Court to be of unsound mind or is a leprosy or**	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			tuberculosis patient; or (c) has voluntarily acquired the citizenship of a foreign state; or (d) is a person against whom an order or surcharge for willful negligence or misconduct has either been certified for payment or confirmed in case of an appeal in respect of any money or property of a Municipal Corporation, under the provisions of the Orissa Local Fund Audit Act, 1948 or a person against whom a decree has been passed under Section 375 of the Orissa Municipal Act, 1950; or (e) is an undischarged insolvent, or being a discharged insolvent has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part; or (f) is directly, or indirectly by himself or by his partner interested in a subsisting contract made with or any work being done for the Corporation : Provided that, the person shall not be deemed to have any interest in such contract or work by reason only of his having a share or interest in - (i) any lease, sale, or purchase of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			immovable property or any agreement for the same, or (ii) any agreement for the loan of money or any security for the payment of money only; or (iii) any newspaper in which any advertisement relating to the affairs of the Corporation is published; or (iv) any company or association whether incorporated or not which has contract with the Corporation for lighting, or supplying with water to, any part of the city or insuring against fire any property of the Corporation; or (v) any Company including Railway Company; or (vi) any sale to the Corporation of any articles in which he regularly trades, or the purchase from the Corporation of any articles; or (g) is employed as a paid legal practitioner on behalf of the Corporation or as a legal practitioner against the Corporation; or (h) is disqualified by or under any law for the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			time being in force for the purposes of elections to the Legislature of the State; or (i) is disqualified by or under any law made by the Legislature of the State; or (j) is an officer or servant holding office under this Act or a public prosecutor or Government pleader; or (k) fails to pay any arrears of any kind due by him otherwise than in a fiduciary capacity, to the Corporation up to and inclusive of the previous years in respect of which a bill, notice or direction has been duly served upon him and the time, if any, specified therein for payment has expired; or (l) has more than one spouse living; or (m) has more than two children : Provided that the disqualification under this clause shall not apply to a person who had more than two children on the date of commencement of the Orissa Municipal (Amendment) Act, 1994, or, as the case may be, within a period of one year of such commencement unless he begot an additional child after the said period of one year or.] (n) is a Government servant either whole-time	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			or part time or has been dismissed from Government service for corruption or disloyalty to the State, unless a period of five years has elapsed since his dismissal; Provided that if any question arises, either before or after an election whether any person is or is not disqualified under this clause, the question shall be referred to the Government whose decision shall be final; or (o) has been convicted or found to have been guilty of any offence of corrupt or illegal practice relating to elections, which has been declared, by the Government, under prescribed rules, to be an offence or practice entailing disqualification of membership unless such period has elapsed as may be prescribed in that behalf; or (p) has given appointment to any person in contravention of the provisions of this Act and the rules made thereunder or the provisions of the Orissa Municipal Act, 1950 and the rules made thereunder during his tenure in the Corporation or the Municipality immediately preceding the election; or (q) has been removed under the provisions of the Orissa Municipal Act, 1950 or under the provisions of this Act during the term of his office as the Chairperson or the Vice	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Chairperson of the Municipality or the Mayor or Deputy Mayor of the Corporation, as the case may be, immediately preceding the election. (4) Notwithstanding anything contained in Sub-section (1) or Sub-section (2) the Election Commission may for reasons to be recorded in writing direct that such conviction or sentence shall not operate as a disqualification. (5) No person who is disqualified under this Section shall be qualified for election as a Corporator so long as the disqualification subsists.	
29.	Sikkim Panchayat Act, 1982	An Act to provide for the reorganisation of Panchayats with a view to ensuring efficient Panchayat administration in the State and to provide for matters connected therewith and incidental thereto.	**Section 9 -** **Disqualification of members of Gram Panchayat** (1) A person shall not be qualified to be a member of a Gram panchayat, if-- (a) he is a member of a municipal corporation under the provisions of the Gangtok Municipal Corporation Act, 1975 (4 of 1975), or of a Bazar 4 Committee constituted under the Sikkim Bazar Committees Act, 1969; (b) holds any office of profit under the State Government or the Central Government or a local authority or a co-operative society or a	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Government company or corporation owned or controlled by the Central or a State Government; or (c) has been dismissed from the service of a State Government or the Central Government or a local authority or a co-operative society or a Government Company or Corporation owned or controlled by the Central or a State Government for misconduct; or (d) is of unsound mind and stands so declared by a competent Court; or (e) is an undischarged insolvent; or (f) has been convicted by a Court of an offence involving moral turpitude and sentenced to imprisonment for a term exceeding six months; or (g) is convicted of an election offence; or **(h) is suffering from a variety of leprosy which is infectious; or** (i) has not paid any arrears in respect of any tax or rate or fee payable to a Gram Panchayat or Zilla Panchayat or the State Government: Provided that the disqualification under	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			this clause shall cease upon payment of the tax or rate or fee; or (j) has directly or indirectly by himself or by his partner or employer or an employee, any share or interest in any contract with, by or on behalf of Zilla Panchayat or a Gram Panchayat within the district: Provided that a person shall not be deemed to have incurred disqualification by reason of his having a share or interest in any public company or registered co-operative society which contracts with or is employed by a Gram Panchayat or the Zilla Panchayat of the District. (2) Any disqualification under clauses (c), (e), (f) or (g) may be removed by the State Government by order in writing.	
30.	Rajasthan Panchayati Raj Act, 1994	None.	**Section 19 -** **Qualification for election as a Panch or a member** Every person registered as a voter in the list of voters of a Panchayati Raj Institution shall be qualified for election as a Panch or, as the case may be, a member of such Panchayati Raj	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Institution unless such person- (a) is disqualified by or under any law for the time being in force for the purpose of election to the Legislature of the State of Rajasthan: Provided that no person shall be disqualified on the ground that he is less than 25 years of age if he has attained the age of 21 years; (aa) if found, guilty of a corrupt practice by order of a competent Court, consequent upon an election petition filed under and in accordance with the provisions of this Act or rules made there under. (b) holds a salaried whole-time or part-time appointment under a local authority, a university or any corporation, body, Enterprises or Co-operative Society, which is either controlled or wholly or partly financed by the State Government; (c) has been dismissed from State Government service for misconduct moral turpitude and has been declared to be disqualified for employment in the public service;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(d) holds any salaried post or place of profit under any Panchayati Raj Institution; (e) has directly or indirectly by himself or by his partner, employer or employees, any share or interest in any contract with, by or on behalf of the Panchayati Raj Institution concerned while owning such share or interest in any work done for; **(f) is a leper or is suffering from any other bodily or mental defect or disease rendering him incapable for work;** (g) has been convicted of any offence by competent Court and sentenced to imprisonment for six months or more, such sentence not having been subsequently reversed or remitted or the offender pardoned; (gg) is under trial in the competent Court which has taken cognizance of the offence and framed the charges against him of any offence punishable with imprisonment for five years or more;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(h) is for the time being ineligible for election under Sec. 38; (i) has not paid, for two months from the date of the presentation of the notice of demand therefore, the amount of any tax or fees imposed by the Panchayati Raj Institution concerned; (j) is employed as a legal practitioner on behalf of or against the Panchayati Raj Institution concerned; (k) has been convicted of an offence punishable under the Rajasthan Prevention of Mrityu Bhoj Act, 1960; (l) has more than two children; (m) earlier having been a Chairperson/Deputy Chairperson of any Panchayati Raj Institution has not paid dues even after the expiry of a period of two months from the date of notice, for depositing the dues of the Panchayati Raj Institution, was duly served upon such Chairperson/Deputy Chairperson and his name is included in the list of such defaulters supplied by the State Government to the Collector (Panchayats) at least two months before	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			the issue of notification for election to such Panchayati Raj Institution;] [(n) in case of a seat reserved for the Scheduled Castes or Scheduled Tribes or Backward Classes of the State, is not a member of any of those Castes, or Tribes or Classes, as the case may be, (o) in case of a seat reserved for the women, is not a woman; and (p) in case of a seat reserved for women belonging to Scheduled Castes or Scheduled Tribes or Backward Classes, is not be member of any of these Castes or Tribes or Classes, as the case may be, and is not a women: Provided that - (i) a person shall not, by reason only of his being a share holder in or a member of any incorporated company or co-operative society registered under the law for the time being in force in the State of Rajasthan, be held to be interested in any contract entered between the company or co-operative society and the Panchayati Raj Institution	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ia) for the purpose of Clause (aa), a person shall be deemed to be disqualified for a period of six years from the date or order referred to in Clause (aa); (ii) for the purpose of Clauses (c), (g) and (k) any person shall become eligible for election after a lapse of six years from the date of his dismissal or the date of conviction, as the case may by; (iii) for the purpose of Clause (i), a person shall not be deemed to be disqualified if he has paid the amount of the tax or fee due from him before the date of filing his nomination papers; (iv) the birth during the period from the date of commencement of the Act, hereinafter in this proviso referred to as the date of such commencement, to 27th November, 1995, of an additional child shall not be taken into consideration for the purpose of the disqualification mentioned in Clause (1) and a person having more than two children (excluding the child if any, born during the period from the date of such commencement to 27th November, 1995) shall not be disqualified under that clause for so long as the number of children he had on the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			date of commencement of this Act does not increase; (v) for the purpose of Clause (m), a Chairperson/Deputy Chairperson shall not be deemed to be disqualified if he pays the amount due from him before filing his nomination papers. Explanation - For the purpose of Clause (i) of Sec. 19, where the person has only one child from the earlier delivery or deliveries on the date of commencement of this Act and thereafter, any number of children born out of a single subsequent delivery shall be deemed to be one entity.	
31.	Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993	An act to consolidate and amend the law relating to establishment of Panchayats with a view to ensure effective involvement of the Panchayati Raj Institutions in the local administration and development	**Section 36 -** **Disqualification for being office-bearer of Panchayat** (1) No person shall be eligible to be an office-bearer of Panchayat who,-- (a) has, either before or after the commencement of this Act, been convicted,-- (i) of an offence under the Protection of Civil Rights Act, 1955 (No. 22 of 1955) or under any law in connection with the use,	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		activities.	consumption or sale of narcotics or any law corresponding thereto in force in any part of the State, unless a period of five years or such lesser period as the State Government may allow in any particular case has elapsed since his conviction; or (ii) of any other offence and had been sentenced to imprisonment for not less than six months, unless a period of five years or such less period as the State Government may allow in any particular case has elapsed since his release; or (b) is of unsound mind and stands so declared by a competent Court; or (c) is an applicant to be adjudged an insolvent or is an undischarged insolvent; or (cb) has not paid all the dues which are recoverable by Panchayat and has not filed with nomination paper, the declaration of such intention that no money is due to be paid by him on any account payable to the Panchayat; or (cc) has encroached upon any land or buildings of the Panchayat and Government; or (d) hold an office of profit under any	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Panchayat or is in the service of any other local authority or Co-operative Society or the State Government or Central Government or any Public Sector Undertaking under the control of the Central Government or the State Government: Provided that no person shall be deemed to have incurred disqualification under this clause by reason of being appointed as a Patel under the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959); or (e) has been dismissed from the service of the State Government or Central Government, or a Panchayat, or any other local authority, or a Co-operative Society, or any Public Sector Undertaking under the control of the Central Government or the State Government for corruption or for disloyalty; or (f) has directly or indirectly any share or interest in any contract with, by or on behalf of the Panchayat, while owning such share or interest: Provided that a person shall not be deemed to have incurred disqualification under clause (f) by reason of his,-- (i) having share in any joint stock company	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			or a share or interest in any Association registered under the Madhya Pradesh Society Registrikaran Adhiniyam, 1973 (No. 44 of 1973) or in any Co-operative Society which shall contract with or be employed by or on behalf of the Panchayat; or (ii) having share or interest in any newspaper in which any advertisement relating to the affairs of the Panchayat is inserted; or (iii) holding a debenture or being otherwise concerned in any loan raised by or on behalf of the Panchayat; (g) is employed as paid legal practitioner on behalf of the Panchayat; or **(h) is suffering from a variety of leprosy which is infectious**; or (i) has voluntarily acquired the citizenship of a Foreign State, or is under any acknowledgment of allegiance or adherence to a Foreign State; or (j) has been disqualified under the Act repealed by Section 130 during the period of five years preceding the date of filing a	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			nomination paper in any election to be held for the first time under this Act and the period of such disqualification has not elapsed or the disqualification has not been removed; or (k) is disqualified by or under any law for the time being in force for the purpose of election to the State Legislative Assembly: Provided that no person shall be disqualified on the ground that he is less than 25 years of age if he has attained the age of 21 years; (l) is so disqualified by or under any law made by the legislature of the State. (m) has more than two living children one of whom is born on or after the 26th day of January, 2001. (2) If any person having been elected as an office-bearer of Panchayat,-- (a) subsequently becomes subject to any of the disqualification mentioned in sub-section (1) and such disqualification is not removable or being removable is not removed or becomes office-bearer concealing his disqualification for it which has not been questioned and decided by any election petition under Section 122; (b) accepts employment as legal practitioner	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			against the Panchayat; (c) absents himself from three consecutive meetings of the Panchayat or its Committee or does not attend half the number of meetings held during the period of six months without the leave of the Panchayat; he shall, subject to the provisions of sub-section (3), cease to be such office-bearer and his office shall become vacant: Provided that where an application is made by an office-bearer to the Panchayat for leave to absent himself under clause (c) and the Panchayat fails to inform the applicant of its decision on the application within a period of one month from the date of receipt of the application, the leave applied for, shall be deemed to have been granted by the Panchayat. (3) In every case the authority competent to decide whether a vacancy has occurred under sub-section (2) shall be Collector in respect of Gram Panchayat and Janpad Panchayat and Commissioner in respect of Zila Panchayat who may give his decision either on an application made to him by any person or on his own motion. Until, the Collector or the Commissioner, as the case may be, decides that the vacancy has occurred, the person shall not cease to be an office-bearer : Provided that no order shall be passed under	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			this sub-section against any office-bearer without giving him a reasonable opportunity of being heard. (4) Any person aggrieved by the decision of Collector or Commissioner, as the case may be, under sub-section (3), may, within a period of 30 days from the date of such decision appeal to Commissioner or Board of Revenue respectively whose orders in such appeal shall be final.	
32.	Orissa Zilla Parishad Act, 1991	An Act to establish Zilla Parishads in the State of Orissa.	**Section 33 -** **Disqualifications for becoming a member and continuing as member** (1) A person shall not be eligible to stand for election under Clause (a) of Sub-section (1) of Section 6, if he - (a) is not ordinarily residing within the Parishad area; or (b) is of unsound mind; or (c) is an applicant to be adjudicated as an insolvent or is an undischarged insolvent; or **(d) is a deaf-mute or is suffering from leprosy or tuberculosis;**	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(e) is convicted of an election offence under any law for the time being in force; or (f) is not a citizen of India; or (g) is convicted of an offence involving moral turpitude; or (h) holds any office of profit under the State or Central Government or any Local Authority; or (i) is a teacher in any School recognised under the provisions of the Orissa Education Act, 1969 for the time being force; or (j) holds the office of a Minister either in the Central or in the State Government; or (k) [* * *] (l) has been dismissed from service of the State or Central Government of any Local Authority; or (m) has been in arrears of any tax, fee or rate due by him to any Grama Panchayat for a continuous period of two years; or (n) being a member of any Society registered under the Orissa Co-operative Societies Act,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			1962 has failed to pay any arrears of any kind accrued due by him to such Society for a continuous period of two years or more; or (o) is in the habit of encouraging litigation in the villages and has been declared to be so on enquiry by the prescribed authority in the prescribed manner; or (p) is interested in a subsisting contract made with, or any work being done for, the Parishad or any Government except as a shareholder other than a Director in a Company or except as may be prescribed; or (q) is a paid and retained legal practitioner on behalf other Parishad; or (r) is disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State; or (s) is disqualified by or under any law made by the Legislature of the State; or (t) is less than twenty-one years of age; or (u) is not able to read and write Oriya; or (v) has more than one spouse living; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(w) has more than two children: Provided that the disqualification under Clause (g) or (i) may be removed by the Government in the prescribed manner: Provided further that the disqualification under Clause (w) shall not apply to a person who has more than two children on the date of commencement of the Orissa Zilla Parishad (Amendment) Act, 1993 or, as the case may be, within a period of one year of such commencement unless he begets an additional child after the said period of one year. (2) An elected member of a Parishad including the President and Vice-President shall cease to be a member if he - (i) is not ordinarily residing within the district or ceases to so reside or is or becomes, subject to any of the other disqualifications specified in Sub-section (1); or (ii) has been continuously absent from the district for more than six months without prior intimation in writing -	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(a) in the cease of a President, to the Parishad; (b) in the case of any other member of Vice-President to the President; or (iii) has absented himself without permission from the three consecutive ordinary meetings or the Parishad on passing a resolution by the Parishad to that effect in the manner hereinafter specified, namely: (a) any member including the President and Vice-President desiring to absent himself from a meeting of the Parishad shall submit his written application to the Parishad through the Chief Executive Officer prior to the date of such meeting; (b) an application received after the date of the meeting and before the next meeting of the Parishad may be accepted from consideration if the Parishad is satisfied that there was sufficient reason for which the applicant failed to submit the application in time. (c) the Chief Executive Officer shall place the application in the immediately following meeting of the Parishad for consideration, and the Parishad may grant	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			of refuse permission. (d) where such refusal of permission shall result in absence from three consecutive meetings, the Parishad shall specify in the resolution whether the applicant shall cease to continue as a member, President or Vice-President, as the case may be, of the Parishad; (e) any absence without an application required under Clause (a) or (b) shall be deemed to be an absence without permission. Explanation - The meeting which are adjourned without transacting any business shall not be reckoned as or ordinary meetings of the Parishad; or (iv) being a legal practitioner, appears or acts as such against the Parishad. (3) Where a person ceases to be member under Clause (e) of Subsection (1), he shall be restored to office for such portion of the term of office as may remain unexpired at the date of such restoration, if the sentence is reversed or quashed on appeal or revision or the offence is pardoned or the disqualification is removed by an order of the Government and any person filling the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			vacancy in the interim period shall, on such restoration, vacate the office.	
33.	Coimbatore City Municipal Corporation Act, 1981	An act to provide for the establishment of Municipal Corporation for the City of Coimbatore in the State of Tamil Nadu.	**Section 390 -** **Duty of expelling lepers, etc., from markets and power to expel disturbers. "** The person in charge of a market shall prevent the entry therein or, expel the therefrom, any person, suffering from leprosy in whom the process of ulceration has commenced or from any infectious or contagious disease who sells or exposes for sale therein any article or who, not having purchased the same handles, any articles exposed for sale therein, and he may expect therefrom any person who is creating a disturbance therein.	Article 19(1)(d) and 21
34.	Punjab Municipal Corporation Act, 1976	An act to provide for the establishment of Municipal Corporation for certain Cities in the State of Punjab.	**Section 340 -** **Power to expel lepers and disturbers, etc. from markets** The person in charge of a market shall prevent the entry therein of and shall expel therefrom, any person suffering from leprosy in whom the process of ulceration has commenced or from any dangerous disease, who sells or exposes for sale therein any article or who, not having purchased the same handles any article exposed for sale therein; and he may expel therefrom any person	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			who is creating a disturbance therein.	
35.	Puducherry Municipalities Act, 1973	An Act to consolidate and amend the law relating to municipalities in the Union territory of Puducherry.	**Section 378 -** **Duty of expelling persons suffering from leprosy, etc., from markets and power to expel disturbers** The person in-charge of a market— (a) shall prevent the entry therein or expel therefrom any person suffering from leprosy in whom the process of ulceration has commenced or from any infectious or contagious disease who sells or exposes for sale therein any article or who, not having purchased the same, handles and articles exposed for sale therein, and (b) may expel therefrom any person who is creating a disturbance therein.	Article 19(1)(d) and 21
36.	Karnataka Municipalities (Regulation And Inspection Of Lodging And Boarding Houses) (Model) Bye-Laws, 1966	In exercise of the powers conferred by sub-clause (v) of clause (b) of sub-section (1) of section 324 read with sub-section (1) of section 325 of the Karnataka Municipalities Act,	**Section 32 -** **32. Person suffering from infectious disease not to be allowed.--** **No leper and no person suffering from an open sore or any loathsome, infectious or contagious disease shall,--** **(a) be received or allowed to be received in the**	Article 14, 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		1964, (Karnataka Act 22 of 1964), the Government of Karnataka hereby makes the Karnataka Municipalities (Regulation and Inspection of Lodging and Boarding Houses) (Model) Bye-laws, 1966 the draft of the same having been published as required by sub-section (1) of section 325 of the said Act in Notification No. LMA 13 MLR 66, dated 22nd July, 1966, published as G.S.R. 1057 in Part IV-C(c) (i) of the Karnataka Gazette, dated 28th July 1966, namely --	**premises or any portion thereof; or** **(b) be permitted to enter or occupy the premises or any portion therein; or** **(c) be employed in the business or assist in carrying on the same.**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
37.	Karnataka Municipalities Act, 1964	An Act to consolidate and amend the law relating to the management of municipal affairs in towns and cities in the1[State of Karnataka].	**Section 245 -** **Power to expel lepers and disturbers, etc., from markets.—** The person in charge of a market shall prevent the entry therein of and shall expel therefrom, any person suffering from leprosy in whom the process of ulceration has commenced, or from any dangerous disease, who sells or exposes for sale therein any article or who, not having purchased the same handles any article exposed for sale therein; and he may expel therefrom any person who is creating a disturbance therein.	Article 19(1)(d) and 21
38.	Orissa Gram Panchayats Act, 1964	An Act to consolidate and amend the Law relating to Grama Panchayats in the State of Orissa	**Section 25 -** **Disqualification for membership of Grama Panchayat** (1) A person shall be disqualified for being elected or nominated as, a Sarpanch or any other member of the Grama Panchayat constituted under this Act, if he- (a) is not a citizen of India ; or (b) is not on the electoral roll in respect of the Grama or of the ward, as the case may be ; or (c) is of unsound mind ; or (d) is an applicant to be adjudicated as an	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			insolvent or is an undischarged insolvent ; or **(e) is a deaf-mute, or is suffering from tuberculosis; or in the opinion of the District Leprosy Officer is suffering from an infectious type of leprosy; or** (f) is convicted of an election offence under any law for the time being in force; or (g) is convicted for an offence involving moral turpitude and sentenced to imprisonment of not less than six months unless a period of five years has elapsed since his release or is ordered to give security for good behaviour under Section 110 of the Code of Criminal Procedure, 1898 (5 of 1898); or (h) holds any office of profit under the State or Central Government or any local authority; or (i) is a teacher in any school recognised under the provisions of the Orissa Education Code for the time being in force; or holds the office of a Minister either in the Central or State Government; or (k) has been dismissed from the service of the State Government or of any local authority; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(l) being a member of a Co-operative Society, has failed to pay any arrear of any kind accrued due by him to such society before filing of the nomination paper in accordance with the provisions of this Act and the rules made thereunder: Provided that in respect of such arrears a bill or a notice has been duly served upon him and the time, if any, specified therein has expired; or (m) is in the habit of encouraging litigation in the Grama and has been declared to be so on enquiry by the Collector in the prescribed manner or by any other authority under any law for the time being in force; or (n) is interested in a subsisting contract made with or in any work being done for the Grama Panchayat or the Samiti, or any Government except as a shareholder other than a Director in an incorporated company or as a member of a Co-operative Society; or (o) is a paid and trained legal practitioner on behalf of the Grama Sasan; or (p) is a member of the Orissa Legislative Assembly or of either of the Houses of Parliament; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(q) is a member of the Samiti elected under Clause (h) of Subsection (1) of Section 16 of the Orissa Panchayat Samiti Act, 1959 (Orissa Act 7 of 1960); or (r) is disqualified by or under any law for the time being in force for the purposes of an election to the Legislature of the State; or (s) is disqualified by or under any law made by the Legislature of the State; or (t) is in arrear of any dues payable by him to the Grama Panchayat; or (u) has more than one spouse living; or (v) has more than two children: Provided that the disqualification under Clause (v) shall not apply to any person who has more than two children on the date of commencement of the Orissa Grama Panchayats (Amendment) Act, 1994 or, as the case may be, within a period of one year of such commencement, unless he begets an additional child after the said period of one year. (2) A Sarpanch or any other member of a Grama	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Panchayat shall be disqualified to continue and shall cease to be a member if he- (a) incurs any of the disqualifications specified in Clauses (a) to (j) [Clauses (m) to (p) and Clauses (t) to (v)] of Sub-section (1); or (b) has failed to attend three consecutive ordinary meetings held during a period of four months commencing with effect from the date of the last meeting which he has failed to attend; or (c) being a legal practitioner appears or acts as such against the Grama Sasan; or (d) Being a member of a Co-operative Society has failed to pay any arrears of any kind accrued due by him to such society within six months after a notice in this behalf has been served upon him by the society. (3) Without prejudice to the provisions of the foregoing Sub-sections the Sarpanch of a Grama Panchayat shall be disqualified to continue and cease to be the Sarpanch, if he fails to attend three consecutive ordinary meetings of the Samiti, of which he is a member, without the previous permission in writing of the said Samiti. (4) Notwithstanding anything contained in the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			foregoing sub-sections- (a) the State Government may remove any one or more of the disqualifications specified in Clauses (f), (g), (k) and (1) of Sub-section (1); (b) when a person ceases to be a Sarpanch or Naib-Sarpanch or any other member in pursuance of Clause (g) of Sub-section (1) he shall be restored to office for such portion of the term of office as may remain unexpired on the date of such restoration, if the sentence is reversed or quashed on appeal or revision or the offence is pardoned or the disqualification is removed by an order of the State Government; and any person filling the vacancy in the interim period shall on such restoration vacate the office.	
39.	Andhra Pradesh Municipalities, 1965	An Act to consolidate and amend the law relating to municipalities in the State of Andhra Pradesh.	**Section 15 -** **Other disqualifications of candidates** (1) A person who has been sentenced by a Criminal Court-- (a) to imprisonment for an offence under the Untouchability (Offences) Act, 1955; (Central Act 22 of 1955). (b) for any offence other than an offence of	Article 14, 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			political character or any offence not involving moral delinquency, such sentence not having been suspended, reversed or the offence pardoned shall be disqualified for election as a member while undergoing the sentence and for five years from the date of the expiration thereof. (2) A person shall be disqualified for election as a member if such person is, on the date fixed for scrutiny of nomination for election-- **(a) of unsound mind and stands so declared by a competent Court, a deaf-mute or suffering from leprosy;** (b) an applicant to be adjudicated an insolvent or undischarged insolvent; (c) interested in a subsisting lease or contract entered into with or any work being done for, the council except as a share-holder, other than a director, in a company: Provided that a person shall not be deemed to have any interest in such contract or work by reason only of his having a share or interest in-- (i) any sale or purchase of immovable property or any agreement for the same;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			or (ii) any public loan raised by municipality or any security for the payment of money only; or (iii) any newspaper in which any advertisement relating to the affairs of the council is inserted; or (iv) the sale to the council of any articles in which he regularly trades, or the purchase from the council of any articles to a value in either case not exceeding five hundred rupees in the aggregate in any year during the period of the contract or work; (v) the occasional letting out on hire to the municipality or hiring from the municipality of any article for an amount not exceeding in aggregate in any one year five hundred rupees; (d) employed as a paid legal practitioner on behalf of the council or as a legal practitioner against the council; (e) an honorary magistrate for the municipal town;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(f) already a member whose term of office as such will not expire before his fresh election can take effect, or has already been elected a member whose term of office has not yet commenced; Explanation.--Nothing in this clause, shall be construed as disqualifying a sitting member of a municipality for re-election as member to that municipality; (g) the employee or employer or the official subordinate or official superior of a member holding office on the said date; (h) in arrears of any kind due by him otherwise than in a fiduciary capacity to the municipality upto and inclusive of the previous year in respect of which a bill or notice has been duly served upon him and the time if any specified therein for payment, has expired; or (i) dismissed form service of the Central Government the State Government, any municipality or any local authority for misconduct. **Section 16 -** **Disqualification of members**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(1) Subject to the provisions of Section 17, a member shall cease to hold his office, if he— (a) is sentenced by a Criminal Court to such punishment and for such offence as is described in Subsection (1) of Section 15; (b) becomes of unsound mind and stands so declared by a competent Court; **(c) is a deaf-mute or is suffering from leprosy;** (d) applies to be adjudicated or is adjudicated an insolvent; (e) subject to the proviso to Clause (c) of Sub-section (2) of Section 15, acquires any interest in any subsisting contract made with, or work being done for, the council except as a share-holder, other than a director, in a company; (f) is employed as a paid legal practitioner on behalf of the council or legal practitioner against the council; (g) is appointed as an officer or servant under this Act or as an honorary magistrate for the municipal town; (h) accepts employment under or becomes the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			official subordinate of any other member; (i) ceases to reside for a period of more than six months in the municipality or within two kilometers from the outer limits therefrom; (j) fails to pay arrears of any kind due by him, otherwise than in a fiduciary capacity, to the municipality within three months after a bill or notice has been served upon him under this Act, or where, in the case of any arrears, this Act does not require the service of any bill or notice, within three months after a notice requiring payment of the arrears, which notice is shall be the duty of the Commissioner to serve at the earliest possible date, has been duly served upon him by the Commissioner; (k) absents himself from the meetings of the council for a period of three consecutive months reckoned from the date of the commencement of his term of office, or of the last meeting which he attended, or if his restoration to office as member under Subsection (3) as the case may be, or if within the said period less than three ordinary meetings have been held absents himself from three consecutive ordinary meetings held after the said date: Provided that in the case of a woman	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			member a period of not more than two months at a time shall be excluded in reckoning the period of absence aforesaid if, for reasons of physical disability due to advanced stage of pregnancy and of delivery, such member absents herself from meetings of the council after giving a written intimation to the Commissioner of the date from which she would be absent: Provided further that no meeting from which a member absented himself shall be counted against him under this clause if notice of that meeting was not duly served on him. Provided also that nothing in this clause shall apply to an ex-officio councillor. Explanation.--For the purpose of this clause,-- (i) 'ordinary meeting' shall mean a meeting referred to in sub-rule (1) of Rule 2 in Schedule I. (ii) where a meeting other than an ordinary meeting intervenes between one ordinary meeting and another ordinary meeting, those two ordinary meetings shall be regarded as being consecutive to each other. (2) Where a person ceases to be a councillor under	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Clause (a) of sub-section (1) or under Section 19, he shall be restored to office for such portion of the period for which he was elected as may remain unexpired at the date of such restoration if and when the sentence or order is annulled on appeal or revision and any person elected to fill the vacancy in the interim shall on such restoration, vacate office. (3) Where a person ceases to be a councillor under Clause (k) of sub-section (1), the Commissioner shall at once intimate the fact in writing to such person and report the same to the council at its next meeting. If such person applies for restoration to the council on or before the date of its next meeting or within fifteen days of the receipt by him of such intimation; the council may at the meeting next after the receipt of such application, or suo motu restore him to the office of member; Provided that a councillor shall not be so restored more than thrice during his term of office. **Section 287 -** **Duty of expelling lepers, etc., from markets and power to expel disturbers** The person in charge of a market or the Municipal Health Officer shall prevent the entry therein or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			expel therefrom any person suffering from leprosy, in whom the process of ulceration has commenced, or from any infectious or contagious disease who sells or exposes for sale therein any article or who, not having purchased the same, handles any article exposed for sale therein, and he may expel therefrom any person who is creating a disturbance therein.	
40.	Chhattisgarh Municipalities Act, 1961	An Act to consolidate and amend the law relating to municipalities and to make better provision for the organisation and administration of Municipalities in Chhattisgarh.	**Section 35 -** **Disqualification of candidates** No person shall be eligible for election or nomination as a President or election or nomination as a Councillor if he-- (a) is not a citizen of India; or (b) is a servant of Government and is remunerated by salary or honorarium (which expression shall not include fees or commission); or (c) hold any office of profit under the Council or is in the service of any other local authority; or (d) has been adjudged by a competent Court to be of unsound mind; or	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(dd) is less than twenty five years of age, in case of President and is less than twenty one years of age in case of a Councillor; (e) is an undischarged insolvent; or **(f) is suffering from a variety of leprosy which is infectious; or** (g) has been dismissed from the service of the Government or any local authority for corruption or disloyalty to the State, unless a period of five years has elapsed since his dismissal; or (h) has been convicted of an offence punishable under Section 153-A or Section 171-E or Section 171-F or sub-section (2) or sub-section (3) of Section 505 of the Indian Penal Code, 1860 (No. 45 of 1860) or under the Protection of Civil Rights Act, 1955 (No. 22 of 1955) or under Section 125 of the Representation of the People Act, 1951 (No. 43 of 1951), or Sections 3 and 4 of the Dowry Prohibition Act, 1961 (No. 28 of 1961), or Section 10 or Section 11 of the Chhattisgarh Local Authorities (Electoral Offences) Act, 1964 (No. 13 of 1964) unless a further period of six years has elapsed since his release after undergoing the sentence;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(hh) has been convicted by a Court in India for any offence not falling under clause (h) and sentenced to imprisonment for a period of not less than two years unless a further period of six years has elapsed since his release after undergoing the sentence; or (hhh) for contravention of any provisions of the Chhattisgarh Nagariya Kshetro Ke Bhoomihin Vyakti (Pattadhruti Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984 (No. 15 of 1984), or of any law providing for the prevention of hoarding or profiteering or of adulteration of food or drugs unless a further period of six years has elapsed since his release after undergoing the sentence- Explanation.--In this clause-- (a) "law providing for the prevention of hoarding or profiteering" means any law, or any order, rules or notification having the force of law providing for,-- (i) the regulation of production or manufacture of any essential commodity; (ii) the control of price at which any essential commodity may be bought or sold; (iii) the regulation of acquisition, possession,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			storage, transportation, distribution, disposal, use or consumption of any essential commodity; (iv) the prohibition of the withholding from sale of any essential commodity ordinarily kept for sale; (b) "drug" shall have the meaning assigned to it in the Drugs and Cosmetic Act, 1940 (No. 23 of 1940); (c) "essential commodity" shall have the meaning assigned to it in the Essential Commodities Act, 1955 (No. 10 of 1955); (d) "food" shall have the meaning assigned to it in the Prevention of Food Adulteration Act, 1954 (No. 37 of 1954); (i) has directly or indirectly any share or interest in any contract with, by or on behalf of the Council, while owing such share or interest; or (j) has not paid all taxes due by him to the Municipality at the end of the financial year immediately preceding that in which the election or nomination is held or made within thirty days of the receipt of a notice of demand made in this behalf by the Chief Municipal Officer; or (k) is disqualified to be a President or a Councillor	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			under Section 41, 41-A or 35-A as the case may be; or (l) is a paid employee of any educational institute receiving financial aid from the Council; or (m) is a Government Pleader; or (n) has not paid the amount of charge imposed upon him under Section 11 of the Chhattisgarh Sthaniya Nidhi Sampriksha Adhiniyam, 1973 (No. 43 of 1973) within the time specified in Section 15 of the said Adhiniyam: Provided that a disqualification under clause (g), (h) or (k) may be removed by an order by the State Government in this behalf: Provided further that the disqualification under clause (j) shall be deemed to have been automatically removed as soon as the Municipal dues are paid in full. Explanation.--A person shall not be deemed to have incurred disqualification under clause (i) by reason of his-- (i) having any share or interest in any lease, sale or purchase of any immovable property or in any agreement for the same :	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Provided that in the case of sale or purchase the previous sanction of the State Government or the prescribed authority has been obtained; or (ii) being a shareholder, in, or a member of, any incorporated or registered company or society; or (iii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Municipality may be inserted; or (iv) having a share or interest in the occasional sale to the Council of any article in which he regularly trades, or in the purchase from the Council of any article, of a value in either case not exceeding in any official year five hundred rupees or such higher amount not exceeding two thousand rupees as the Council, with the sanction of the State Government, may fix in this behalf; or (v) being a party to an agreement made with the Council for-- (a) payment of fixed charges in lieu of water rate; or (b) payment of special rate in lieu of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			special sanitary cess; or (c) compounding of tax on vehicles or animals; or (vi) being a party, as an owner of any building or land, to an agreement made with the Council for construction of drainage and water connections where a drainage scheme or water works scheme has been commenced by the Council; or (vii) holding a debenture or being otherwise interested in any loan raised by or on behalf of the Council; or (viii) having a share or interest in the occasional letting out on hire to the Council or in the hiring from the Council of any article for an amount not exceeding in any official year fifty rupees, or such higher amount not exceeding two hundred rupees, as the Council, with the sanction of the State Government, may fix in this behalf; (o) if he is so disqualified by or under any law for the time being in force, for the purposes of elections to the Legislative Assembly of the State: Provided that no person shall be disqualified on the ground that he is less than twenty five years of age, if he has attained the age of twenty	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			one years. (p) has been convicted of an offence against women; (r) has been disqualified under Section 32-C. **Section 124(Z) -** providing for the maintenance and treatment of lunatics and lepers residing within or removed from the Municipal area at an asylum, hospital or house approved by the State Government;	
41.	Madhya Pradesh Municipalities Act, 1961	An Act to consolidate and amend the law relating to Municipalities and to make better provision for the organisation and administration of Municipalities in Madhya Pradesh.	**Section 35 -** **Disqualification of candidates** No person shall be eligible for election or as a President or election or nomination as a Councillor if he-- (a) is not a citizen of India; or (b) is a servant of Government and is remunerated by salary or honorarium (which expression shall not include fees or commission); or (c) holds any office of profit under the Council or is in the service of any other local authority; or	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(d) has been adjudged by a competent Court to be of unsound mind; or [(dd) is less than twenty-five years of age, in case of President and is less than twenty one years of age in cases of a Councillor]; (e) is an undischarged insolvent; or **(f) is suffering from a variety of leprosy which is infectious; or** (g) has been dismissed from the service of the Government or any local authority for corruption or disloyalty to the State, unless a period of five years has elapsed since his dismissal; or (h) has been convicted of an offence punishable under Section 153-A or Section 171-E or Section 171-F or sub-section (2) or sub-section (3) of Section 505 of the Indian Penal Code, 1860 (No. 45 of 1860) or under the Protection of Civil Rights Act, 1955 (No. 22 of 1955) or under Section 125 of the Representation of the Peoples Act, 1951 (No. 43 of 1951), or Sections 3 and 4 of the Dowry Prohibition Act, 1961 (No. 28 of 1961), or Section 10 or Section 11 of the Madhya Pradesh Local Authorities (Electoral Offences) Act, 1964 (No. 13 of 1964) unless a further period of six years has elapsed since his release after undergoing the sentence;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(hh) has been convicted by a Court in India for any offence not falling under clause (h) and sentenced to imprisonment for a period of not less than two years unless a further period of six years has elapsed since his release after undergoing the sentence; or (hhh) for contravention of any provisions of the Madhya Pradesh Nagariya Kshetro Ke Bhoomihin Vyakti (Pattadhruiti Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984 (No. 15 of 1984), or of any law providing for the prevention of hoarding or profiteering or of adulteration of food or drugs unless a further period of six years has elapsed since his release after undergoing the sentence. Explanation.--In this clause-- (a) "law providing for the prevention of hoarding or profiteering" means any law, or any order, rules or notification having the force of law providing for :-- (i) the regulation of production or manufacture of any essential commodity; (ii) the control of price at which any essential commodity may be bought or sold;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(iii) the regulation of acquisition, possession, storage, transportation, distribution, disposal, use or consumption of any essential commodity; (iv) the prohibition of the withholding from sale of any essential commodity ordinarily kept for sale; (b) "drug" shall have the meaning assigned to it in the Drugs and Cosmetic Act, 1940 (No. 23 of 1940); (c) "essential commodity" shall have the meaning assigned to it in the Essential Commodities Act, 1955 (No. 10 of 1955); (d) "food" shall have the meaning assigned to it in the Prevention of Food Adulteration Act, 1954 (No. 37 of 1954); (i) has directly or indirectly any share or interest in any contract with, by or on behalf of the Council, while owning such share or interest; or (j) has not paid all taxes due by him to the Municipality at the end of the financial year immediately preceding that in which the election or nomination is held or made within thirty days of receipt of a notice of demand made in this behalf by the Chief Municipal Officer; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(k) is disqualified to be a President or a Councillor under Sections 41, 41-A or 35-A as the case may be; or (l) is a paid employee of any educational institute receiving financial aid from the Council; or (m) is a Government pleader; or (n) has not paid the amount of charge imposed upon him under Section 11 of the Madhya Pradesh Sthaniya Nidhi Sampariksha Adhiniyam, 1973 (No. 43 of 1973) within the time specified in Section 15 of the said Adhiniyam: Provided that a disqualification under clause (g), (h) or (k) may be removed by an order by the State Government in this behalf: Provided further that the disqualification under clause (j) shall be deemed to have been automatically removed as soon as the Municipal dues are paid in full. Explanation.--A person shall not be deemed to have incurred disqualification under clause (i) by reason of his-- (i) having any share or interest in any lease, sale or purchase of any immovable property or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			in any agreement for the same: Provided that in the case of sale or purchase the previous sanction of the State Government or the prescribed authority has been obtained; or (ii) being a shareholder, in, or a member of, any incorporated or registered company or society; or (iii) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Municipality may be inserted; or (iv) having a share or interest in the occasional sale to the Council of any article in which he regularly trades, or in the purchase from the Council of any article, of a value in either case not exceeding in any official year five hundred rupees or such higher amount not exceeding two thousand rupees as the Council, with the sanction of the State Government, may fix in this behalf; or (v) being a party to an agreement made with the Council for-- (a) payment: of fixed charges in lieu of water-rate; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(b) payment of special rate in lieu of special sanitary cess; or (c) compounding of tax on vehicles or animals; or (vi) being a party, as an owner of any building or land, to an agreement made with the Council for construction of drainage and water connection where a drainage scheme or water-works scheme has been commenced by the Council; or (vii) holding a debenture or being otherwise interested in any loan raised by or on behalf of the Council; or (viii) having a share or interest in occasional letting out on hire to the Council or in the hiring from the Council of any article for an amount not exceeding in any official year fifty rupees, or such higher amount not exceeding two hundred rupees, as the Council with the sanction of the State Government, may fix in this behalf. (o) If he is so disqualified by or under any law for the time being in force, for the purposes of elections to the Legislative Assembly of the State;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(p) has been convicted of an offence against women; (q) Omitted; (r) has been disqualified under Section 32-C: Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty one years.	
42.	Orissa (Panchayat Samiti) Act, 1959	AN ACT TO ESTABLISH PANCHAYAT SAMITIS IN THE STATE OF ORISSA	**Section 45 -** **Disqualification for becoming a member and continuing as a member** (1) A person shall not be eligible to stand for election [under Sub-section (1) of Section 16 if he- (b) is not ordinarily residing within the Block; or (c) is of unsound mind; or (d) is an applicant to be adjudicated as an insolvent or is an undischarged insolvent; or **(e) is a deaf-mute or is suffering from leprosy or tuberculosis; or**	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(f) is convicted of an election offence under any law for the time being in force; or, (g) is not a citizen of India; or (h) is convicted for an offence involving moral turpitude; or (i) holds any office of profit under the State or Central Government or any local authority; or (j) is a teacher in any school recognised under the provisions of the Orissa Education Code for the time being in force; or (k) holds the office of a Minister either in the Central or in the State Government; or (k-1) as a member of the House of the People or of the Council of States or of the State Legislature; or (l) has been dismissed from service of the State of Central Government or any Local Authority; or (m) has been in arrears of any dues payable by him to the Grama Panchayat; or (m-1) being a member of any society registered under the Orissa Co-operative	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Societies Act, 1951 (Orissa Act 11 of 1952) has failed to pay any arrears of any kind accrued due by him to such society for a continuous period of two years or more; or (n) is in the habit of encouraging litigation in the villages and has been declared to be so on enquiry by the prescribed authority in the prescribed manner; or (o) is interested in a subsisting contract made with or any work being done for the Samiti or any Government except as a shareholder other than a Director in a Company or except as may be prescribed; or (p) is a paid and retained legal practitioner on behalf of the Samiti; or (q) is disqualified by or under any law for the time being in force for the purpose of election to the Legislature of the State; or (r) is disqualified by or under any law made by the Legislature of the State; or (s) is less than twenty-one years of age; or (t) is not able to read and write Oriya; or (u) has more than one spouse living; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(v) has more than two children: Provided that the disqualification under Clause (h) or (i) may be, removed by the Government in the prescribed manner: Provided further that the disqualification under Clause (v) shall not apply to a person who has more than two children on the date of commencement of the Orissa Panchayat Samiti (Amendment) Act, 1994 or, as the case may be, within a period of one year of such commencement, unless he begets an additional child after the said period of one year. (2) An elected member of a Samiti [including the Chairman and Vice-Chairman] shall cease to be a member if he- (i) is not ordinarily residing within the Block or ceases to so reside or is becomes subject to any of the other disqualifications specified in Sub-section (1); or (ii) has been continuously absent from the Block for more than six months without prior intimation in writing- (a) in the case of a Chairman, to the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Samiti; (b) in the case of any other member or Vice-Chairman to the Chairman; or (iii) has absented himself without permission from three consecutive ordinary meetings of the Samiti on passing a resolution by the Samiti to that effect in the manner hereinafter specified, namely: (a) any member including the Chairman and Vice-Chairman desiring to absent himself from a meeting of the Samiti shall submit his written application to the Samiti through the Block Development Officer prior to the date of such meeting; (b) an application received after the date of the meeting and before the next meeting of the Samiti, may be accepted for consideration, if the Samiti is satisfied that there was sufficient reason for which the applicant failed to submit the application in time; (c) the Block Development Officer shall place the application in the immediately following meeting of the Samiti for consideration and the Samiti may grant or refuse permission;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(d) where such refusal of permission shall result in absence from three consecutive meetings, the Samiti shall specify in the resolution whether the applicant shall cease to continue as a member, Chairman, or Vice-Chairman, as the case may be, of the Samiti; (e) any absence without an application required under Clause (a) or (b) shall be deemed to be an absence without permission. Explanation - The meetings which are adjourned without transacting any business shall not be reckoned as ordinary meetings of the Samiti. (iv) being a legal practitioner appears or acts as such against the Samiti. (3) Where a person ceases to be a member under Clause (f) of Sub-section (1), he shall be restored to office for such portion of the term of office as may remain unexpired as the date of such restoration, if the sentence is reversed or quashed on appeal or revision or the offence if pardoned or the disqualification is removed by an order of the Government and any person filling the vacancy in the interim period shall, on such	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			restoration, vacate the office.	
43.	Madras Panchayats Act, 1958	An Act to make better provision for the organization of village and town panchayats and for the constitution of panchayat union councils.	**Section 25 -** **Disqualifications of candidates** (1) A person who has been sentenced by a criminal court to imprisonment for any offence involving moral delinquency (such sentence not having been reversed), shall be disqualified for election as a member while undergoing the sentence and for five years from the date of the expiration thereof. (2) A person shall be disqualified for election as a member if, at the date of nomination or election, he is-- **(a) of unsound mind, a deaf-mute or suffering from leprosy;** (b) an applicant to be adjudicated an insolvent or an undischarged insolvent; (c) interested in a subsisting contract made with, or any work being done for, the panchayat or the panchayat union council except as a shareholder (other than a director) in a company; (d) employed as paid legal practitioner on behalf of the panchayat or panchayat union council or as legal practitioner against the	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			panchayat or the panchayat union council; (e) an honorary Magistrate under the Code of Criminal Procedure, 1898 (Central Act V of 1898), with jurisdiction over any part of the village or town; (f) already a member of the panchayat or the panchayat union council, as the case may be, whose term of office will not expire before his fresh election can take effect or has already been elected as a member of the panchayat or the panchayat union council, as the case may be, whose term of office has not yet commenced; or (g) in arrears of any kind due by him (otherwise than in a fiduciary capacity) to the panchayat or the panchayat union council up to and inclusive of the previous year, in respect of which a bill or notice has been duly served upon him and the time, if any, specified therein for payment has expired. **Section 26 -** **Disqualifications of members** Subject to the provisions of section 28, a member shall cease to hold office as such if he-- (a) is sentenced by a criminal court to such	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			punishment and for such offence as is described in sub-section (1) of section 25; **(b) becomes of unsound mind or a deaf-mute or suffers from leprosy;** (c) applies to be adjudicated, or is adjudicated, an insolvent; (d) acquires any interest in any subsisting contract made with, or work being done for, the panchayat or the panchayat union council except as a shareholder (other than a director) in a company or except as permitted by rules made under this Act; (e) is employed as paid legal practitioner on behalf of the panchayat or the panchayat union council or accepts employment as legal practitioner against the panchayat or the panchayat union council; (f) is appointed as an officer or servant under this Act; (g) is appointed as an honorary Magistrate under the Code of Criminal Procedure, 1898 (Central Act V of 1898), with jurisdiction over any part of the village or town; (h) ceases to reside in the village or town as	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			the case may be; (i) fails to pay arrears of any kind due by him (otherwise than in a fiduciary capacity) to the panchayat or the panchayat union council within three months after a bill or notice has been served upon him in pursuance of rules made under this Act, or where in the case of any arrear, such rules do not require the service of any bill or notice, within three months after a notice requiring payment of the arrear (which notice it shall be the duty of the executive authority of the panchayat or the commissioner to serve at the earliest possible date) has been duly served upon him by the executive authority or commissioner; or (j) absents himself from the meetings of the panchayat or the panchayat union council, as the case may be, for a period of three consecutive months reckoned from the date of the commencement of his term of office, or of the last meeting which he attended, or of his restoration to office as member under section 27, sub-section (1), as the case may be, or if within the said period, less than three meetings have been held, absents himself from three consecutive meetings held after the said date: Provided that no meeting from which a member absented himself shall be counted against him under this clause if--	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(i) due notice of that meeting was not given to him; or (ii) the meeting was held after giving short or notice than that prescribed for an ordinary meeting; or (iii) the meeting was hold on a requisition of members.	
44.	Delhi Municipal Corporation Act, 1957	An Act to consolidate and amend the law relating to the Municipal Government of Delhi.	**Section 414 -** **Power to expellers and disturbers, etc. from markets** The person in charge of a market shall prevent the entry therein of, and shall expel therefrom, any person suffering from leprosy in whom the process of ulceration has commenced or from any dangerous disease, who or exposes for sale therein any article or who, not having purchased the same handles any articles exposed for sale therein; and he may expel therefrom any person who is creating a disturbance therein.	Article 19(1)(d) and 21
45.	Greater Hyderabad Municipal Corporation Act, 1955	An Act to re-enact the law relating to Municipal Corporations in the cities of Hyderabad	**Section 22 -** **Disqualification for being a Member** (1) Subject to the provisions of this Act, a person	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		and Secunderabad.	shall be disqualified for being elected as a Member if such person is at the date of election:-- (a) one who has been sentenced by any Court to imprisonment or for an offence involving moral turpitude, such sentence not having been subsequently reversed or quashed, or to death, such sentence having been subsequently commuted or altered to transportation or imprisonment: Provided that, on the expiry of such sentence the disqualification incurred under this clause shall cease; **(b) is of unsound mind and stands so declared by a competent Court, a deaf-mute or a leper;** (bb) already a member or Sarpanch of Gram Panchayat or a member of a Mandal Praja Parishad or Zilla Praja Parishad constituted under the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 (Act 13 of 1994) or a member of a Nagar Panchayat or Municipality constituted under the provisions of the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965). (c) holds any office or place of profit under Government or under the Corporation or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			under any local authority: Provided that nothing in this clause shall apply to a person, who, for the time being, is holding the office of the Chairman of an Urban Development Authority for the development area comprising the Corporation, constituted under Sub-section (1) of Section 3 of the Andhra Pradesh Urban Areas (Development) Act, 1975; (d) is an undischarged insolvent; (e) holds any judicial office with jurisdiction within the limits of the city; (f) is employed as paid legal practitioner on behalf of the Corporation, or accepts employment as legal practitioner against the Corporation; (g) having been a legal practitioner he has been dismissed or is under suspension by order of the High Court on any of the following grounds; the disqualification in the latter case being operative during the period of suspension; (i) a criminal offence implying a moral defect of character,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ii) being guilty of fraudulent conduct. (h) subject to the provisions of sub-section (2) has directly or indirectly, by himself or his partner or if he belongs to a Joint Hindu Family, by any member of such family, and share or interest in any contract or has employment with, by or on behalf of the Corporation; (i) has been dismissed from the service of the Government, Corporation or any local authority for misconduct and has been declared by a competent authority to be not eligible for further employment in the public service; (k) had been disqualified for voting under Section 20, unless such periods has elapsed for which he was disqualified for voting. (2) A person shall not be deemed to have incurred disqualification under clause (h) of Sub-section (1) by reason only of his-- (a) receiving pension from the Corporation; (b) having any share or interest in-- (i) any lease, sale, exchange or purchase of land or any agreement for the same;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ii) any agreement for the loan of money or any security for the payment of money only; (iii) any newspaper in which any advertisement relating to the affairs of the Corporation is inserted; (iv) any Joint Stock Company or any Society registered or deemed to be registered under the Andhra Pradesh (Telangana Area) Co-operative Societies Act, 1952 (Act XVI of 1952) which shall contract with or be employed by the Commissioner on behalf of the Corporation; (v) the occasional sale to the Commissioner on behalf of the Corporation of any article in which he regularly trades to a value not exceeding in the aggregate in any financial year rupees five thousand; or (vi) the occasional letting out on hire to or hiring from the Corporation of any article for an amount not exceeding in the aggregate in any financial year rupees one thousand. (c) occupying as a tenant for the purpose of residence any premises belong to the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Corporation.	
46.	Delhi Land Reforms Act, 1954	An Act to provide for modification of zamindari system no as to create cm uniform body of peasant proprietors without intermediaries, for the unification of the Punjab and Agra systems of tenancy taws in force in the State of Delhi and to make provision for other matters connected therewith.	**Section 153 -** **Disqualification for membership of the Gaon Panchayat** No person shall be entitled to be or remain a member of the Gaon Panchayat, if he-- (a) ceases to be a member of the Gaon Sabha; or **(b) is suffering from leprosy; or** (c) is an undischarged insolvent; or (d) is a servant of the Government; or (e) is convicted of an offence involving moral turpitude or order to give security for good behaviour under section 110 of the Code of Criminal Procedure, 1898: Provided that the disqualifications under clause (c) or (e) may be removed by an order of the Chief Commissioner or the prescribed authority.	Article 14 and 21
47.	Delhi Panchayat Raj Act, 1954	An Act to establish and develop local self Government in	**Section 44 -** **Circle Panchayat, Sarpanch and Naib Sarpanch**	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		the rural areas of Delhi State and to make better provision for village administration and development.	(1) The Chief Commissioner or the prescribed authority shall by a notification in the official Gazette in this behalf, group into a Circle such number of contiguous Gaon Sabha Areas as the Chief Commissioner or the prescribed authority may deem fit and established for each such circle a Circle Panchayat. (2) The Circle Panchayat for each circle shall consist of persons elected in accordance with sub-section (3). (3) Every Gaon Sabha in each Circle shall elect from amongst its members a number of persons of prescribed qualifications to act as panches of the Circle Panchayat of that circle. The number of adults so elected shall be such that from each village in the Gaon Sabha Area two such adults shall be elected where its population is 1,000 or less and there where its population is more than 1,000. The election shall be carried out in the manner prescribed. The panel so elected for each circle shall be called Circle Panchayat. (4) No person shall be elected or remain panch of the Circle Panchayat if he is- (a) unable to read and write Hindi or Urdu; or (b) of unsound mind; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) suffering from leprosy; or (d) an undischarged insolvent; or (e) a servant of the Government or any local authority; or (f) convicted under the Untouchability (offences) Act, 1955 or of an offence involving moral turpitude or ordered to give security for good behaviour under Section 110 of the Code of Criminal Procedure, 1898; (5) All the panches shall elect from amongst themselves a person to act as Sarpanch, and another person to act as Naib Sarpanch of the Circle Panchayat. (6) Any dispute arising out of any election under sub-section (3) or (5) shall be referred to the prescribed authority; whose decision shall, subject to revision by the Chief Commis-sioner, be final and shall not be questioned in a Court of law.	
48.	Orissa Municipal Act, 1950	An Act to consolidate and amend the Law relating to Municipalities in	**Section 16 -** **Disqualification of Candidates for election** (1) No person shall be qualified for election as a	Article 14, 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		the State of Orissa.	Councillor of a Municipality if such person- (i) is not included in the electoral roll of the Municipal area or (ii) is less than twenty-one years of age; (iii) is unable to read and write either English, Hindi or the language of State or; **(iv) has been adjudged by a competent Court to be of unsound mind or is a leprosy or a tuberculosis patient; or** (v) is an undischarged insolvent or being a discharged insolvent has not obtained from the Court a certificate that insolvency was caused by misfortune without misconduct on his part; or (vi) is in arrears or any dues payable to the Municipality without sufficient cause shown to the satisfaction of the Election Officer, for a period of one year immediately preceding the year in which the election is held; or (vii) is a person against whom an order of surcharge for willful negligence of misconduct has either been certified for payment or confirmed in case of an appeal in respect of any money or property of a Municipality,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			under the provisions of the Orissa Local Fund Audit Act, Orissa Act 5 of 1948 or a person against whom a decree has been passed under Section 375; or (viii) is interested in a subsisting contract, either directly or indirectly made with or any work being done for the Municipality, except as a shareholder in a registered joint stock company or co-operative society, constituted under the laws for the time being in force: Provided that a person shall not be deemed to have any interest in such contract or work by reason only of his having a share or interest in- (a) any lease, sale or purchase of immovable property or any agreement for the same; or (b) any agreement for the loan of money or any security for the payment of money only; or (c) any news paper in which any advertisement relating to the affairs of the Municipality is or may be inserted; or (d) the sale to the Municipality of any articles in which he regularly trades or the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			purchase from the Municipality of any article to a value in either case, not exceeding fifteen hundred rupees in the aggregate, in any year during the period of the contract or work; or (ix) is employed as a paid legal practitioner on behalf of the Municipality of as legal practitioner against the Municipality; or (x) is an officer or servant holding office under the Municipality or an Honorary Magistrate with jurisdiction over any part of the area of the Municipality; or (xi) is a Government servant either whole time or part time has been dismissed from Government service for corruption or disloyalty to the State unless a period of five years has elapsed since his dismissal: Provided that if any question arises, either before or after an election whether any person is or not disqualified under this clause, the question shall be referred to the State Government whose decision shall be final; or (xii) has been sentenced by a Criminal Court to transportation or to imprisonment for a period of more than six months for any offence, other than an offence of a political	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			character, or an offence, other than an offence not involving moral delinquency (such sentence not having been reversed or the offence pardoned) so long as he is undergoing the sentence and for three years from the date of the expiration of the sentence: Provided that notwithstanding anything contained above the Governor may direct that such Sentence shall not operate as a disqualification and upon such a direction being given or if and when the sentence is superseded on appeal or revision he shall be restored to office for such portion of the period for which he was elected, as may remain unexpired at the date if such restoration and any person elected to fill the vacancy in the interim shall, on such restoration, vacate office; or (xiii) has been convicted or found to have been guilty or offence of corrupt or legal practice relating to elections, which has been declared, by the State Government, under prescribed rules, to be an offence or practice entailing disqualification of membership unless such period has elapsed as may be prescribed in that behalf; or (xiv) is disqualified by or under any law for the time being in force for the purposes of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			elections to the Legislature of the State; or (xv) is disqualified by or under any law made by the Legislature of the State; or (xvi) has more than one spouse living; or (xvii) has more than two children: Provided that the disqualifications under Clause (xvii) shall not apply to a person who has more than two children on the date of commencement of the Orissa Municipal (Amendment) Act, 1994, or as the case may be, within a period of one year of such commencement, unless he begets an additional child after the said period of one year; and (xviii) has given appointment to any person in contravention of the provisions of this Act and the rules made thereunder, during his tenure in the Municipality immediately preceding the election; (xix) has been removed under Section 53 during the term of his office as the Chairperson or the Vice-Chairperson of the Municipality immediately preceding the election.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(2) Subject to the provisions of section 38, where a person who becomes disqualified by virtue of Clause (xii) of Sub-section (1) is at the date of disqualification a Councillor, his seat shall, notwithstanding anything contained in this section, not become vacant by reason of the disqualification until three months have lapsed from the date thereof or if within those three months, an appeal or petition for revision is brought in respect of the conviction of the sentence, until that appeal or petition is disposed of but during any period during which his Councilorship is preserved under this section, he shall not sit or vote in the Council. **Section 17 -** **Disqualification of Councillor** (1) Subject to the provisions of Section 38, a Councillor shall cease to hold his office, if he- (a) subject to the proviso to Clause (xii) of Sub-section (1) of Section 16, is sentenced by Criminal Court to such punishment and for such offence, as is prescribed in that clause; or **(b) becomes of unsound mind, a leprosy or a tuberculosis patient; or**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) applies to be adjudicated or is adjudicated as insolvent; or (d) subject to the proviso to clause (viii) of sub-section (1) of Section 16 acquire any, interest in any subsisting contract, either directly or indirectly made with or work being done for, the Municipality except as share-holder in a registered joint-stock company or a co-operative society, constituted under the laws for the time being in force; or (e) is employed as a paid legal practitioner on behalf of the Municipality or accepts employments as a legal practitioner against the Municipality; or (e-1) has failed to pay any arrears of Municipal dues within six months from the date of service of a notice demanding payment of the same; or (f) is appointed as an officer or servant under Municipality or as Honorary Magistrate with jurisdiction over any part of the Municipality; or (g) is a salaried Government servant either whole-time or part-time: Provided that if any question arises,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			whether any person is or not disqualified under this clause, the question shall be referred to the State Government, whose decision shall be final; or (i) in the case of a Councillor absents himself from four consecutive meetings without obtaining previous permissions from the Chairperson or without an excuse sufficient in the opinion of the Municipality. Provided that no meeting from which a Councillor absents himself shall be counted against him under this clause if due notice of that meeting was not given to him; Explanation-Emergent or special meetings shall not be deemed to be meetings within the meaning of this clause; or (j) has been convicted or found to have been guilty of any offence of corrupt or illegal practice relating to elections, which has been declared, by State Government under prescribed rules, to be an offence or practice entailing disqualification for Councillorship, unless such period has elapsed as may be prescribed in that behalf. (k) incurs any of the disqualifications specified in Clauses (xiv) to (xvii) of Sub-section (1) of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Section 16 **Section 306 -** **Duty of expelling leprosy patients, from market and power to expel disturbers** The person in charge of a market shall prevent the entry therein of or expel therefrom, any person suffering from leprosy or from any infectious or contagious disease, and any animal suffering from disease communicable to man such as anthrax, tuberculosis, glanders, rabies, or any other disease communicable to animals such as foot and mouth diseases, and he may expel therefrom any person who is creating a disturbance therein.	
49.	Tamil Nadu District Municipalities Act, 1920	An Act to consolidate and amend the law relating to District Municipalities.	**Section 49 -** **Disqualification of candidates** (1) A person who has been sentenced by a criminal court to transportation or to imprisonment for a period of more than six months for any offence other than an offence of a political character or an offence not involving moral delinquency (such sentence not having been reversed or the offence pardoned) shall be disqualified for selection as a councillor while the sentence is in force and for six years from the date of the expiration of the	Article 14, 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			sentence. (1-A) A person convicted of an offence punishable under the protection of Civil Rights Act, 1955 (Central Act XXII of 1955), shall be disqualified for election as a councillor for a period of six years from the date of such conviction. (2) A person shall be disqualified for election as a councillor if such person is at the date of nomination or election **(a) of unsound mind, a deaf-mute or a leper;** (b) an applicant to be adjudicated a bankrupt or insolvent or an uncertificated bankrupt or undischarged insolvent; (c) interested in a subsisting contract made with, or any work being done for, the municipal council except as a shareholder (other than a director) in a company Provided that a person shall not be deemed to have any interest in such contract of work by reason only of his having a share or interest in (i) any lease, sale or purchase of immovable property or any agreement for the same; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ii) any agreement for the loan of money or any security for the payment of money only; (iii) any newspaper in which any advertisement relating to the affairs of the council is inserted; or (iv) the sale to the council of any articles in which he regularly trades, or the purchase from the council of any articles to a value in either case not exceeding fifteen hundred rupees in the aggregate in any year during the period of the contract or work (cc) employed as paid legal practitioner on behalf of the council or as legal practitioner against the council (d) an officer or servant holding office under this Act; or an honorary magistrate for the municipal town; (e) already a councillor whose term of office as such will not expire before his fresh election can take effect; or has already been elected a councillor whose term of office has not yet commenced; (f) the servant or employer or the official subordinate or official superior of a councillor holding office on the said date; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(g) in arrears of any kind due by him (otherwise than in a fiduciary capacity) to the municipality up to and inclusive of the previous year, in respect of which a bill or notice has been duly served upon him and the time, if any, specified therein for payment has expired (2-A) If the Tamil Nadu State Election Commission is satisfied that a person: (a) has failed to lodge an account of election expenses within the time and to the manner required by or under the Act and (b) has no good reason or 'justification for the failure, The Tamil Nadu State Election Commission shall, by order published in the Tamil Nadu Government Gazette declare him to be disqualified for being elected as and for being a chairman or a councillor, as the case may be, and any such person shall be disqualified for a period of three years from the date of the order. (3) Notwithstanding anything contained in sub-section (1) or sub-section (1-A) the Tamil Nadu State Election Commission may direct that such conviction or sentence shall not operate as a	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			disqualification. **Section 50** **Disqualification of Councillors .—** (1) Subject to the provisions of Section 51, a Councillor shall cease to hold his office, if he — (a) is sentenced by a Criminal Court to such punishment [and for such offence as is described in sub-section (1) of Section 49; (aa) is convicted of an offence punishable under the Protection of Civil Rights Act, 1955 (Central Act 22 of 1955); **(b) becomes of unsound mind, a deaf-mute, or a leper;** (c) applies to be adjudicated or is adjudicated a bankrupt or insolvent; (d) subject to the proviso to clause (c) of sub-section (2) of Section 49, acquires any interest in any subsisting contract made with, or work being done, for the Council except as a shareholder (other than a director), in a company; (dd) is employed as paid legal practitioner on	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			behalf of the Council or accepts employment as legal practitioner against the Council; (ddd) does not belong to Scheduled Caste or Scheduled Tribe, but has been elected from the seat reserved for Scheduled Caste or Scheduled Tribe as the case may be; (e) is appointed as an officer or servant under this Act or as an honorary magistrate for the municipal town; (f) accepts employment under or becomes the official subordinate of any other Councillor; (h) ceases to reside in the Municipality or within two miles thereof; (hh) fails to pay arrears of any kind due by him (otherwise than in a fiduciary capacity) to the Municipality, within three months after a bill or notice has been served upon him under this Act, or where in the case of any arrear this Act does not require the service of any bill or notice, within three months after a notice requiring payment of the arrear (which notice it shall be the duty of the Executive Authority to serve at the earliest possible date) has been duly served upon him by the Executive Authority; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(i) absents himself from the meetings of the Council for a period of three consecutive months reckoned from the date of commencement of his term of office, or of the last meeting which he attended, or of his restoration to office as Councillor under sub-section (4), as the case may be, or of within the said period, less than three meetings have been held, absents himself from three consecutive meetings held after the said date: Provided that no meeting from which a Councillor absents himself shall be counted against him under this clause, if due notice of that meeting was not given to him. **Explanation** .—A meeting held under sub-rule (2) of rule 2 of Schedule III or rule 3 of that Schedule shall not be deemed to be a meeting within the meaning of this clause. (2) Notwithstanding anything contained in clause (a) of sub-section (1), the [State Government] may direct that such sentence shall not operate as a disqualification. (3) Where a person ceases to be a Councillor under clause (a) of sub-section (1) or under Section 60), he shall be restored to office for such portion of the period for which he was elected as may remain unexpired at the date of such restoration, if and	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			when the sentence or order is annulled on appeal or revision or [the disqualification caused by the sentence or incurred under Section 60 is removed by an order of the State Government and any person elected to fill the vacancy in the interim shall on such restoration vacate office. (4) Where a person ceases to be a Councillor under clause (i) of subsection (1), the Executive Authority shall at once intimate the fact in writing to such person and report the same to the Council at its next meeting. If such person applies for restoration suo moto to the Council on or before the date of its next meeting or within fifteen days of the receipt by him such intimation, the Council may at the meeting next after the receipt of such application restore him to his office of Councillor: Provided that a Councillor shall not be so restored more than twice during his term of office. **Section 268 -** **Duty of expelling lepers, etc., from markets and power to expel disturbers** The person in charge of a market shall prevent the entry therein or expel therefrom any person suffering from leprosy in whom the process of ulceration has commenced or from any infectious or contagious disease who sells or exposes for sale	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			therein any article or who, not having purchased the same, handles any articles exposed for sale therein, and he may expel therefrom any person who is creating a disturbance therein.	
50.	Chennai Municipal Corporation Act, 1919	An Act to consolidate and amend the law relating to the Municipal affairs of the City of Chennai.	**Section 52 -** **Disqualification of candidates.—** (1) A person who has been sentenced by a criminal court to transportation or to imprisonment for a period of more than six months for any offence other than an offence of a political character or an offence not involving moral delinquency (such sentence not having been reversed or the offence pardoned shall be disqualified for election as a councillor while the sentence is in force and for six years from the date of the expiration of the sentence. (1-A) A Person convicted of an offence punishable under the Protection of Civil Rights Act, 1955 (Central Act XXII shall be disqualified for election as a councillor for a period of 7 six years from the date of such conviction. (2) **A person shall be disqualified for election as a councillor if such person is at the date of nomination or election— (a) of unsound mind, a deaf-mute or a leper;**	Article 14, 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Section 53 - **Disqualification of councilors.—** (1) Subject to the provisions of Section 54, a councillor or a person referred to in clauses (b) or (c) of subsection (2) of section 5 shall cease to hold office as such, if he— (a) is sentenced by a criminal court to such punishment and for such offence as is described in sub-section (1) of section 52; (aa) is convicted of an offence punishable under the Protection of Civil Rights Act, 1955 (Central Act XXVII of 1955); **(b) becomes a unsound mind, a deaf-mute, or a leper;** **Section 308(B) -** **Duty of expelling lepers, etc., from markets and power to expel disturbers** The person in charge of a market shall prevent the entry therein of and shall expel therefrom, any person suffering from leprosy in whom the process of ulceration has commenced or from any infectious or contagious disease who sells or exposes for sale therein any article or who, not	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			having purchased the same handles, any articles exposed for sale therein, and he may expel therefrom any person who is creating a disturbance therein.	

Laws relating to transport

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
51.	Chennai Metro Railway (Carriage And Ticket) Rules, 2014	In exercise of the powers conferred by section 32 of the Metro Railways (Operation and Maintenance) Act, 2002 (Act 60 of 2002), the Central Government hereby makes the following rules, namely:-	**Section 7 -** **Diseases declared to be infectious and contagious.** - No person suffering from any infectious or contagious diseases including the following, shall travel by the metro railway, namely:- (a) Cerebra-Spinal meningitis; (b) chicken-pox; (c) cholera; (d) diphtheria; (e) measles; (f) mumps; (g) scarlet fever; (h) typhus fever; (i) typhoid fever; (j) whooping cough; and (k) any other disease declared as contagious and highly infectious by Central or State Government. Provided that a closed (non-infective) leprosy patient carrying a certificate from a registered	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			medical practitioner certifying him to be non-infective may travel by the metro railway.	
52.	Metro Railways (Carriage And Ticket) Rules, 2014	In exercise of the powers conferred by section 32 of the Metro Railways (Operation and Maintenance) Act, 2002 (60 of 2002), the Central Government hereby makes the following rules, namely:--	**Rule 6 -** **Diseases declared to be infectious and contagious.** - No person who is mentally disturbed or is suffering from any infectious or contagious disease including the following, shall travel in the metro railway, namely:- (a) cerebro-spinal meningitis; (b) chicken-pox; (c) cholera; (d) diphtheria; (e) measles; (f) mumps; (g) scarlet fever; (h) typhus fever; (i) typhoid fever; (j) whooping cough; (k) tuberculosis. Provided that a closed (non-infective) leprosy patient carrying a certificate from a Registered Medical Practitioner certifying him to be non-infective may travel in the metro railway.	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
53.	Bangalore Metro Railway (Carriage And Ticket) Rules, 2011	In exercise of the powers conferred by section 32 of the Metro Railway (Operation and Maintenance) Act, 2002 (60 of 2002), the Central Government hereby makes the following rules, namely:-	**Section 6 -** **Diseases declared to be infectious and contagious.-** No person suffering from any declared infectious or contagious diseases including the followings, shall travel in the Bangalore metro railway, namely:- (a) cerebro-spinal meningitis; (b) chicken-pox; (c) cholera (d) diphtheria; (e) measles; (f) mumps; (g) scarlet fever; (h) typhus fever; (i) typhoid fever; (j) whooping cough Provided that in the case of closed (non-infective) leprosy patient carrying a certificate from a Registered Medical Practitioner certifying him to be non-infective may travel in the Bangalore Metro Railway.	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
54.	Jammu And Kashmir Motor Vehicles Act, 1998	An Act to consolidate and amend the law relating to Motor Vehicles.	**THE SECOND SCHEDULE** See Section 7(5). I. Diseases and disabilities absolutely disqualifying a person for obtaining a licence to drive a motor vehicle- (1) Epilepsy. (2) Lunacy. (3) Heart disease likely to produce sudden attacks of giddiness or fainting. (4) Inability to distinguish with each eye at a distance of 25 yards in good daylight (with the aid of glasses, if worn) a series of seven letters and figures in white on a black ground of the same size and arrangement as those of the registration mark of a motor car. (5) A degree of deafness which prevents the applicant from hearing the ordinary sound signals. (6) Colour blindness. (7) Night blindness. II. Diseases and disabilities absolutely	Article 14, 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			disqualifying a person for obtaining a licence to drive a public service vehicle. **(1) Leprosy.**	
55.	Inland Steam Vessels (Madhya Pradesh) Rules, 1962	In exercise of the powers conferred by Sections 19, 19-R, 29, 52, 53, 54 and. 67 of the Inland Steam Vessels Act, 1917 (No. 1 of 1917), the State Government hereby make the following rules regarding running of vessels on the inland waters, the same having been previously published, as required by sub-section (1) of Section 74 of the said Act, namely:-	**Rule 83 -** No person suffering from leprosy or any other infectious disease shall be carried on board any vessel licensed to carry passengers unless- (1) arrangements have been made to the satisfaction of the Canal Officer for the separation of the persons and his attendants during the whole time that they remain on the vessel from other persons carried in the vessel; and (2) any other special precautions which the Canal Officer may consider necessary have been taken to prevent infection being communicated to other persons employed on or travelling in the vessel.	Article 19(1)(d) and 21

Marriage Laws

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
56.	Hindu Marriage (High Court of Meghalaya) Rules 2013	In exercise of the powers conferred by Sections 14 and 21 of the Hindu Marriage Act, 1955 (Act No. XXV of 1955) with all its amendments up-to date, the High Court of Meghalaya is pleased to make the following Rules for regulating the proceedings under the said Act.	**Rule 7(vii)(f)-** **Contents of petitions.-** In addition to the particulars required under Order VII Rule 1 of the Code and Section 20(1) of the Act, every petition for Judicial separation, nullity of marriage and divorce under Sections 9 and 13 of the Act shall contain the following particulars:- (i) The place and date of marriage (ii) Whether the spouses were Hindus by religion at the time of the marriage and whether they continue to be so till the date of filing the petition. (iii) The name, status, domicile of the spouses before the marriage/after the marriage and at the time of presenting the petition. (iv) The principal permanent address where the parties reside at the time of presenting the petition together with the addresses where they last resided together. 2 (v) The name of the children, of the marriage, if any, their sex and their dates of birth or ages.	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(vi) If there was any prior proceeding under the Act between the parties, full particulars thereof. (vii) If the relief is sought in the ground of matrimonial offence, or offences or other grounds-the time and place of the acts of facts alleged with sufficient material particularly but not the evidence by which they are intended to be proved such as:- (a) for restitution of conjugal rights the date or time from which and the circumstances under which the other spouse i.e., the respondent had withdrawn from the Society of the Petitioner. (b) for decree of nullity of marriage under Sections 12(1) (c) 12(1) (d) the material particulars and circumstances of force or fraud and the facts with time of discovery of such force or fraud and whether the marital intercourse took place or not with the consent of the Petitioner after the discovery of such facts. (c) for a decree of Judicial separation under Section 10(1) and divorce under Section 13(1) (i) on the ground that the other party had voluntary sexual intercourse with any person other than his or her spouse – the name,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			occupation and place of residence of such person or persons so far they can be ascertained and the specified particulars of such acts of sexual intercourse as far as practicable. (d) (i) for alleged desertion the date and time and the circumstances in which it started. (ii) for cruelty-either mental or physical the specific acts or bundle of facts constituting cruelty specifying the place and occasion where and when such acts were committed. (e) for unsoundness of mind or mental disorder-the nature of such mental condition and the time when it began to manifest itself and the curative steps taken with the period of treatment. **(f) for virulent and incurable form the leprosy or venereal diseases in communicable form - when such ailment began to manifest and the nature and the period of curative steps taken.** (g) for the relief on the grounds specified in Section 13(1) (vi), the date of renunciation and the particulars of the religious order which the other spouse has entered into. (h) for the relief on the grounds specified in	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Section 13(1) (vii), the time and the place where the other spouse was last seen or heard of being alive and the steps taken, if any, to ascertain his or her whereabouts; (i) for the relief on the grounds of rape or sodomy or bestiality, the occasion, place and the names and address of the persons or the particulars of beast involved in the commission of such acts. In case of conviction or criminal proceedings for committing rape or sodomy, the particulars thereof; (j) for relief under Section 13 (2) (iii) of the Act, particulars of decree under Section 18 of the Hindu Adoption and Maintenance Act, 1956 or order under Section 125 of the Criminal Procedure Code, 1973 together with a further statement supported by affidavit that since after the passing of such decree or order, cohabitation between the spouse has not been resumed for one year or upwards; (k) for the relief under Section 13(2) (iv) – the date of birth of the wife or the particulars showing the age of the wife at the time of the marriage together with the date or time and the place of repudiation with its mode: (viii) the particulars of the property as mentioned in Section 27 of the Act.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ix) the relief or reliefs prayed for	
57.	Family Courts (Patna High Court) Rules, 2000	None.	**Rule 7 -** **Contents of the Plaint / application:-** In addition to the particulars required to be furnished under Order VII, Rule 1 of the Code of Civil Procedure. 1908 and Section 20 (1) of the Hindu Marriage Act, 1955 every plaint/application for judicial separation, nullity of marriage, divorce and restriction of conjugal rights, shall contain the following particulars– (a) Place and date of marriage. (b) The name of the parties and their occupation, places and address where the parties resided and cohabited including the place where they last resided together, (c) The names of the children of the marriage and dates of their birth, if any. (d) The particulars of the previous suit proceeding between the parties, if any. (e) If the plaint/application is for restitution of conjugal rights, the date on or from which and the circumstances under which, the respondent	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			withdraw from the society of the petitioner. (f) If the petition is for judicial separation, the matrimonial offence alleged or other grounds upon which the relief sought with full particulars so far as known to the petitioner e.g.– (i) In the case of desertion, the date and the circumstances under which it began; (ii) In the case of cruelty or sexual intercourse with another person other than his or her spouse, particulars of the act of cruelty or sexual intercourse together with the name and address of the persons with whom the respondent had sexual intercourse so far as known to the petitioner. **(iii) In the case of virulent leprosy or general disease in a communicable form, the time when the disease began to manifest itself, the nature of curative steps taken , the name and address of the person or persons who treated such disease, and in the case of venereal disease, that it was not contacted from the petitioner; and.** (iv) In the case of unsoundness of mind, the time when such unsoundness began to manifest itself, the nature of curative steps taken, the name and address of the person or persons who treated for such unsoundness of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			mind. (g) If the petition is for divorce, the matrimonial offence alleged or other grounds upon which the relief is sought with full particulars so far as known to the petitioner, e.g.– (i) In the case of voluntary sexual intercourse with a person other than his or her spouse after marriage, the particulars of the act or acts, occasion and the place when such act or acts was or were committed together with the name and address of the person or persons with whom sexual inter course was committed; (ii) In the case of incurable unsoundness of mind, the time when such unsoundness began to manifest itself the nature and period of curative steps taken the name and address of the person or persons who treated for such unsoundness of mind; **(iii) In the case of virulent and incurable form of leprosy or venereal disease in a communicable form, the time when the disease in a communicable form, the time when the disease in a communicable form, the time when the disease began to manifest itself, the nature of curative steps taken with the name and address of the person or persons who treated for such**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			disease, (iv) in the case of presumption of death, the place where the parties last lives together and the date and the place when the respondent was last seen or heard of as alive, and the steps, if any, taken to ascertain his or her whereabouts; (h) If the petition is for a decree of nullity of marriage on the grounds specified in clause (c) or clause (d) of subsection (1) of Section 12 of the Hindu Marriage Act, 1955, the time when the facts constituting the grounds were discovered and whether or not sexual intercourse with the consent of the petitioner took place after the discovery of those facts; (i) Property mentioned in Section 27 of the Hindu Marriage Act, 1955, if any; (j) Whether marriage has been registered under Section 8 of the Hindu Marriage Act, 1955. (k) The petition shall at the end set out the relief or reliefs sought including any claim for– (i) Custody, maintenance and education of children; (ii) Permanent alimony and maintenance; and	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(iii) Costs. Where a claim is made under clause (ii) above, the petition shall specify the value of the respondent's property and his or her income, the particulars of his or her own property and source of income.	
58.	Jammu And Kashmir Dissolution Of Muslim Marriages Act, 1999	An Act to consolidate and clarify the provisions of Muslim law relating to suits for dissolution of marriage by women married under Muslim law and to remove doubts as to the effect of the renunciation of Islam by a married Muslim woman on her marriage tie.	**Section 2 -** **Grounds for decree for dissolution of marriage** A woman who is the wife of a person according to the Muslim law shall be entitled to obtain a decree for the dissolution of her marriage on any one or more of the following grounds, namely:— (i) that the whereabouts of the husband have not been known for a period of four years; (ii) that after she asked her husband to provide for her maintenance he wilfully neglected or failed for a period of not less than two years to do so; (iii) that the husband has been sentenced to imprisonment for a period of seven years or upwards; (iv) that the husband has failed to perform, without reasonable cause, his marital obligations for a period of three years;	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(v) that the husband was impotent at the time of the marriage and continues to be so; **(vi) that the husband has been insane for a continuous period of four years or is suffering from leprosy;** (vii) that she, having been given in marriage before she attained puberty, repudiated the marriage before she attained the age of eighteen years: Provided that the marriage has not been consummated: Provided further that, if she has been given in marriage by her father or father's father, the marriage shall not be repudiated unless such father or father's father has acted fraudulently or the contract is to her manifest disadvantage; (viii) that the husband treats her with cruelty, that is to say,— (a) habitually assaults her or makes her life miserable by cruelty of conduct even if such conduct does not amount to physical ill-treatment, or (b) associates with women of evil repute or leads a life of debauchery, or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) attempts to force her to lead an immoral life, or (d) obstructs her in the observance of her religious profession or practice, or (e) if he has more wives than one, does not treat her equitably; (ix) on any other ground which is recognised as valid for the dissolution of marriages under Muslim law: Provided that— (a) a decree passed on ground (i) shall not take effect for period of one year from the date of such decree, and if during such period the husband either appears in person before the Court or satisfies the Court through an authorised agent as to his whereabouts, the Court shall set aside the said decree; (b) no decree shall be passed on ground (iii) until the sentence has become final; and (c) in case of the impotency of the husband, before passing a decree on ground (v), the Court shall make an order requiring the husband to satisfy the Court within a period of one year from the date of such order that he has ceased to be impotent, and if the husband	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			so satisfies the Court within such period, no decree shall be passed on the said ground.	
59.	Jammu And Kashmir Hindu Marriage Act, 1980	An Act to amend and modify the law relating to marriage among Hindus.	**Section 13 -** **Divorce** (1) Any marriage solemnised whether before or after the commencement of this Act may, on a petition presented by either the husband or the wife, be dissolved by a decree of divorce on the ground that the other party - (i) has, after the solemnisation of the marriage, had voluntary sexual intercourse with any person other than his or her spouse, or (ii) has, after the solemnisation of the marriage, treated the petitioner with cruelty; or (iii) has deserted the petitioner for a continuous period of not less than two years immediately preceding the presentation of the petition; or (iv) has ceased to be a Hindu by conversion to another religion; or	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(v) has been incurably of unsound mind, or has been suffering continuously or intermittently from mental disorder of such a kind and to such an extent that the petitioner cannot reasonably be expected to live with the respondent. Explanation. - In this clause,- (a) the expression "mental disorder" means mental illness, arrested or incomplete development of mind, psychopathic disorder or any other disorder or disability of mind and includes schizophrenia; (b) the expression "psychopathic disorder" means a persistent disorder or disability of mind (whether or not including sub-normality of intelligence) which results in abnormally aggressive or seriously irresponsible conduct on the part of the other party, and whether or not it requires or is susceptible to medical treatment; or **(vi) has been suffering from a virulent and incurable form of leprosy; or** (vii) has renounced the world by entering any religious order; or (viii) has been suffering from venereal disease	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			in a communicable form; or (ix) has not been heard of as being alive for a period of seven years or more by those persons who would naturally have heard of it, had that party been alive. Explanation. - In this sub-section, the expression "desertion" means the desertion of the petitioner by the other party to the marriage without reasonable cause and without the consent or against the wish of such party, and includes the wilful neglect of the petitioner by the other party to the marriage, and its grammatical variations and cognate expressions shall be construed accordingly. (2) Either party to a marriage, whether solemnised before or after the commencement of this Act, may also present a petition for the dissolution of the marriage by a decree of divorce on the ground- (i) that there has been no resumption of cohabitation as between the parties to the marriage for a period of one year or upwards after the passing of a decree for Judicial separation in a proceeding to which they were parties; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ii) that there has been no restitution of conjugal rights as between the parties to the marriage for a period of one year or upwards after the passing of a decree for restitution of conjugal rights in a proceeding to which they were parties. (3) A wife may also present a petition for the dissolution of her marriage by a decree of divorce on the ground,- (i) in the case of any marriage solemnised before the commencement of this Act, that the husband had married again before such commencement or that any other wife of the husband married before such commencement was alive at the time of the solemnisation of the marriage of the petitioner: Provided that in either case the other wife is alive at the time of the presentation of the petition; or (ii) that the husband has, since the solemnisation of the marriage been guilty of rape, sodomy or bestiality; or (iii) that in a suit under section 18 of the Hindu Adoptions and Maintenance Act, 1960 or in a proceeding under section 488 of the Code of Criminal Procedure, Svt. 1989, a decree or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			order, as the case may be, has been passed against the husband awarding maintenance to the wife notwithstanding that she was living apart and that since the passing of such decree or order, cohabitation between the parties has not been resumed for one year or upward; (iv) that her marriage (whether consummated or not) was solemnised before she attained the age of fifteen years and she has repudiated the marriage after attaining that age but before attaining the age of eighteen years.	
60.	Jammu And Kashmir Hindu Adoptions And Maintenance Act, 1960	An Act to amend and codify the law relating to adoptions and maintenance among Hindus.	**Section 18 -** **Maintenance of wife** (1) Subject to the provisions of this section, a Hindu wife, whether married before or after the commencement of this Act, shall be entitled to be maintained by her husband during her lifetime. (2) A Hindu wife shall be entitled to live separately from her husband without forfeiting her claims to maintenance,- (a) if he is guilty of desertion, that is to say, of abandoning her without reasonable cause and without her consent or against her wish,	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			or of wilfully neglecting her; (b) if he has treated her with such cruelty as to cause a reasonable apprehension in her mind that it will be harmful or injurious to live with her husband; **(c) if he is suffering from a virulent form of leprosy;** (d) if he has any other wife living; (e) if he keeps a concubine in the same house in which his wife is living or habitually resides with a concubine elsewhere; (f) if he has ceased to be a Hindu by conversion to another religion; (g) if there is any other cause justifying her living separately. (3) A Hindu wife shall not be entitled to separate residence and maintenance from her husband if she is unchaste or cease to be a Hindu by conversion to another religion.	
61.	Hindu Adoption and Maintenance Act, 1956.	An Act to amend and codify the law relating to adoptions and maintenance	**Section 18 -** **Maintenance of wife**	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		among Hindus	(1) Subject to the provisions of this section, a Hindu wife, whether married before or after the commencement of this Act, shall be entitled to be maintained by her husband during her life time. (2) A Hindu wife shall be entitled to live separately from her husband without forfeiting her claim to maintenance- (a) if he is guilty of desertion, that is to say, of abandoning her without reasonable cause and without her consent or against her wish, or willfully neglecting her; (b) if he has treated her with such cruelty as to cause a reasonable apprehension in her mind that it will be harmful or injurious to live with her husband; **(c) if he is suffering from a virulent form of leprosy;** (d) if he has any other wife living; (e) if he keeps a concubine in the same house in which his wife is living or habitually resides with a concubine elsewhere;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(f) if he has ceased to be a Hindu by conversion to another religion; (g) if there is any other cause justifying her living separately. (3) A Hindu wife shall not be entitled to separate residence and maintenance from her husband if she is unchaste or ceases to be a Hindu by conversion to another religion.	
62.	Hindu Marriage Act, 1955	An act to amend and codify the law relating to marriage among Hindus.	**Section 13: Divorce** (1) Any marriage solemnized, whether before or after the commencement of this Act, may, on a petition presented by either the husband or the wife, be dissolved by a decree of divorce on the ground that the other party- (i) has, after the solemnization of the marriage, had voluntary sexual inter-course with any person other than his or her spouse; or (ia) has, after the solemnization of the marriage, treated the petitioner with cruelty; or (ib) has deserted the petitioner for a continuous period of not less than two years	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			immediately preceding the presentation of the petition; or (ii) has ceased to be a Hindu by conversion to another religion; or (iii) has been incurably of unsound mind, or has been suffering continuously or intermittently from mental disorder of such a kind and to such an extent that the petitioner cannot reasonably be expected to live with the respondent. Explanation.-In this clause,- (a) the expression "mental disorder" means mental illness, arrested or incomplete development of mind, psychopathic disorder or any other disorder or disability of mind and includes schizophrenia; (b) the expression "psychopathic disorder" means a persistent disorder or disability of mind (whether or not including sub-normality of intelligence) which results in abnormally aggressive or seriously irresponsible conduct on the part of the other party, and whether or not it requires or is susceptible to medical treatment; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(iv) has been suffering from a virulent and incurable form of leprosy; or (v) has been suffering from venereal disease in a communicable form; or (vi) has renounced the world by entering any religious order; or (vii) has not been heard of as being alive for a period of seven years or more by those persons who would naturally have heard of it, had that party been alive; Explanation.- In this sub-section, the expression "desertion" means the desertion of the petitioner by the other party to the marriage without reasonable cause and without the consent or against the wish of such party, and includes the wilful neglect of the petitioner by the other party to the marriage, and its grammatical variations and cognate expressions shall be construed accordingly. (1A) Either party to a marriage, whether solemnized before or after the commencement of this Act, may also present a petition for the dissolution of the marriage by a decree of divorce on the ground-	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(i) that there has been no resumption of cohabitation as between the parties to the marriage for a period of one year or upwards after the passing of a decree for judicial separation in a proceeding to which they were parties; or (ii) that there has been no restitution or conjugal rights as between the parties to the marriage for a period of one year or upwards after the passing of a decree for restitution of conjugal rights in a proceeding to which they were parties. (2) A wife may also present a petition for the dissolution of her marriage by a decree of divorce on the ground,- (i) in the case of any marriage solemnized before the commencement of this Act, that the husband had married again before such commencement or that any other wife of the husband married before such commencement was alive at the time of the solemnization of the marriage of the petitioner: Provided that in either case the other wife is alive at the time of the presentation of the petition; or (ii) that the husband has, since the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			solemnization of the marriage, been guilty of rape, sodomy or bestiality; or (iii) that in a suit under section 18 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), or in a proceeding under section 125 of the Code of Criminal Procedure, 1973 (2 of 1974) (or under the corresponding section 488 of the Code of Criminal Procedure, 1898 (5 of 1898), a decree or order, as the case may be, has been passed against the husband awarding maintenance to the wife notwithstanding that she was living apart and that since the passing of such decree or order, cohabitation between the parties has not been resumed for one year or upwards; (iv) that her marriage (whether consummated or not) was solemnized before she attained the age of fifteen years and she has repudiated the marriage after attaining that age but before attaining the age of eighteen years. Explanation.-This clause applies whether the marriage was solemnized before or after the commencement of the Marriage Laws (Amendment) Act, 1976 (68 of 1976).	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
63.	Special Marriage Act, 1954	An Act to provide a special form of marriage in certain cases, for the registration of such and certain other marriages and for divorce.	**Section 27: Divorce** (1) Subject to the provisions of this Act and to the rules made thereunder, a petition for divorce may be presented to the district court either by the husband or the wife on the ground that the respondent-- (a) has, after the solemnization of the marriage, had voluntary sexual intercourse with any person other than his or her spouse; or (b) has deserted the petitioner for a continuous period of not less than two years immediately preceding the presentation of the petition; or (c) is undergoing a sentence of imprisonment for seven years or more for an offence as defined in the Indian Penal Code (45 of 1860); (d) has since the solemnization of the marriage treated the petitioner with cruelty; or (e) has been incurably of unsound mind, or has been suffering continuously or intermittently from mental disorder of such a kind and to such an extent that the petitioner cannot reasonably be expected to live with the	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			respondent. Explanation.--In this clause,-- (a) the expression "mental disorder" means mental illness, arrested or incomplete development of mind, psychopathic disorder or any other disorder or disability of mind and includes schizophrenia; (b) the expression "psychopathic disorder" means a persistent disorder or disability of mind (whether or not including sub-normality of intelligence) which results in abnormally aggressive or seriously irresponsible conduct on the part of the respondent, and whether or not it requires or is susceptible to medical treatment; or (f) has been suffering from venereal disease in a communicable form]; or **(g) has been suffering from leprosy, the disease not having been contacted from the petitioner; or** (h) has not been heard of as being alive for a period of seven years or more by those persons who would naturally have heard of the respondent if the respondent had been alive;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Explanation.--In this sub-section, the expression "desertion" means desertion of the petitioner by the other party to the marriage without reasonable cause and without the consent or against the wish of such party, and includes the willful neglect of the petitioner by the other party to the marriage, and its grammatical variations and cognate expressions shall be construed accordingly; (1A) A wife may also present a petition for divorce to the district court on the ground,-- (i) that her husband has, since the solemnization of the marriage, been guilty of rape, sodomy or bestiality; (ii) that in a suit under section 18 of the Hindu Adoptions and Maintenance Act, 1956 (78 of 1956), or in a proceeding under section 125 of the Code of Criminal Procedure, 1973 (2 of 1974) (or under the corresponding section 488 of the Code of Criminal Procedure, 1898) (5 of 1898), a decree or order, as the case may be, has been passed against the husband awarding maintenance to the wife notwithstanding that she was living apart and that since the passing of such decree or order, cohabitation between the parties has not been resumed for one year or upwards.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(2) Subject to the provisions of this Act and to the rules made thereunder, either party to a marriage, whether solemnized before or after the commencement of the Special Marriage (Amendment) Act, 1970 (29 of 1970), may present a petition for divorce to the district court on the ground-- (i) that there has been no resumption of cohabitation as between the parties to the marriage for a period of one year or upwards after the passing of a decree for judicial separation in a proceeding to which they were parties; or (ii) that there has been no restitution of conjugal rights as between the parties to the marriage for a period of one year or upwards after the passing of a decree for restitution of conjugal rights in a proceeding to which they were parties.	
64.	Dissolution Of Muslim Marriage Act, 1939	An Act to consolidate and clarify the provisions of Muslim law relating to suits for dissolution of marriage by women married under Muslim law and to remove doubts as to	**Section 2:** **Grounds for decree for dissolution of marriage** A woman married under Muslim law shall be entitled to obtain a decree for the dissolution of her marriage on any one or more of the following grounds, namely.--	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		the effect of the renunciation of Islam by a married Muslim woman on her marriage tie	(i) that the whereabouts of the husband have not been known for a period of four years; (ii) that the husband has neglected or has failed to provide for her maintenance for a period of two years; (iii) that the husband has been sentenced to imprisonment for a period of seven years or upwards; (iv) that the husband has failed to perform, without reasonable cause his marital obligations for a period of three years; (v) that the husband was impotent at the time of the marriage and continues to be so; **(vi) that the husband has been insane for a period of two years or is suffering from leprosy or a virulent venereal disease;** (vii) that she having been given in marriage by her father or other guardian before she attained the age of fifteen years, repudiated the marriage before attaining the age of eighteen years: Provided that the marriage has not been consummated:.-- (viii) that the husband treats her with cruelty, that is to say.--	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(a) habitually assaults her or makes her life miserable by cruelty of conduct even if such conduct does not amount to physical ill-treatment, or (b) associates with women of evil repute or leads an infamous life, or (c) attempts to force her to lead an immoral life, or (d) disposes of her property or prevents her exercising her legal rights over it, or (e) obstructs her in the observance of her religious profession or practice, or (f) if he has more wives than one, does not treat her equitably in accordance with the injunctions of the Quran; (ix) or any other ground which is recognised as valid for the dissolution of marriages under Muslim law: Provided that.-- (a) no decree shall be passed on ground (iii) until the sentence has become final;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(b) a decree passed on ground (i) shall not take effect for a period of six months from the date of such decree, and if the husband appears either in person or through an authorised agent within that period and satisfies the Court that he is prepared to perform his conjugal duties, the Court shall set aside the said decree; and (c) before passing a decree on ground (v) the Court shall on application by the husband, make an order requiring the husband to satisfy the Court, within a period of one year from the date of such order that he has ceased to be impotent, and if the husband so satisfies the Court within such period, no decree shall be passed on the said ground.	

Beggar

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S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
65.	The Rajasthan Rehabilitation Of Beggars Or Indigents Act, 2012	An Act to provide for the rehabilitation of beggars or indigents and for matters connected therewith and incidental thereto.	**Section 35 -** **A Beggar who is mentally ill or is a leper, how to be dealt with.-** Where it appears to the Superintendent of Rehabilitation Home or a Rehabilitation Officer after getting due prima facie or cursory medical examination done from a Government Medical Officer that the beggar brought before him for admission to the Rehabilitation Home is mentally unsound or leper, he may, instead of keeping such a person in the Rehabilitation Home take appropriate steps for confining such persons to Psychiatric Hospital or Lepers Asylum as per provisions of Mental Health Act, 1987 (Central Act No. 14 of 1987) or the Lepers Act, 1898 (Central Act No. 3 of 1898).	Article 19(1)(d) and 21
66.	Sikkim Prohibition Of Beggary Act, 2004	AN ACT to prohibit persons from resorting to begging and to provide for the detention, training and employment of	**Section 25 -** **(1) Where it appears to the State Government that any beggar and offenders detained in a Certified Institution under any order of a Court is of unsound mind or a leper, the State Government may by an order setting forth the**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		beggar and offenders, their custody, trial and punishment of beggar and offenders and for the relief and rehabilitation of such persons in the State of Sikkim.	**grounds of belief that the beggar and offenders is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other place of safe custody, to be kept and treated as the State Government may direct during the remainder of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a Medical Officer that it is necessary for the safety of the beggar and offenders or of others that he should be further detained under medical care or treatment, then until he is discharged according to law,** (2) Where it appears to the State Government that the beggar and offenders has ceased to be of unsound mind, or is cured of leprosy, the State-Government shall, by an order directed to the person having charge of the beggar and offenders if still liable to be kept in custody send him to the Certified Institution from which he was removed or if the beggar and offender is no longer liable to be kept in custody, order him to be discharged, (3) The provisions of Section 40 of the Mental Health Act, 1987, and the provisions of Section 14 of the Lepers Act, 1898, shall apply to every beggar and offenders confined in a mental hospital or leper asylum under sub-section (1) after the expiration of the period for which he was ordered to be detained and the time during	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			which a beggar and offenders	
67.	Andhra Pradesh Prevention Of Begging Act, 1977	An Act to consolidate and amend the law providing for the prevention of begging for the detention, training and employment of beggars and their dependents in certified institutions and for the custody, trial and punishment of beggar offenders in the State of Andhra Pradesh.	**Section 6 -** **Orders of the Court on completion of inquiry in regard to person produced before it under Section 4** (1) If on completion of the inquiry, the Court is not satisfied that the person was guilty of the offence under Section 3, it shall order that such person shall be released forthwith. (2) If on completion of the inquiry the Court is satisfied that such person is guilty of the offence under Section 3, it shall record a declaration that the person is a beggar and shall make further orders as provided in sub-section (3) or sub-section (4) or subsection (5) as the case may be, unless he is in the opinion of Court, a leper or a lunatic, in which case the Court shall make further orders as provided in sub-section (6). (3) If the Court finds that the person who is declared a beggar under sub-section (2) is a child, it may, subject to the provisions of Section 7, deal with the case in any manner specified in Section 28 of the Andhra Pradesh (Andhra Area) Children Act, 1920, in accordance with the provisions of that Act. (4) If the Court finds that the person who is	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			declared a beggar under sub-section (2) has completed sixteen years of age and is physically capable of ordinary manual labour, it may, instead of sentencing him under Section 27, order his detention in a workhouse for a specified period not less than one year but not exceeding three years: Provided that if the Court is satisfied from the circumstances of the case that the person declared a beggar under sub-section (2) is not likely to beg again, it may,-- (i) instead of releasing him on probation of good conduct under clause (ii) release such person after due admonition on his giving an undertaking in writing that he will not again commit an offence under Section 3. (ii) direct that he be released on his entering into a bond with or without sureties to appear and receive sentence when called upon during such period as the Court may direct and in the mean time to be of good behaviour. (5) If the Court finds that the person who is declared a beggar under sub-section (2) has completed sixteen years of age but is not physically capable of ordinary manual labour, it may, instead of sentencing him under Section 27,	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			order his detention in a special home for such period as the Court may deem fit. (6) **(a) If the Court is of opinion that the person who is declared a beggar under sub-section (2] is a leper or a lunatic, it shall record a finding to that effect and shall direct that detention ordered shall be undergone by the beggar--** **(i) if a leper, in a leper asylum appointed under Section 3 of the Lepers Act, 1898, and certified under Section 11 of this Act;** (ii) if a lunatic, in an asylum established or licensed under Section 84 of the Indian Lunacy Act, 1912 and certified under Section 11 of this Act. (b) Notwithstanding anything in the Lepers Act, 1898, or in the Indian lunacy Act, 1912, in respect of any leper asylum or lunatic asylum referred to in clause (a) the Superintendent of such leper asylum or the person in charge of such lunatic asylum, as the case may be, shall also have authority to detain persons sent thereto in such asylum in accordance with the direction of the Court under this section.	
68.	Uttar Pradesh Prohibition Of	An Act to provide for the prevention of	**Section 21 -**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
	Beggary Act, 1975	beggary and matters connected therewith.	**Detention of persons suffering from certain diseases** **(1) Where it appears to the State Government or any person authorised by the State Government in this behalf that any person detained in a Certified Institution under this Act is a leper, or of unsound mind, the State Government, or the person so authorised, as the case may be, may order the removal of that person to a leper asylum or a mental hospital or other place of safe custody.** (2) Subject to the provision of the Lepers Act, 1898 and the Indian Lunacy Act, 1912. no such person as aforesaid shall be detained in a leper asylum or mental hospital or other place, as the case may be for a term inclusive of the period of detention undergone in a Certified Institution, which would exceed the total period for which he has been ordered to be detained in a Certified Institution under section 10 or section 12. (3) Where it appears to the State Government or any person authorised by it in this behalf that the person has ceased to be of unsound mind or is cured of leprosy, the State Government or such other person shall by order direct him to be sent back to the Certified Institution, if still liable to be detained and shall otherwise direct him to be discharged.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(4) Subject to the provisions of this section where the removal of a beggar due to unsoundness of mind or leprosy is immediately necessary, it shall be open to the superintendent of a Certified Institution to proceed in the prescribed manner until such time as the order of the State Government or any other person authorised in that behalf can be obtained, as aforesaid.	
69.	Karnataka Prohibition Of Beggary Act, 1975	An Act to prohibit persons from resorting to begging and to provide for the detention, training and employment of beggars, for the custody, trial and punishment of beggar offenders and for the relief and rehabilitation of such persons in the State of Karnataka.	**Section 14 -** **Medical examination and detention of leprosy patients and lunatics** **(1) Where it appears to the Government that any beggar detained in an institution under any order of a magistrate is of unsound mind or is suffering from leprosy, the Government may, by an order setting forth the grounds for the belief that the beggar is of unsound mind or is suffering from leprosy, order his removal to a mental hospital or a leper asylum or other place of safe custody, there to be kept and treated as the Government directs during the remainder of the term for which he has been ordered to be detained, or if on the expiration of that term, it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			discharged according to law. (2) Where it appears to the Government that the beggar has ceased to be of unsound mind, or is cured of leprosy, the Government shall, by an order direct the person having charge of the beggar if still liable to be kept in custody, send him to the institution from which he was removed or if the beggar is no longer liable to be kept in custody, order him to be discharged. (3) Subject to the provision of sub-section (2) the provisions of section 31 of the Lunacy Act, 1912 (Central Act 4 of 1912) or section 14 of the Lepers Act, 1898 (Central Act 3 of 1898), or the corresponding provision of any other law in force in any area of the State, shall apply to every beggar confined in a mental hospital or a leper asylum under sub-section (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a mental hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may be ordered by the magistrate to be detained: Provided that where the removal of a beggar due to unsoundness of mind or leprosy is immediately necessary, it shall be open to the authorities of the institution in which the beggar is detained to apply to a court having jurisdiction	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			under the Lunacy Act, 1912 (Central Act 4 of 1912) or the Lepers Act, 1898 (Central Act 3 of 1898) or under any corresponding law in force in any area of the State for an immediate order of committal to a mental hospital or a leper asylum until such time as the orders of the Government can be obtained in the matter.	
70.	Madhya Pradesh Bhiksha Vrittinivaran Adhiniyam, 1973	An Act to consolidate the law relating to beggars and to provide for the prevention of begging, for the detention, training and employment of beggars and their dependents in certified institutions and for the custody, trial and punishment of beggar offenders in the State of Madhya Pradesh.	**Section 26 -** **Medical examination and detention of leprosy patients and lunatics** **Where it appears to the State Government that any beggar detained in a certified institution under any order of a Court is of unsound mind or a leper, the State Government may by an order setting forth the grounds of belief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other place of safe custody, as the case may be, to be kept there and treated as the State Government directs during the remainder of the term for which he has been ordered to be detained or, of on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharged according to law.**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(2) Where it appears to the State Government that the beggar has ceased to be of unsound mind, or is cured of leprosy, the State Government shall, by an order direct to the person having charge of the beggar if still liable to be kept in custody send him to the certified institution from which he was removed or if the beggar is no longer liable to be kept in custody, order him to be discharged. (3) The provisions of Section 31 of the Indian Lunacy Act, 1912 (No. 4 of 1912), shall apply to every beggar confined in a mental hospital under sub-section (1) after the expiration of the period for which he was ordered to be detained and the time during which a beggar is confined in a mental hospital under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained: Provided that where the removal of a beggar due to unsoundness of mind is immediately necessary, it shall be open to the authorities of the institution in which the beggar is detained to apply to a Court having jurisdiction under the Indian Lunacy Act, 1912 (No. 4 of 1912), for an immediate order of committal to a mental hospital until such time as the orders of the State Government can be obtained in the matter.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
71.	Goa, Daman And Diu Prevention Of Begging Act, 1972	An Act to consolidate and amend the law relating to beggars for the purpose of making better provision for the prevention of begging in the Union territory of Goa, Daman and Diu and for matters connected therewith.	**Section 26 -** **Medical examination and detention of lunatics and leprosy patients** **(1) Where it appears to the Government that any beggar detained in a Certified Institution under any order of a Court is of unsound mind or a leper, the Government may by an order setting forth the grounds of belief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or place of safe custody, there to be kept and treated in such manner as the Government directs during the unexpired portion of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharged according to the Law relating to the lunatics or lepers, as the case may be, for the time being in force.** (2) Where it appears to the Government that the beggar has ceased to be of unsound mind, or is cured or leprosy, it shall, by an order directed to the person having charge of the beggar, if still liable to be kept in custody, order him to be discharged.	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(3) The provisions of section 31 of the Indian Lunacy Act, 1912, or of the Legislative Diploma No. 430, dated the 18th August, 1930, shall apply to every beggar confined in a mental hospital or **leper asylum** under subsection (1) after the expiration of the period for which he was ordered to be detained, and the time during which a beggar is confined in a mental hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained : Provided that where the removal of a beggar due to unsoundness of mind or leprosy is immediately necessary it shall be open to the authorities of the Institution in which he beggar is detained to apply to a Court, having jurisdiction under the Indian Lunacy Act (4 of 1912) 1912, or under the provisions of the Legislative Diploma No. 430, dated the 18th August, 1930, as the case may be, for an immediate order of committal to a mental hospital or a leper asylum until such time as the orders of the Government be obtained in the matter.	
72.	Haryana Prevention Of Beggary Act, 1971	An Act to provide for the prevention of begging, detention, training and employment of	**Section 23 -** **Medical Examination and detention of leprosy patients and lunatics**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		beggars and their dependents in Certified Institution and the custody, trial and punishment of beggar offenders.	(1) Where it appears to the State Government that any beggar detained in a Certified Institution under any order of a court is of unsound mind or is a leper, the State Government may by any order setting forth the grounds of belief that the beggar is of unsound mind or a **leper order his removal to a mental hospital or leper asylum or other place of safe custody,** there to be kept and treated as State Government directs during the remainder of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, he should be detained until he is discharged according to law. (2) Where it appears to the State Government that the beggar has ceased to be of unsound mind, or is cured of leprosy, the State Government shall, if he is no longer liable to be kept in custody, order him to be discharged. In case the beggar is still liable to be kept in custody the State Government shall, by an order directed to the person having charge of the beggar, send him to the Certified Institution from which he was removed. (3) The provisions of section 31 of the Indian Lunacy Act, 1912, and the provisions of section 14 of the Lepers Act, 1898, shall apply to every	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			beggar confined in a mental hospital or leper asylum under subsection (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a mental hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained: Provided that where the removal of a beggar due to unsoundness of mind or leprosy is immediately necessary, it shall be open to the authorities of the institution in which the beggar is detained to apply to a court having jurisdiction under the Indian Lunacy Act, 1912, or the Lepers Act, 1898, as the case may be, for an immediate order of his committal to a mental hospital or a leper asylum.	
73.	Maharashtra Prevention Of Begging Act, 1959	An Act to consolidate and amend the law relating to beggars for the purpose of making uniform and better provision for the prevention of begging in the State of Bombay and for matters connected therewith.	**Section 26 -** **Medical examination and detention of leprosy patients and Lunatics.** (1) Where it appears to the State Government that any beggar detained in a Certified Institution under any order of a court is of unsound mind or a leper, the State Government may, by an order setting forth the grounds of relief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			place of safe custody, there to be kept and treated as the State Government directs during the remainder of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a medical officer, that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharged according to law. (2) Where it appears to the State Government that the beggar has ceased to be of unsound mind, or is cured of leprosy, the State Government shall, by an order directed to the person having charge of the beggar if still liable to be kept in custody send him to the Certified Institution from which he was removed or if the beggar is no longer liable to be kept in custody, order him to be discharged. (3) The provisions of section 31 of the Indian Lunacy Act, 1912, or subject to the provisions of sub-section (2) of section 14 of the Lepers Act, 1898, shall apply to every beggar confined in a mental hospital or leper asylum under sub-section (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a mental hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained:	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Provided that where the removal of a beggar due to unsoundness of mind, or leprosy is immediately necessary, it shall be open to the authorities of the Institution in which the beggar is detained to apply to a Court having jurisdiction under the Indian Lunacy Act, 1912, or the Lepers Act, 1898, as the case may be, for an immediate order of committal to a mental hospital or a leper asylum until such time as the orders of the State Government can be obtained in the matter.	
74.	Assam Prevention Of Begging Act, 1964	An Act to provide for the prevention of begging in the State of Assam and certain matters connected therewith.	**Section 24 -** **Medical examination and detention of Leprosy patients and lunatics** **(1) Where it appears to the State Government that any beggar detained in a Certified Institution under any order of a Court is of unsound mind or suffers from any communicable diseases like Leprosy, Tuberculosis, Venereal disease, etc., the State Government may by an order setting forth the grounds of belief that the beggar is of unsound mind or suffers from Leprosy, Tuberculosis, Venereal disease, etc., order his removal to a Mental Hospital or a Leper Asylum or other place of safe custody, there to be kept and treated as the State Government directs during the remainder of the term for which he has been ordered to be detained or, if on the**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			expiration of that term it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharged according to law. (2) Where it appears to the State Government that the beggar has ceased to be of unsound mind, or is cured of Leprosy, Tuberculosis, Venereal diseases, etc., the State Government shall, by an order direct to the person having charge of the beggar, if still liable to be kept in custody, send him to the Certified Institution from which he was removed or to any other institution as the State Government may decide; or if the beggar is no longer liable to be kept in custody order him to be discharged. (3) Subject to the provisions of sub-section (2) the provisions of section 31 of the Indian Lunacy Act, 1912 (Act IV of 1912) or of section 14 of the Lepers Act, 1898 (Act III of 1898), shall apply to every beggar confined in a Mental Hospital or Leper Asylum under sub-section (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a Mental Hospital or Leper Asylum under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained:	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Provided that where the removal of a beggar due to unsoundness of mind or Leprosy is immediately necessary, it shall be open to the authorities of the institution in which the beggar is detained to apply to a Court having jurisdiction under the Indian Lunacy Act, 1912 (Act IV of 1912), or the Lepers Act, 1898 (Act III of 1898), as the case may be, for an immediate order of committal to a Mental Hospital or a Leper Asylum until such time as the orders of the State Government can be obtained in the mattes.	
75.	Gujarat Prevention Of Begging Act, 1959	An Act to consolidate and amend the law relating to beggars for the purpose of making uniform and better provision for the prevention of begging in the State of Bombay and for matters connected therewith.	**Section 26 -** **Medical examination and detention of leprosy patients and lunatics** **(1) Where it appears to the State Government that any beggar detained in a Certified Institution under any order of a Court is of unsound mind or a leper, the State Government may by an order setting forth the grounds of belief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other place of safe custody, there to be kept and treated as the State Government directs during the remainder of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			medical care or treatment, then until he is discharged according to law. (2) Where it appears to the State Government that the beggar has ceased to be of unsound mind, or is cured of leprosy, the State Government shall, by an order directed to the person having charge of the beggar if still liable to be kept in custody send him to the Certified Institution from which he was removed or if the beggar is no longer liable to be kept in custody, order him to be discharged. (3) The provisions of section 31 of the Indian Lunacy Act, 1912, or (subject to the provisions of sub-section (2)1 of section 14 of the Lepers Act, 1898, shall apply to every beggar confined in a mental hospital or leper asylum under sub-section (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a mental hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained: Provided that, where the removal of a beggar due to unsoundness of mind or leprosy is immediately necessary, it shall be open to the authorities of the Institution in which the beggar is detained to apply to a Court having jurisdiction under the Indian Lunacy Act, 1912, or the Lepers	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Act, 1898, as the case may be, for an immediate order of committal to a mental hospital or a leper asylum until such time as the orders of the State Government can be obtained in the matter.	
76.	The Bombay Prevention Of Begging Act, 1959 [Delhi Extension]	An Act to consolidate and amend the law relating to beggars for the purpose of making uniform and better provision for the prevention of begging in the State of Bombay and for matters connected therewith.	**Section 26 -** **Medical Examination and detention of leprosy patients and lunatics.-** (1) where it appears to the [Chief Commissioner] that any beggar detained in a Certified Institution under any order of a court is of unsound mind or a leper, the [Chief Commissioner] may by an order setting forth the grounds of belief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other place of safe custody, there to be kept and treated as the Chief Commissioner direct during remainder of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharged according to law. (2) Where it appears to the Chief Commissioner that the beggar has ceased to be of unsound mind, or is cured of leprosy, the Chief Commissioner shall, by an order direct to the person having	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			charge of the beggar if still liable to be kept in custody to send him to the Certified Institution from which he was removed or if the beggar is no longer liable to be kept in custody order him to be discharged.	
77.	The Telangana Prevention Of Begging Act, 1977	An Act to consolidate and amend the law providing for the prevention of begging for the detention, training and employment of beggars and their dependents in certified institutions and for the custody, trial and punishment of beggar offenders in the State of Telangana.	**6. Orders of the Court on completion of inquiry in regard to person produced before it under Section 4** (1) If on completion of the inquiry, the Court is not satisfied that the person was guilty of the offence under Section 3, it shall order that such person shall be released forthwith. (2) If on completion of the inquiry the Court is satisfied that such person is guilty of the offence under Section 3, it shall record a declaration that the person is a beggar and shall make further orders as provided in sub-section (3) or sub-section (4) or subsection (5) as the case may be, unless he is in the opinion of Court, a leper or a lunatic, in which case the Court shall make further orders as provided in sub-section (6). (3) If the Court finds that the person who is declared a beggar under sub-section (2) is a child, it may, subject to the provisions of Section 7, deal with the case in any manner specified in Section 28 of the Andhra Pradesh (Andhra Area) Children Act, 1920, in accordance with the provisions of	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			that Act. (4) If the Court finds that the person who is declared a beggar under sub-section (2) has completed sixteen years of age and is physically capable of ordinary manual labour, it may, instead of sentencing him under Section 27, order his detention in a work-house for a specified period not less than one year but not exceeding three years: Provided that if the Court is satisfied from the circumstances of the case that the person declared a beggar under sub-section (2) is not likely to beg again, it may- (i) instead of releasing him on probation of good conduct under clause (ii) release such person after due admonition on his giving an undertaking in writing that he will not again commit an offence under Section 3. (ii) direct that he be released on his entering into a bond with or without sureties to appear and receive sentence when called upon during such period as the Court may direct and in the mean time to be of good behaviour. (5) If the Court finds that the person who is declared a beggar under sub-section (2) has completed sixteen years of age but is not physically capable of ordinary manual labour, it	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			may, instead of sentencing him under Section 27, order his detention in a special home for such period as the Court may deem fit. (6)(a) If the Court is of opinion that the person who is declared a beggar under sub-section (2) is a leper or a lunatic, it shall record a finding to that effect and shall direct that detention ordered shall be undergone by the beggar- (i) if a leper, in a leper asylum appointed under Section 3 of the Lepers Act, 1898, and certified under Section 11 of this Act; (ii) if a lunatic, in an asylum established or licensed under Section 84 of the Indian Lunacy Act, 1912 and certified under Section 11 of this Act. (b) Notwithstanding anything in the Lepers Act, 1898, or in the Indian lunacy Act, 1912, in respect of any leper asylum or lunatic asylum referred to in clause (a) the Superintendent of such leper asylum or the person in charge of such lunatic asylum, as the case may be, shall also have authority to detain persons sent thereto in such asylum in accordance with the direction of the Court under this section.	
78.	Bihar Prevention Of	None	**Rule 6 -**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
	Beggary Rules, 1954		**Cleansing and medical examination of persons remanded to or detained in Certified Home, Special Home or Work House.—** (1) Every person remanded to or detained in custody in a Certified Home, Special Home or Work House, as the case may be, shall— (i) submit himself to— (a) a preliminary medical examination and such medical treatment as may, in the opinion of the medical officer in charge of such Certified Home, Special Home or Work House, be necessary; (b) such trimming or shaving of the hair on any part of the person as may, in the opinion of such medical officer, be necessary for the administration of medical treatment or for securing cleanness and health; (c) a thorough cleansing and washing of the body with such materials as may be provided and a complete removal of clothing in order to secure this object; (ii) wear such clothes as may be provided by the Superintendent. (2)(a) The medical officer who in pursuance of the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			provisions of Section 7, examines a person received in a Certified Home, Special Home or Work House, as the case may be, shall carefully and thoroughly examine all parts of the body of such person and shall— (i) record the result of his examination in Form 'B' if such person is in good health, and in Form 'C' if he is not in good health; (ii) keep a copy of such record in the history-sheet of such person; and (iii) report the result of his examination to the Superintendent: Provided that such medical examination in the case of a female shall be carried out by a lady doctor either at the local hospital or at the certified Home, Special Home or Work House, as may be convenient. **(b) The medical officer shall, where necessary, arrange in the Certified Home, Special Home, or Work House, as the case may be, for any immediate medical treatment of the person found to be contagious leper or lunatic, pending further orders of the Court.** (3) Without prejudice to the provisions of any Rules, a minimum physical force necessary may	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			be used to secure compliance with all or any of the provision of sub- Rule (1) or (2).	
79.	Tamil Nadu Prevention Of Begging Act, 1945	An Act to provide for the prevention of begging for the detention and employment of beggars and their dependents in work-houses or special homes, and for the custody, trial and punishment of beggar offenders in the State of Tamil Nadu.	**Section 10A -** **Powers of Magistrate to order indefinite detention of lepers** (1) If the Magistrate finds that the person in respect of whom an enquiry is made under section 7 is guilty of an offence under section 3 and has attained the age of eighteen years and is satisfied on a certificate issued by a qualified medical officer, that such person is a leper, the Magistrate may instead of sentencing him under section 3, order him to be detained indefinitely in a leper asylum appointed under section 3 of the Lepers Act, 1898 (Central Act III of 1898) and notified to be a special home under clause (2) of section 2 until he is released in the circumstances stated in subsection (2). (2) The leper detained under sub-section (1) may be released on any one of, or more of the following grounds, namely:" (i) if a qualified medical officer certifies, that the person detained has been fully rehabilitated:	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(ii) if any person, whom the Magistrate considers suitable, execute a bond with or without sureties, as the Magistrate may require making himself responsible for the housing, medical treatment and maintenance of such person and for preventing him from begging or being used for the purpose of begging; (iii) on such other ground as may be prescribed. (3) The certificate referred to in sub-section (1) or clause (i) of sub-section (2) shall be in such form and shall be issued within such time as may be prescribed: **Section 12A -** **Power of Juvenile Court to order indefinite detention of juvenile lepers** Notwithstanding anything contained in section 12 if the Juvenile Court finds on inquiry that any person brought before it under sub-section (1) of that section has not attained the age of eighteen years and is satisfied on a certificate issued by a qualified Medical Officer that such person is a leper, the Juvenile Court may instead of dealing with him under sub-section (1) (2) or (3) as the case may be, of that section order him to be	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			detained indefinitely in a leper asylum under Section 3 of the Lepers Act, 1898 (Central Act III of 1898) and notified to be a special home under clause (2) of section 2, until he is released in the circumstances stated in sub-section (2) of Section 10-A.	
80.	Bengal Vagrancy Act, 1943	An Act to provide for dealing with vagrancy in Bengal.	**Section 9 -** **Procedure for sending vagrant to vagrants' home** (1) On receipt of the medical report referred to in sub-section (2) of section 8 the officer-in-charge of a receiving centre shall, as soon as the necessary arrangements can be made, send the vagrant in the prescribed manner to such vagrants' home as the Controller may by general or special order in this behalf direct, and the said officer-in- charge shall along with such vagrant send to the Manager of the said vagrants' home,— (a) the certified copy of the declaration made under sub-section (1) of section 7 relating to such vagrant which is to be sent to such officer-in-charge under sub-section (3) of the said section, and (b) the said medical report. (2) When a vagrant is sent to a vagrants' home	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			under the provisions of sub-section (1) he shall be handed over to the custody of the Manager of such vagrants' home and shall be detained therein, or in a vagrants' home to which he may be transferred under section 16, until duly discharged therefrom under section 18. (3) In issuing any order under sub-section (1) the Controller shall ensure that the following classes of vagrants, namely:— (a) lepers, (b) the insane or mentally deficient, (c) those suffering from communicable diseases other than leprosy, (d) children, are segregated from each other and from vagrants who do not belong to any of the aforementioned classes and shall also ensure that the male vagrants are segregated from the female vagrants: Provided that the provisions of this sub-section in respect of children may be relaxed as prescribed.	

Laws regarding representation in Religious Institutions

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
81.	Jammu And Kashmir Shri Amarnath Ji Shrine Act, 2000	An Act to provide for the constitution of a Board for the better management of the Shri Amarnath Ji Yatra, upgradation of facilities for Holy pilgrim and matters connected therewith or incidental thereto.	**Section 7 -** **Disqualifications for membership of Board** A person shall be disqualified from being nominated as a Member of the Board:- **(a) if he is of unsound mind and stands so declared by a competent court or if he is a deaf, mute or is suffering from contagious leprosy or any virulent contagious disease;** (b) if he is an un discharged insolvent; (c) if he is appearing as a legal practitioner against the Board; (d) if he is or has been sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed; (e) if in the opinion of the Governor he has acted against the interests of the Holy Shrine; (f) if he is or he has been guilty of corruption or misconduct in the administration of the Holy Shrine.	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
82.	Hindu Religious Institutions And Charitable Endowments Act, 1997	An Act to make better provision for the management and administration of The Hindu Religious Institutions and Charitable Endowments in the State of Karnataka.	**Section 25 -** **Constitution of the Committee of Management** (1) Subject to any general or special order of the State Government there shall be constituted by the prescribed authority a committee of management consisting of nine members in respect of one or more notified institutions and different authorities may be prescribed in respect of different class or classes of notified institutions. (2) (a) The prescribed authority shall while constituting the Committee of management under sub-section (1) have due regard to the religious denomination to which the institution or any section thereof belongs. (b) The procedure for appointment of members to the Committee of Management, verification of antecedents and other matters shall be such as may be prescribed. (c) No person shall be eligible to be appointed as a member in more than one Committee or Management, at one time. (3) The prescribed authority shall constitute the Committee or Management from among the devotees, donors and followers of the Hindu	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Religious Institutions or as the case may be, the endowers and beneficiaries of the Charitable Endowment in such manner that it consists of.-- (i) In the case of a temple the Pradhana Archaka or Archaka; (ii) at least one member from among the Scheduled Castes or the Scheduled Tribes; and (iii) of the other, at least five of whom two are women, from among persons living in the vicinity of the temple: Provided that the State Government may relax the condition of clause (iii) in respect of any Notified Institution or class of such Institutions, so however that the representation of women members is not affected: Provided further that the condition of clause (ii) shall not apply to Institutions belonging to Hindu Religious Denominations or sections thereof. (4) No person shall be qualified for being appointed as a member of the Committee of Management of a Notified Institution unless:- (a) he has faith in God;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(b) he has attained the age of twenty five years; (c) he possesses good conduct and reputation and commands respect in the locality in which the Institution is situate; and (d) he has donated or contributed for construction, repairs, renovation or development of any Hindu Religious Institution or Charitable Institution or for the performance of utsavam or any charitable cause in the institution; (5) A person shall be disqualified for being appointed or continuing as a member of the Committee of Management of any notified Institution.-- (i) if he is declared an undischarged insolvent by a competent court or; **(ii) if he is of unsound mind and stands so declared by a competent court or if he is a deaf or mute or is suffering from leprosy or any virulent or contagious disease; o**r (iii) if he has an interest, direct or indirect in any subsisting lease of any property or of any contract made with, or any work being done	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			for, the institution, or is in arrears of any kind due by him to such institution; or (iv) if he is appearing as a legal practitioner on behalf of or against the institution; or (v) if he has been sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed or offence pardoned; (vi) if he has at any time conducted adverse to the interests of the institution; or (vii) if he is an office holder other than Archaka, or a servant attached to or a person in receipt of any emolument or perquisite from such institution; or (viii) if he is addicted to intoxication liquor or drugs; or (ix) if he is not a Hindu; or having been a Hindu has converted to any other religion; (6) If a member of the Committee is, or becomes subject to any disqualification under sub-section (5) he shall automatically cease to be such member. (7) If any question arises whether a member is or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			has become subject to any disqualification under sub-section (5) the prescribed authority may either suo-motu or on a report made to it and, after giving an opportunity of being heard to the person concerned, decide that question.	
83.	Shri Sanwaliaji Temple Act, 1992	An Act to provide for better management, administration and governance of Shri Sanwaliaji Temple at Mandphia, District Chittorgarh together with its endowments including the lands and buildings attached or appurtenant to it.	**Section 6 -** **Composition of the Board** (1) The Board shall consist of the President, the Collector of Chittorgarh District, the Devasthan Commissioner, Chief Executive Officer and seven other members. (2) The State Government shall nominate eight members in the following manner:-- (i) three persons who have distinguished themselves in the service of Hindu religion or culture, specially in the Vaishnava Sampradaya; (ii) three persons who have distinguished themselves in the administration, legal affairs and official matters; (iii) two eminent Hindus of the State of Rajasthan; and (iv) the established tradition of representation of sixteen villages around the	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			temple including Mandphia as recorded in the trust deed shall be carried out so far as practicable while nominating the Board and at least three members including President shall be from amongst the residents of the villages mentioned in the Schedule. The State Government shall nominate one of the members thus nominated as the President of the Board. (3) A person shall not be eligible for nomination as the President or a member of the Board if-- (i) he is of unsound mind and stands so declared by a competent court, or (ii) he has been convicted of an offence involving moral turpitude, or (iii) he has applied for being adjudicated an insolvent or is an undischarged insolvent, or **(iv) he is a minor or a deaf-mute or suffering from leprosy, or** (v) he is an office-holder or a servant of the temple or is in receipt of any emoluments or perquisites from the temple, or (vi) he is interested in a subsisting contract for making any supplies to, or executing any work on behalf of the temple or as legal	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			practitioner for or against the temple, or (vii) he does not profess Hindu religion. (4) The Collector and the Devasthan Commissioner shall be Ex-officio members of the Board. (5) The Chief Executive Officer shall be ex-officio member-secretary of the Board.	
84.	Haryana Shri Mata Mansa Devi Shrine Act, 1991	An Act to provide for the better management, administration and governance of Shri Mata Mansa Devi Shrine and its endowments including the lands and buildings attached or appurtenant to the Shrine.	**Section 8 -** **Disqualification for membership of Board** A person shall be disqualified for being nominated as a member of the Board- (a) if such person is not a Hindu; **(b) if he is of unsound mind and stands so declared by a competent court or if he is a deaf, mute, or is suffering from contagious leprosy or any virulent contagious disease;** (c) if he is an undercharged insolvent; (d) if he is appearing as a legal practitioner against the Board; (e) if he is sentenced by a criminal court for an	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			offence involving moral turpitude, such sentence not having been reversed; (f) if in the opinion of the Government he has acted against the interest of the Shrine; (g) if he is an office-holder or servant attached to the Board; (h) if he has been guilty of corruption or misconduct in the administration of the Shrine; (i) if he is addicted to intoxicating liquors or drugs.	
85.	Jammu And Kashmir Shri Mata Vaishno Devi Shrine Act, 1988	An Act to provide for better management, maintenance and better governance of Shri Mata Vaishno Devi shrine and its endowments including the lands and buildings attached or apartment to the Shrine, beginning from Katra up to the holy Cave and the adjoining hill locks currently under the	**Section 8 -** **Disqualifications from the Membership of the Board** A person shall be disqualified from being the member of the Board:- (a) If such person is not a Hindu; **(b) If he is of unsound mind and stands so declared by a competent Board or if he is a deaf mute, or is suffering from contagious leprosy or from any virulent contagious disease;** (c) If he is an undischarged in solvent;	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		Dharmath Trust.	(d) If he is sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reserved. (e) If in the opinion of the Governor, he has acted against the interest of the Shrine. (f) If he is an office holder or servant attached to the Board, provided that nothing in this clause shall apply to the Chief Executing Officer of the Board. (g) If he has been guilty of corruption or misconduct in the administration of the Board. (h) If he is addicted to intoxicant drugs or liquors.	
86.	Andhra Pradesh Charitable and Hindu Religious Institution And Endowments Act, 1987	An Act to consolidate and amend the law relating to the administration and governance of Charitable and Hindu Religious Institutions and Endowments in the State of Andhra Pradesh.	**Section 19 -** **Disqualifications for trusteeship** (1) A person shall be disqualified for being appointed as, or for being, trustee of any charitable or religious institution or endowment- (a) if he is an undischarged insolvent; **(b) if he is of unsound mind and stands so declared by a competent Court or if he is a deaf-mute or is suffering from leprosy or any virulent contagious disease;**	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) if he is interested either directly or indirectly in a subsisting lease of any property or of contract made, with, or any work being done for, the institution or endowment or is in arrears of any kind due by him to such institution or endowment; (d) if he is appearing as a legal practitioner on behalf of or against the institution or endowment; (e) if he has been sentenced by a Criminal Court for an offence involving moral turpitude, such sentence not having been reversed; (f) if he has acted adverse to the interest of the institution or endowment; (g) if he is an office holder or servant attached to, or a person in receipt of any emolument or perquisite from such institution or endowment; (h) if he is addicted to intoxicating liquors or drugs; (i) if he has not completed thirty years of age: Provided that nothing in this clause shall	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			apply to the trustee holding office immediately before the commencement of this Act. Provided further, that every trustee who is below thirty years at the commencement of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Act, 2000 shall cease to hold office after the completion of his term of office. (j) if he does not profess Hindu religion in the case of religious institution or endowment; or (k) if he has held such office for two consecutive terms; Provided that nothing in this clause shall apply to the founder or a member of the family of the founder who has been appointed as Trustee. **Explanation:-** The expression 'term' includes a part of the term. (2) Before a trustee enters upon his office the Commissioner, Deputy Commissioner or Assistant Commissioner or any other person authorised by him in this behalf shall administer to him the oath of office and secrecy as may be prescribed.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(3) Any such trustee who fails to take, within thirty days from the date on which he was appointed, the oath of office and secrecy laid down in sub-section (2) shall cease to hold office.	
87.	Nathdwara Temple Act, 1959	An Act to provide for the better administration and governance of the temple of Shri Shrinathji at Nathdwara.	**Section 5 -** **Composition of the Board** (1) (i) The Board shall consist of the president, The Collector of Udaipur District and nine other members. (ii) The Goswami shall be the ex-officio president of the Board, if he is not otherwise disqualified and is willing to serve as such; (iii) The State Government shall nominate a Vice President of the Board from amongst the members of the Board, (2) A person shall not be eligible for appointment as the president or member of the Board if;- (a) he is of unsound mind and stands so declared by a competent court or (b) he has been convicted of any offence involving moral turpitude, or	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) he has applied for being adjudicated an insolvent or is an undischarged insolvent, or **(d) he is a minor or a deaf-mute or suffering from leprosy, or** (e) he is an office holder or a servant of the temple or is in receipt of any emoluments of perquisites from the temple, or (f) he is interested in a subsisting contract for making any supplies to, or executing any work on behalf of the temple or as legal practitioner for or against the temple, or (g) he does not profess the Hindu Religion or does not belong to the Pushti-Margiya Vallabhi Sampradaya. Provided that the disqualification specified in clause (e) shall not apply to the Goswami, if he is willing to serve as ex officio President of the Board and the disqualification specified in clause (g) shall not apply to the Collector. (3) The Collector shall be an ex-officio member of the Board. (4) Subject to the proviso to sub section (1) the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			other members of the Board shall be appointed by the state government so as to secure representation of the Pushti-Margiya Vaishnavas from all over India.	
88.	Tamil Nadu Hindu Religious And Charitable Endowments Act, 1959	An Act to amend and consolidate the law relating to the administration and governance of Hindu Religious and Charitable Institutions and Endowments in the State of Tamil Nadu.	**Section 26 -** **Qualification of trustees** (1) A person shall be disqualified for being appointed as, and for being, a trustee of any religious institution— (a) if he does not profess the Hindu religion; (aa) if he is not a citizen of India; (b) except in the case of a hereditary trustee, if he is less than twenty-five years. (c) if he is an undercharged insolvent; **(d) if he is of unsound mind or is suffering from mental defect or infirmity which would render him unfit to perform the functions and discharge the duties of a trustee or is suffering from leprosy or any other loathsome disease;** (e) if he is interested in a subsisting lease of any property of, or contract made with or	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			any work being done for the religious institution or is in arrears of any kind due by him to such religious institution or endowment; (f) if he is employed as a paid legal practitioner on behalf of or against the religious institution; (ff) if he has been removed or dismissed from service under the Central Government or any State Government or any local authority]; (g) if he has been sentenced by a criminal court for an offence involving moral delinquency, such sentence not having been reversed or the offence pardoned; (h) if he has acted adverse to the interest of the institution. (2) If a trustee— (a) becomes subject to any of the disqualifications mentioned in sub-section (1); or (b) resigns his seat by writing under his hand addressed— (i) in the case of trustee appointed by the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Assistant Commissioner, to the Assistant Commissioner (ii) in the case of trustee appointed by the Joint/Deputy Commissioner, to the Joint / Deputy Commissioner; and (iii) in any other case, to the Commissioner, his seat shall thereupon become vacant. (3) If any question arises as to whether a trustee has become subject to any of the disqualifications mentioned in sub-section (1), the question shall be referred for the decision of the Joint / Deputy Commissioner. (4) If a hereditary trustee becomes subject to any of the disqualifications mentioned in sub-section (1), the Joint Commissioner or the Deputy Commissioner, as the case may be, may supercede the trustee. (5) Any person affected by an order of the Joint / Deputy Commissioner under sub-section (3) or sub-section (4) may, within one month from the date of receipt of the order by him, appeal, against the order to the Commissioner. (6) The trustee of a religious institution for which a Board of Trustees has been constituted shall	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			cease to hold office if he absents himself from three consecutive meetings of such Board of Trustees within a period of two months: Provided that when a person who has ceased to be a trustee by reason of such absence applies for restoration within one month from the date of the last of the three meetings, the Board of Trustees may, at the meeting next after the receipt of such application, restore him to his office of trustee; but a trustee shall not be so restored more than once during his term of office. Explanation.—A meeting adjourned for want of quorum shall be deemed to be a meeting for the purpose of this sub-section. **Section 53: Power to suspend, remove or dismiss trustees** (1) In this section, the expression, "appropriate authority" shall, unless the context otherwise requires, means— (a) in respect of any trustee of any religious institution included in the list published under clause (iii) of section 46, the Government; (b) in respect of any trustee of any religious institution included in the list published	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			under clause (ii) of section 46; the Commissioner; (c) in respect of any trustee of any religious institution included in the list published under clause (i) of section 46 and in respect of any hereditary trustee of any religious institution not included in the list published under the said section 46, the Joint / Deputy Commissioner. (d) in respect of any non-hereditary trustee of any religious institution not included in the list published under section the Assistant Commissioner. (1-A) Notwithstanding anything contained in sub-section (1) for the purpose of this section, the Government shall also by the appropriated authority in respect of any trustee of any religious institution. (2) The appropriate authority may suspend, remove or dismiss any trustee, if he— (a) ceases to profess the Hindu religion; or (b) fails to discharge the duties and perform the functions of a trustee in accordance with the provisions of this Act or the rules made thereunder; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) disobeys the lawful orders issued under the provisions of this Act or the rules made thereunder by the Government, the Commissioner, or the Joint Commissioner or Deputy Commissioner or the Assistant Commissioner; or (d) continuously neglects his duty or commits any malfeasance, misfeasance or breach of trust, in respect of the trust; or (e) misappropriates or deals improperly with the properties of the institution; or **(f) is of unsound mind or is suffering from other mental defect or infirmity which would render him unfit to perform the functions and discharge the duties of a trustee or is suffering from leprosy or other loathsome disease; or** (g) is sentenced by a criminal Court for an offence involving moral delinquency, such sentence not having been reversed or the offence pardoned; or (h) is an undischarged insolvent; or (i) is interested in a subsisting lease of any property of, or contract made with or any	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			work being done for, the religious institutions or is in arrears of any kind due by him to the religious institution; or (j) acts adversely to the interests of the institution; or (jj) willfully fails to pay the contribution payable under sub-section (1) of section 92 or the further sum payable under sub-section (2) of section 92 within the time allowed by or under clause (b) of sub-section (2) of section 94; or (k) absents himself from three consecutive meetings of the trustees Explanation.—A meeting adjourned for want of quorum shall be deemed to be a meeting for the purposes of this clauses ; or (l) in the case of a Chairman of the Board of Trustees or a Managing or Executive trustee, refuses or delays to, or does not, hand over charge to his successor. (3) When it is proposed to take action under sub-section (2), the appropriate authority shall frame charges against the trustee concerned and give him an opportunity of meeting such charges, of testing the evidence adduced against him and of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			adducing evidence in his favour; and the order of suspension, removal or dismissal shall state the charges framed against the trustee, his explanation and the finding on each charge with reasons therefor. (4) Pending the disposal of the charges framed against the trustee, the appropriate authority may place the trustee under suspension and appoint a fit person to discharge the duties and perform the functions of the trustee. (5) A trustee who is aggrieved by an order passed under sub-section (2), may within one month from the date of the receipt by him of the order of suspension, removal or dismissal, appeal against the order— (i) where the order has been passed by [the Commissioner, to the Government; (ii) where the order has been passed by the Joint Commissioner or Deputy Commissioner, the Commissioner; and (iii) where the order has been passed by the Assistant Commissioner, to the Joint /Deputy Commissioner. (5-A) A Trustee who is aggrieved by an order passed by the Government under sub-section (2)	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			may, within ninety days form the date of the receipt of such order by him, appeal against such order to the High Court. (6) A hereditary trustee aggrieved by an order passed by [the Commissioner] or the Government under sub-section (5) may, within ninety days from the date of the receipt of such order by him, institute a suit in the Court against such order.	
89.	Madhya Bharat Shri Mahakaleshwar Temple Act, 1953	An Act to provide for the maintenance, preservation, better administration and governance of the Shri Mahakaleshwar Temple at Ujjain.	**Section 8 -** **Power of Government to remove the Chairman or members of the Committee** (1) The Government may remove the Chairman or any member of the Committee on the following grounds:- (a) that he has been convicted by a Criminal Court of any offence, which in the opinion of the Government involves moral turpitude; **(b) that he is of unsound mind or is deaf or mute or suffers from contagious leprosy;** (c) that he has applied to be adjudged, or has been adjudged, insolvent; (d) that he has been guilty of corruption or misconduct in the administration of the	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Temple or that some other sufficient cause exists for his removal; (e) that he has absented himself from more than three consecutive meetings of the Committee and is unable to explain such absence to the satisfaction of the Commissioner; (f) that being a legal practitioner he has acted or appeared on behalf of any person against the Committee in any legal proceedings; or (g) that he is a paid employee of the Temple. (2) No member shall be removed under this Section unless he has been given a reasonable opportunity of showing cause against his removal. **Section 23:** **Pandas and their duties** (1) The Committee shall prepare and maintain a list of Pandas recognised as such by it. Only recognised Pandas shall be allowed to work as Pandas at the Temple. Their duties shall be such as may be determined by the Committee after considering the usage prevalent at the commencement of this Act.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(2) The Committee may debar a person, working as Pandas at the Temple from working as such, if- (a) he is found guilty of an offence involving moral turpitude, (b) in the opinion of the Committee he is guilty of immorality, misconduct or breach of duty, or **(c) he is of unsound mind or is suffering from leprosy.**	
90.	Shri Shiv Khori Shrine Act, 2008	An Act to provide for the better management, administration and governance of Shri Shiv Khori Shrine and its endowments including the lands and buildings attached, or appurtenant, to the Shrine and for matters connected therewith or incidental thereto.	**Section 8 -** **Disqualification for membership of the Board. -** A person shall be disqualified for being nominated, as a member of the Board,- (a) if he/she is not a Hindu; **(b) if he/she is of unsound mind and stands so declared by a Competent Court or if he/she is a deaf-mute or is suffering from contagious leprosy or any virulent contagious disease;**	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) if he/she is an undischarged insolvent; (d) if he/she is appearing as a legal practitioner against the Board; (e) if he/she is or has been sentenced by a Criminal Court for an offence involving moral turpitude, such sentence not having been reversed; (f) if in the opinion of the Divisional Commissioner, Jammu he/ she has acted against the interests of the Shrine; (g) if he/she is, or has been found guilty of corruption or misconduct in the administration of the Shrine; (h) if he/she is addicted to intoxicating liquors or drugs	

Laws restraining representation in professional associations

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
91.	Kerala Fishermen Welfare Societies (Determination Of Strength Of Committees And Conduct Of Election) Rules, 1980	In exercise of the powers conferred by section 33 read with sub-section (1) of section 9 of the Kerala Fishermen Welfare Societies Act, 1980 (7 of 1981) the Government of Kerala hereby make the following rules, namely:-	**Section 6 -** **Disqualifications for being elected or nominated as a member of the Committee.--** (1) No person shall be eligible for being elected, or nominated as a member of the Committee of any Society if he, **(a) is a deaf, mute or blind or is a leper; or** (b) has voluntarily acquired the citizenship of a Foreign State; or (c) has been convicted by a criminal court for an offence under section 153-A or section 171-E or section 171-F or sub-section (2) of section 505 of the Indian Penal Code, 1860 (Central Act 45 of 1860), unless the Government direct that such conviction shall not operate as a disqualification for the purpose; or (d) has been convicted by a criminal court for any offence under section 125 or section 135 or clause (a) of sub-section (2) of section 136 of the Representation of the People Act, 1951 (Central Act 43 of 1951), or has been	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			disqualified from exercising any electoral right on account of corrupt practices in connection with an election and a period of six years have not elapsed from the date of such conviction or disqualifications, unless the Government direct that such conviction or disqualification shall not operate as a disqualification for the purpose; (e) if has acquired any interest in any subsisting contract made with, or any work being done for, the society, except as share holder (otherwise than a director) in a Company or Co-operative Society or as provided by rules made under the Act, or (f) is a paid employee of the society or of any other society. (2) A member of the committee shall cease to hold office as such, if he, becomes disqualified under sub-rule (1): Provided that where a member ceases to hold his office as such by reason of having been convicted for any of the offences specified therein he shall be restored to office for such portion of the period for which he was elected or nominated, as may remain unexpired on the date of such restoration, if and when the conviction is set aside and any person elected or nominated in	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			his vacancy shall, on such restoration, vacate office; or (b) Ceases to be a member of a Society; or (c) is in arrears of any kind due from him to the society upto and including the previous years in respect of which a bill or notice has been duly served upon him and the time, if any, specified therein, has expired; or (3) If any person becomes disqualified to be a member of the committee, the Director may, on his own motion or on a representation made to him by any other member of the society, by an order in writing, declare that the said person shall cease to be a member of the committee of the society concerned: Provided that before passing and order under this sub-rule, the Director shall give the person, concerned, an opportunity to be heard.)\	
92.	Andhra Pradesh Medical Practitioners Registration Act, 1968	An Act to consolidate and amend the law relating to the registration of medical practitioner of modern scientific medicine in the State of Andhra Pradesh	**Section 6 -** **Disqualification for becoming members** A person shall be disqualified to become a member of the Council, if such person on the date of his election or nomination to the Council-	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		and to provide for matters connected therewith.	(a) was sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed or the offence pardoned and a period of five years has not elapsed from the date of the expiration of such sentence; **(b) is of unsound mind and stands so declared by a competent Court, a deaf, mute or a leper;** (c) is an applicant to be adjudicated as an insolvent or an un-discharged insolvent; (d) is interested in a subsisting contract made with, or any work being done for, the Council except as a shareholder, other than a director, in a company, or except as may be prescribed; or (e) is an officer or servant of the Council.	
93.	Bye-Laws Of Pradeshik Co-Operative Dairy Federation Limited, 1979	None	**Bye-law 32 -** No person shall be eligible to be or to continue as a member of the Board of Directors of the Federation, if- (a) he is under 21 years of age; **(b) he is of unsound mind, deaf and dumb or blind or suffers from leprosy;**	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) he is declared insolvent; (d) he has been convicted for any offence involving, in the opinion of the Registrar, moral turpitude such conviction not having been set aside in appeal, provided that this disqualification shall cease to operate on the expiry of five years after the payment of fine or sowing out the sentence for conviction as the case may be; (e) he or, in the opinion of the Registrar, any member of his family enters into or carries on without the permission of the Registrar, within the area of the operation of the Federation the same kind of business as is done by the Federation itself; (f) he enters into any transaction or contract against the provisions of the Act or the Rules or the Bye-laws of the Federation; (g) he accepts or holds any office of the profit under the Federation or any member society of the Federation; (h) he is not a member of General Body of the Federation provided that this restriction shall not apply to the nominated and co-opted members of the Board of Directors; (i) if he has been convicted of any offence under the Act or Rule, unless a period of three years has elapsed from the date of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			conviction; (j) he is a person against whom an order under Section 71 has been obtained by a co-operative society and is pending satisfaction; (k) he is in default to the Federation in respect of any loan taken by him and the default has continued for a period of six months at least; (l) he is already a member of the Committee of Management of three other co-operative societies of any other Apex Society of the State; (m) he has been dismissed for practising fraud or bad or dishonest conduct from Government service or from the service of co-operative society or of a body corporate, such order of dismissal having not been set side in appeal: Provided that this disqualification shall cease to operate after the expiry of five years from the date of order of dismissal; (n) he joined in the application for the registration of, or was a member of the Committee of Management of a co-operative society which was subsequently wound up by the Registrar under clause (a) of sub-section(2) of Section 72 on the ground that the registration of the society was obtained by fraud, such as order of the Registrar not having been reversed in appeal;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(o) he resigns and his resignation is accepted by the Board; and (p) he is otherwise disqualified under any of the provision of the Act, Rules and these Bye-laws.	
94.	Andhra Pradesh Public Libraries Act, 1969	An Act to consolidate and amend the laws relating to the establishment and maintenance of public libraries in the State of Andhra Pradesh and matters connected therewith.	**Section 11A -** **Disqualification for being a member of Zilla Grandhalaya Samstha** (1) A person shall be disqualified from being, a member of the Zilla Grandhalaya Samstha, if he- (a) is or has been sentenced by a Criminal Court to imprisonment for a period of more than six months for any offence involving moral delinquency such sentence not having been reserved or the offence pardoned, and a period of five years has not elapsed from the date of the expiration of such sentence; Provided that the Government may direct that such sentence shall not operate as a disqualification; (b) is of unsound mind and stands so declared by a competent Court; **(c) is a deaf-mute or suffering from leprosy;**	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(d) applies to be adjudicated as an insolvent or is a discharged insolvent; (e) absents himself from three consecutive meetings without excuse sufficient in the opinion of the Zilla Grandhalaya Samstha to exonerate the absence. (2) Where a person ceases to be a member under clause (e) of subsection (1), the Secretary, shall at once intimate the fact in writing to such person and report the same to the Zilla Grandhalaya Samstha at its next meeting. Where such person applies for restoration of membership to the Zilla Grandhalaya Samstha on or before the date of its next meeting or within fifteen days of the receipt by him of such intimation, the Zilla Grandhalaya Samstha may, at the meeting next after the receipt of the application or suo motu, restore him as member thereof; Provided that a member shall not be so restored more than twice [2][during the period he holds of office.	
95.	Kerala Khadi And Village Industries Board Act, 1957	An Act to provide for the organization, development and regulation of khadi and village industries in the State of Kerala	**Section 6 -** **Disqualification for appointment on the Board** (1) A person shall be disqualified for being appointed or for continuing as a member of the	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		and to constitute a Board to carry out the said objects.	Board if he - (a) holds any office or place of profit under the Board other than the office of secretary; **(b) is of unsound mind and stands so declared by a competent court, a deaf-mute or a leper;** (c) is, or at any time has been, adjudicated insolvent or has suspended payment of his debts or has compounded with his creditors; (d) has directly or indirectly by himself, by his wife or son, or by any partner, any share or interest in any subsisting contract or employment with, by or on behalf of the Board; (e) is a Director or Secretary or a Manager or other salaried officer of any incorporated company or any co-operative society, which has any share or interest in any contract or employment with, by or on behalf of the Board. (2) (a) A person shall not be disqualified under clause (a) of sub-section (1) by reason only of his being a member receiving any allowance as provided in sub-section (3) of section 4. (b) A person shall not be disqualified under clause (d) or clause (e) of sub-section (1), or be deemed to have any share or interest in any contract or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			employment within the meaning of those clauses by reason only of his, or of the incorporated company or of a co-operative society, of which he is a Director, Secretary, Manager or other salaried officer, having a share or interest in any newspaper in which any advertisement relating to any affairs of the Board is inserted (c) A person shall not also be disqualified under clause (d) or clause (e) of sub-section (1) or be deemed to have any share or interest in any contract or employment with, by or on behalf of the Board by reason only of his being a shareholder of such company or society: Provided that such person disclosed to the Government the nature and extent of the share held by him from time to time.	
96.	The Andhra Pradesh (Andhra Area) Ayurvedic And Homeopathic Medical Practitioners Registration Act, 1956	An Act to regulate the qualifications and to provide for the registration of practitioners of Ayurvedic and Homeopathic systems of medicine in the (Andhra area of the State of Andhra Pradesh.]	Section 9 - **Disqualification of persons for election as or for being, members** (1) A person who has been convicted by a criminal court of an offence involving moral turpitude or sentenced by a criminal court to transportation or to imprisonment for a period exceeding six months for an offence not involving moral turpitude (such conviction or sentence not having been reversed or the offence pardoned) shall be	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			disqualified for election as, or for being, a member while undergoing the sentence and for five years from the date of the conviction or the expiration of the sentence : Provided that the Government may direct that such conviction or sentence shall not operate as a disqualification. (2) A person shall be disqualified for election as, or for being, a member if he is **(a) of unsound mind, a minor, a deaf-mute or a leper ;** (b) an applicant to be adjudicated an insolvent or an undischarged insolvent ; (c) a person whose name has been removed from the Register of Practitioners maintained under section 28.	
97.	Nurses And Midwives Act, 1953	Whereas it is expedient to provide for the registration and training of nurses, midwives, health visitors and auxiliary nurse-midwives in the State of Kerala;	Section 6 - **Disqualifications for membership** – A person shall be disqualified for being elected or nominated as, and for being member of the Council. (a) if he has not attained the age of majority; (aa) if he is not a resident of the State of Kerala; (b) if he is an un discharged insolvent;	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) if he is of unsound mind and stands so declared by a competent Court, a deaf-mute or a leper; (d) if he has been dismissed from service under any Government; (e) if his name has been removed from the registers maintained under this Act or the Travancore – Cochin medical Practitioners Act, 1953, and has not been reinstated.	
98.	Andhra Pradesh Co-Operative Societies Act, 1964	An Act to consolidate and amend the law relating to Co-operative Societies in the State of Andhra Pradesh in order to facilitate and strengthen in the functioning of cooperative societies based on co-operative principles and co-operative identity.	Section 21(A) - **Disqualification for membership of Committee** (1) No person shall be eligible for being chosen as, and for being, a member of the committee, if he- (a) is such near relative of such paid employee of the society or its financing bank as may be prescribed; (b) is in default in the payment of any amount due in case or kind to the society or any other society for such period as may be prescribed or is a delegate of a society which is defunct or which is in default as aforesaid; (c) is a person against whom any amount due under a decree, decision, award or order is pending recovery under this Act;	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(d) acquires any interest in any subsisting contract made with or work being done for the society, except as otherwise prescribed; **(e) is of unsound mind and stands so declared by competent court, a deaf-mute or a leper;** (f) is appearing as legal practitioner on behalf of or against the society; [(g) is carrying on business of such kind as the Registrar may, by general or special order, declare to be a business which is in conflict with the objects, or interests of the Society;] [(h) has been sentenced to imprisonment for an offence under the Protection of Civil Rights Act, 1955]: (i) is a Village Administrative Officer or an employee of the State or Central Government or an employee of any institution receiving aid from the funds of the State or Central Government or an employee of any undertaking owned and controlled by the State or Central Government Provided that this clause shall not apply for being a member of the committee of any society formed by and for the benefit of the concerned class of the employees specified in this clause; (j) is convicted by a criminal court for an offence involving moral delinquency;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Provided that the disqualification under this clause shall subsist for a period of five years from the date of conviction or where he is sentenced to imprisonment while undergoing sentence and for a period of five years from the date of expiration thereof. Provided that any delegate of a society sitting on the committee of any other society, shall cease to be such delegate if, [(i) his delegation is withdrawn; (ii) the committee which elected him as the delegate has been superseded]; (iii) the Society of which he is the delegate is defunct or commits default in the payment of any amount due in cash or kind to such other society for the period prescribed. (iv) the affairs of the society of which he is the delegate are wound up. (1A) A person having more than two children shall be disqualified for election or for continuing as a member of the Committee; Provided that the birth within one year from the date of commencement of the Andhra Pradesh Co-operative Societies (Amendment) Act, 1995 (hereinafter in this Section referred to as the date	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			of such commencement) of an additional child shall not be taken into consideration for the purposes of this Section: Provided further that a person having more than two children (excluding the child if any born within one year from the date of such commencement) shall not be disqualified under this Section for so long as the number of children he had on the date of such commencement does not increase. Provided also that the Government may direct that the disqualification in this Section Shall not apply in respect of a person for reasons to be recorded in writing. (1-B) A member of the Legislative Assembly of the State, a Member of either House of the Parliament, Mayor of a Municipal Corporation, Chairman of a Municipal Council, elected member or Chairman of a Zilla Parishad or elected member or President of Mandal Parishad or Sarpanch of a Gram Panchayat shall be eligible to be elected as a member of the Committee; but he shall cease to be a member of a Committee unless within fifteen days from the date of becoming a member of the Committee he ceases to be a Member of the Legislative Assembly of the State or a Member of either House of the Parliament, Mayor of a Municipal Corporation, Chairman of a Municipal	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Council, elected-Member or Chairman of a Zilla Parishad or elected member or President of a Mandal Parishad or Sarpanch of a Gram Panchayat by resignation or otherwise; and if a member of the Committee is subsequently elected to any of the aforesaid offices, he shall cease to be the member of the Committee unless within fifteen days from the date on which he is elected to any one of such offices he ceases to hold such office by resignation or otherwise." (iii) the society of which he is the delegate is defunct or commits default in the payment of any amount due in cash or kind to such other society for the period prescribed; or (iv) the affairs of the society of which he is the delegate are wound up. [(2) (a) No person shall, at the same time, be a member of the committee of more than two societies which under the rules, are classified as apex societies, or as central societies, or of the committees or more than apex society and one central society. (b) If any person, on the date of his election of appointment as a member of the committee, is a member of the committee of two societies as specified in Clause (a) and the committee to	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			which he is elected or appointed on that date is the committee of any apex society or central society, then, his election or appointment on the date aforesaid shall be void. (c) If any person is, at the commencement of the Andhra Pradesh Co-operative Societies (Amendment) Act, 1970, a member of the committees of more than two societies of any class or classes specified in Clause (a), then at the expiration of the period of ninety days from such commencement, he shall cease to be a member of the committees of all such societies unless he has, before the expiration of the said period of ninety days, resigned his membership of the committees of all but two of such societies. (d) Nothing in this sub-section shall apply on an officer of the Government who is nominated as a member of the committee by the Government or the Registrar).	
99.	Uttar Pradesh Co-operative Societies (Forty-fifth Amendment) Rules, 2006	In exercise of the powers under Section 130 of the Uttar Pradesh Co-operative Societies Act, 1965 (U.P. Act No. XI of 1966) read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act No. 1	Section 453 - (1) No person shall be eligible to be or to continue as a member of the Committee of Management of any co-operative society, if-- (a) he is under 21 years of age; (b) he is declared insolvent; **(c) he is of unsound mind, or is deaf and dumb,**	Article 14, 19(1)(g) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		of 1904), the Governor, is pleased to make the following Rules with a view to amending the Uttar Pradesh Co-operative Societies Rules, 1968.	**or blind or suffers from leprosy;** (d) he has been convicted for any offence involving, in the opinion of the Registrar, moral turpitude such conviction not having been set aside in appeal; (e) he, or in the opinion of the Registrar, member of his family enters into or carries on, without the permission of the Registrar, within, the area of operation of the society, the same kind of business as done by the society itself; (f) he enters into any transaction of contract with the society against the provisions of the Act or the bye-laws of the society; (g) he accepts or holds any office of profit under the society or under any society affiliated to such society : Provided that his restriction shall not apply in case of such producers or workmen's society as have been permitted by the State Government to provide in their bye-laws for participation of employees in the management of the society; (h) he is not member of the general body of the society; (i) he has been convicted of any offence under the	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Act or the rules, unless a period of three years has elapsed from the date of conviction; (j) he is person against whom an order under Section 91 has been obtained by a co-operative society and is pending satisfaction; (k) he is in default (at least for a period of six months), to the society in respect of any loans taken by him, he is a judgement debtor of the society; (l) If he is already a member of the Committee of Management of three co-operative societies i.e. one primary, one central and one apex societies at a time, but he shall be entitled to contest for the membership of the Committee of Management of more than three co-operative societies. In case of the election to the Committee of Management of more than three societies as specified above, he shall have to resign from the Committee of Management of such society or societies within one month so that he may not remain member of the Committee of Management of more than three societies. In case he fails to resign within the specified period then at the expiration of such period he shall be deemed to have resigned from all except one apex society and one central society and primary society, to which he has been elected last;	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(m) he has been dismissed for practicing fraud or for bad or dishonest conduct from Government service or from service of a co-operative societies or of a body corporate, such order of dismissal not having been set aside in appeal; (n) he joined in the application for the registration of or was a member of the Committee of Management of a co-operative society which was subsequently wound up by Registrar under clause (a) of sub-section (2) of Section 72 on the ground that the registration of the society was obtained by fraud, such order of the Registrar not having been reserved in appeal; (o) he is otherwise disqualified under any of the provisions of the Act or the rules or bye-laws of the society. (2) A member of the committee of management of a co-operative society who absents himself from three consecutive meetings of the committee of management without reasonable cause shall not be entitled to continue as a member of the committee of management. (3) The provisions of sub-rule (2) shall not apply to a nominated or an ex officio member of the committee of management of a co-operative society.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(4) Any person who has contested for election to the membership of the committee of the management of a co-operative society, but has lost such election, shall not be eligible to become such member by co-option or nomination. (5) The disqualifications laid down under sub-rule (1) shall apply subject to the following conditions-- (i) the disqualification laid down in clause (h) shall not apply to a nominated or an ex officio member of the committee of management or to such co-opted member of the committee of management for whose co-option membership of the general body was not a condition under the bye-laws of the society; (ii) the disqualification laid down in clause (d) or clause (m) shall cease to operate on the expiry of five years after the payment of fine under the conviction or after he has served out the sentence under the conviction or after the order of dismissal, as the case may be; (iii) the disqualification laid down in clause (1) shall not apply to a Government servant nominated on the committee of management of a co-operative society under Section 34.	

Laws regarding Prisons/Leper Asylums

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
100.	Delhi Prisons (Treatment Of Convicts Sentenced To Simple Imprisonment, Death, Female Prisoners, Youthful Prisoners, Leper Prisoners And Lunatic Prisoners) Rules, 1988	None	Section 43 - **Procedure when it is desired to transfer a leper.** - Whenever the Medical Officer records that a prisoner is suffering from leprosy and that his separation from other prisoners is necessary, the Superintendent shall submit his descriptive role to the Inspector General, who shall order the transfer of the prisoner to a place where there is accommodation for leper convicts. Section 44 - **Segregation and disinfection.** - Any under trial or convicted prisoner who is suffering from leprosy, shall pending transfer or release be confined in a cell but care shall be taken that such confinement is not solitary. A cell or other, compartment occupied by a leper shall be thoroughly disinfected, the floors renewed and the walls re-plastered before any other prisoner is confined in it. Note: Clothing and bedding used by a leper prisoner should be destroyed and not reissued.	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
101.	Andhra Pradesh Habitual Offenders Rules, 1965	In exercise of the powers conferred by sub-section (1) of Section 22 of the Andhra Pradesh Habitual Offenders Act, 1962 (Andhra Pradesh Act 4 of 1962), and in supersession of the Madras Restriction of Habitual Offenders Rules, 1949 the Governor of Andhra Pradesh hereby makes the following rules.	Rule 28 - 28. If a registered offender who is suffering from leprosy desires to be sent to a leper asylum established under the Lepers Act, 1898, (Central Act 3 of 1988) or otherwise, the Superintendent of Police of the district where the registered offender resides or is settled for the time being, may grant him a pass in Form XXI for the purpose of enabling such registered offender to be sent and to reside in such asylum. Such a pass may contain a condition that the holder of the pass shall reside at the asylum for such time as may be specified in the pass or until further orders, and shall not leave the asylum without the sanction of such person as may be indicated in the pass. All orders passed by the Superintendent of Police shall be subject to revision by the District Collector concerned.	Article 21
102.	Kerala Habitual Offenders Rules, 1963	In exercise of the powers conferred by section 21 of the Kerala Habitual Offenders Act, 1960 (Kerala Act 28 of 1960), the Government of Kerala hereby make the following Rules, namely: -	Section 8 - (i) The management, control and supervision of every corrective settlement established under section 13 shall be vested in the Settlement Manager who shall be appointed by the Government. The Settlement Manager shall be responsible for the management of the settlement and for the well being of the intimates.	Article 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Note:- When the Manager of a settlement under the direct management of the Government is absent on leave for short periods not exceeding ten days at a time, the next senior officer in the office of the settlement shall perform the functions of the Manager, (ii) In every corrective settlement a register shall be maintained in Form XVIII containing the names of all the registered offenders who have been placed in the corrective settlement by an order under section 13, or transferred to the settlement by an order under section 15. All changes in the register shall be notified by the Settlement Manager to the Superintendent of Police concerned and to the officer in charge of the Police Station or outpost having jurisdiction, (iii) The names of settlers who have been discharged or transferred from the settlement under section 15 shall be removed from the register. (iv) In addition to the register referred to in sub-rule (ii), the following registers shall also be maintained in every settlement:- (a) Extract from the register of registered offenders-Form IV, (b) Attendance Register-Form XIX	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(c) Register of leave and pass holders -Form XX (d) Register of births-Form XXI (e) Register of deaths-Form XXII (1) Register of registered offenders absent without leave or out of view-Form XXIII (g) Register of transfers from settlement-Form XXIV (h) Register of punishments - Form XXV (i) Register of inspections and visits by officers. (j) List of visitors to the settlers-Form XXVI. Note:- Entries on the following points should be made in the personal sheets of the registered offenders maintained in Form IV in the corrective settlement:- (a) Conduct during each quarter/half year. (b) Work allotted. (c) Capacity and inclination for work. (d) Punishments, if any.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(e) Special remarks, if any. (v) No registered offender shall absent himself from the settlement unless he has been granted a pass under this rule and he shall obey the conditions specified in the pass. Any pass granted under this rule may at any time be withdraw by the authority granting it for sufficient reasons. (vi) The Settlement Manager may grant to any registered offender leave of absence from the settlement for a period not exceeding 15 days. Leave of absence for any longer period may be granted by the Superintendents of Police on the recommendation of the Settlement Manager. Not more than 10 percent of the adult male may be allowed to be absent from the corrective settlement on leave at any time without the sanction of the Superintendent of Police, the District Magistrate may suspend, modify or cancel any orders passed by the Superintendent of Police under this sub-rule, for sufficient reason. (vii) On leave being granted to a person, he shall be furnished with a pass signed by the Settlement Manager in Form XXVII, any person who goes beyond the settlement limits without a pass or who having received a pass:-	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(a) remains outside the limits of the settlement for a longer period than specified therein, or (b) goes beyond the limits of the place of destination mentioned therein, shall be liable to be proceeded with under section 17. (viii) Registered offenders who have been placed in settlements, and who have been allowed to take up regular daily employment outside the limits of other settlements shall be given permanent passes specifying the hours of each day between which they are permitted to be absent from the corrective settlements. A pass issued under this rule must be surrendered to the officer in charge of the Corrective Settlement when the individual to whom it has been granted ceases to be employed on the work he has been permitted to undertake. (ix) The Settlement Manager shall report to the officer in charge of the Police Guard near the Settlement or the Officer in charge of the Police Station or Outpost having jurisdiction the fact of the grant of leave to, or the absence without leave of any registered offender placed in the Settlement. Where possible the grant of leave shall be notified at least three days before it is availed of. Absence shall be notified as soon it is known.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			The fact of the return to the Corrective Settlement of any person who has been previously reported as absent without leave, shall also be reported by the Settlement Manager to the Police Officer aforesaid. (x) Every pass granted under this rule shall be drawn up in English and in the language of the District in triplicate in form XXVII. The original shall be kept by the Settlement Manager, the duplicate handed over to the person who is granted leave 2[xxx] and the triplicate sent to the officer in charge of the Police Station within the limits of which the place of destination of the person granted leave is situated. (xi) The route to be taken by the person granted leave on the journeys to and from his destination shall be specified in the pass and he shall travel by no other route. In case he halts in a village over night, he shall report himself at the Police Station if there is one, and if there is Police Station to the Village Officer having jurisdiction over the village and the Police Officer or the Village Officer as the case may be shall affix his signature on the reverse of the pass, noting therein the approximate hours of arrival and departure. On arrival at his destination he shall report	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			himself at once to the Village Officer having jurisdiction over the village and the shall note this fact on the reverse of the pass. On return to the settlement the registered offender shall report himself immediately to the Settlement Manager and shall hand over the pass to him. (xii) Every registered offender shall attend for verification of his presence before the Settlement Manager or before some person authorized by him in this behalf, at such place and at such times or intervals of time as the Settlement Manager may direct, provided that the Settlement Manager may exempt any such registered offender from attendance either on a specified occasion or generally. (xiii) In the corrective settlements where agricultural or other industrial occupations are provided the settlers shall carry out such work as may be allotted by the Settlement Manager. The terms or remuneration, the hours of work, the disposal of the produce and the distribution of the land shall be decided by the Settlement Manager, subject to the general or special orders of the Government. The Settlement Manager, may, for special reasons, exempt any individual from working for	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			the whole or any part of the day. (xiv) Any settler who disobeys these rules or refuses to obey any reasonable order given by the Settlement Manager shall be subject to any one or more of the following penalties- (a) a formal warning; (b) additional or more arduous work at the discretion of the Settlement Manager; (c) reduced wages or loss of wages for work done; (d) withholding or cancellation of leave; (e) confinement in a lock-up within the settlement for a period not exceeding thirty days according to the nature of offence at the discretion of the Settlement Manager; and (f) fine not exceeding Rs. 100 (g) No prosecution under 4[the provisions of this Act or any rule made thereunder] shall be instituted by the Settlement Manager against any settler without the sanction of the District Magistrate. (xv) All orders of punishment under this rule shall be passed by the Settlement Manager and shall	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			be liable to revision by the District Magistrate; (xvi) The children of registered offenders who are in corrective settlements may be punished for misbehaviour in accordance with the usual methods of school discipline. (xvii) The settlement manager may at his discretion reward the registered offenders for good conduct. Such rewards shall include exemption from roll call, a liberal grant of passes increased payment for work, promotion, to positions of responsibility and allotment of lands for separate cultivation. (xviii) The Superintendent of Police of the District in which a corrective settlement is located may, after consultation with the Settlement Manager grant to any registered offender placed therein, who has given unmistakable evidence of good conduct and sustained industry for a sufficient period, a pass permitting him to reside outside the settlement but within the District for the purpose of earning his livelihood. The issue of the pass is entirely discretionary with the Superintendent of Police of the District. If a registered offender wishes to reside in a District other than that in which the corrective settlement is located, the Superintendent of Police of the District in which the registered offender wishes to reside may	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			grant the pass, but before doing so, he shall consult the Manager of the Corrective Settlement and the Superintendent of Police of the District in which the corrective settlement is situated. Such a pass shall not be granted until the Manager of the settlement either provides the registered offender with suitable employment or places him in circumstances which will enable him to earn an honest livelihood. All orders passed by any Superintendent of Police will be subject to revision by the District Magistrate concerned. The District Magistrate, may, without assigning reasons revoke a pass so granted and require the registered offender to re-enter the settlement. These passes shall be in Form XXVIII shall be subject to the conditions specified therein, and shall be liable to be revoked for a breach thereof. (xix) The fitness for discharge on probation of every registered offender placed in a corrective settlement under section 13 shall be examined, after he has resided in a corrective settlement in the State for a period of three years, and thereafter before the first of July of every year, by the Settlement Manager in consultation with the Superintendent of Police having jurisdiction over the settlement. If during the period of his residence in the settlement, a registered offender has been sentenced to imprisonment by a criminal court the period of three years aforesaid shall be calculated from the date of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			expiry of such sentence or the last sentences, as the case may be. The Settlement Manager shall submit his report with the report of the superintendent of Police through the District Magistrate concerned to the Government. No settler shall be discharged unless- (a) his conduct had been uniformly good and he has had no disciplinary punishment for breach of the rules of the corrective settlement during the three years immediately preceding the discharge; (b) he will be able to maintain himself and his dependents by honest means outside the corrective settlement. (xx) The Government may discharge a person from a Corrective Settlement within a shorter period than that prescribed in sub-rule (xix) or clause (a) of sub-rule (xix) for special reasons. (xxi) (a) A registered offender discharged from a Corrective Settlement shall ordinarily be on probation for such period as may be determined by the District Magistrate and he shall reside in such place as the District Magistrate may direct during the period of probation. (b) The period of probation shall not ordinarily exceed two years but this period may be	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			extended by the District Magistrate for sufficient reasons to be recorded. (c) During the period of probation, a discharged settler shall continue to maintain good conduct and shall comply with such conditions as may be prescribed in the 'discharge license' in Form XXIX issued to him. (d) When a settler completes the period of his probation satisfactorily, he shall be discharged finally from the settlement. (e) Failure to comply with the conditions of probation shall, at the discretion of the District Magistrate render the settler liable to re-commitment to a settlement. **(xxii) If a registered offender who is suffering from leprosy desires to be sent to a leper asylum established under the Lepers Act, 1898 (Central Act III of 1898) or otherwise, the Superintendent of Police of the District where the registered offender resides or is settled for the time being, may grant him a pass in Form XXVIII for the purpose of enabling such registered offender to be sent and to reside in such asylum. Such a pass may contain a condition that the holder of the pass shall reside at the asylum for such time as may be specified in the pass or until further orders,**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			and shall not leave the asylum without the sanction of such person as may be indicated in the pass. All orders passed by the Superintendent of Police under this rule shall be subject to revision by the District Magistrate concerned. (xxiii) (a) The Corrective Settlement, and any residence therein or part thereof may be inspected at any time by the District or Sub Divisional Magistrate or the Superintendent of Police, Assistant or Deputy Superintendent of Police, or by any person empowered by any of these officers in writing. (b) The Settlement Manager shall keep a book for record of notes inspection by inspecting officers and shall forward a copy of any notes made therein, to the District Magistrate. (xxiv) The District Magistrate may nominate the members of the Legislative Assembly and Parliament in their respective Constituencies, Presidents of the Panchayat Boards in whose jurisdiction such settlements are situated and one or two respectable residents of the locality as nonofficial visitors to the Corrective Settlement. (xxv) The members of the family of a Habitual offender will be permitted to live with him in a	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Corrective Settlement provided the earnings of the habitual offender while receiving Corrective teaching are sufficient to support them independently.	

Laws restraining profession

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
103.	Telangana Micro Brewery Rules, 2015	In exercise of the powers conferred by Section 72 read with Sections 17, 28 and 29 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act 17 of 1968) the Governor of Telangana hereby makes the following rules.	Rule 7 - **Persons not eligible for grant of licence:-** The following persons are not eligible for grant of licenses:- (i) persons below the age of twenty one years, (ii) persons who are undercharged insolvents or who have been convicted of offences under the provisions of the Act or the Customs Act, 1962 or Narcotics Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) or convicted under Andhra Pradesh intoxicating liquors (Prohibition of Advertisements) Act, 1978 or convicted of non-bailable offences or are habitual offenders. (iii) Persons suffering from leprosy or other contagious disease only in cases where such persons have to handle the stocks of liquor or beer in premises or elsewhere personally, (iv) Defaulters in the payment of excise revenue to the Government.	Article 14 and 21
104.	Orissa Professional Typists For Civil And Criminal Courts	In exercise of the powers conferred by Clauses (2) and (3) of Article 227 of the	Rule 6 - A person shall be disqualified for being registered Professional Typist and for continuance as such if he-	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
	(Registration) Rules, 1981	Constitution of India, the High Court with the prior approval of the Governor, hereby make the following rules, namely :	(i) has been convicted by a Criminal Court of any offence involving moral turpitude; or **(ii) has been adjudged by a competent Court to be of unsound mind or is a deaf mute, a leprosy or tuberculosis patient; or** (iii) is an undischarged insolvent; or (iv) is a paid employee in any office, institution or under any person either whole-time or part-time; or (v) has been found guilty of misconduct.	
105.	Orissa (Licensing Of) Deed Writers' Rules, 1979	In exercise of the powers conferred by Section 69 of the Registration Act, 1908 (Act 16 of 1908) and as amended by the Registration (Orissa Amendment) Act, 1975 (Orissa Act II of 1976), the Inspector-General of Registration, Orissa hereby makes the	**Rule 5 -** **Qualifications for grant of licence. - A licence shall not be granted to a person-** (a) if he is minor; (b) if he has been declared by a competent Court to be of unsound mind; (c) if he is an undischarged insolvent, of being a discharged insolvent has not obtained from the Court, which adjusted him as insolvent, a certificate that his insolvency was caused by misfortune without any misconduct on his part; (d) if he is an Advocate or pleader who has been	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		following rules and the same have been approved by the State Government as required by Sub-section (2) of the said section.	dismissed or is under suspension from practising as such by an order of any competent Court; (e) if he has been convicted by a Criminal Court for an offence involving moral turpitude; **(f) if he is a person suffering from leprosy;** (g) if his retirement (in the case of a retired officer) had been the result of misconduct ; (h) if his licence has at any time been cancelled and the order cancelling the licence has not been quashed by competent authority; (i) if his calligraphy is not good and legible; (j) if he has been convicted by a Criminal Court for any offence relating to documents under Chapter XVIII of the Indian Penal Code; or (k) if for any other reason (conduct and character) to be recorded in writing, the Licensing Authority considers it not desirable to issue licence.	
106.	Andhra Pradesh Indian Liquor & Foreign Liquor Rules, 1970	In exercise of the powers conferred by Section 72, read with Sections 9, 11, 12, 13, 14, 15 and 28 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act, 17 of	**Section 27 -** **Persons not eligible for grant of licence:--** The following persons are not eligible for grant of licences :-- (i) persons below the age of 62[twenty one] years; (ii) persons who are undischarged insolvents or	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		1968) and in supersession of all rules on the subject, the Governor of Andhra Pradesh, hereby makes the following rules, the draft of the same having been previously published, as required under sub-section (1) of the said Section 72.	who have been convicted of offences under the provisions of the Act or the Customs Act, 1962" 63[or Narcotics Drugs and Psychotropic Sub stances Act, 1985 (Central Act 61 of 1985) or convicted under Andhra Pradesh intoxicating liquors (Prohibition of Advertisements) Act, 1978]" or convicted of non-bailable offences or are habitual offenders. (iii) persons suffering from leprosy or other contagious disease only in cases where such persons have to handle the stocks of liquor or beer in premises or elsewhere personally. [(iv)- - - - - -] (v) defaulters in the payment of excise revenue to the Government. **53. Employment of servants:--** (1) No woman shall be employed in shop for sale of Indian liquor and Foreign liquor without the special permission of the Commissioner. No male person shall be appointed for such a purpose without the prior permission of the licensing authority and every such person whether male or female before being employed shall obtain from the licensing authority, a Nowkarnama in Form IL-12 on payment of a fee of Rs. 100/-	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(2) Employment in any capacity of any person whose age is below 21 years or who is suffering from leprosy or other contagious disease for the purpose of sale, import, export or transport of Indian Liquor or Foreign Liquor within or without the licensed premises is strictly prohibited. (3) All illegal things done in connection with the manufacture transport import, export or possession or sale of Foreign or Indian liquors, or (sic) to have been done in contravention of the provisions of the Act or the (sic) made thereunder by the servants of the licensee shall forthwith be reported to the licensing authority by the licensee, and such orders regarding continuance or otherwise of such servants in service as may be issued by the Excise Superintendent shall be carried out by licensee. (4) Every act of the servants shall be deemed to be an act of the licensee. Any notice, intimation or order given to a person nominated by the licensee shall be deemed to have been given to the licensee.	
107.	Bihar Document Writers Licensing Rules, 1968	None	**Rule 4 -** **Disqualifications**. - No licence shall be granted to a person if;-	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(a) he is minor below the age of 18 years; or (b) he has been declared by a competent court to be of unsound mind; or (c) he has been convicted by a Criminal Court for an offence involving moral turpitude; or (d) he has been adjudged as insolvent by any court of competent jurisdiction, or **(e) he is leper; or** (f) this licence has at any time been cancelled under the orders of the District Registrar for misconduct	
108.	Kerala Document Writers' Licence Rules, 1960	In exercise of the powers conferred by clause (bb) of sub-section (1) of section 69 of the Indian Registration Act 1908 (XVI of 1908) the Inspector-General of Registration hereby makes the following rules with the approval of Government,	**Section 7 -** **Disqualification.--** A license shall not be granted to a person: (a) If he is a minor; (b) if he has been declared by a competent court to be unsound mind; (c) if he is an undischarged insolvent or being a discharged insolvent has not obtained from the court which adjudged him as insolvent, a certificate that his insolvency was caused by misfortune without any misconduct on his part; (d) in the case of an advocate or pleader, if he has	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		as required by sub-section (2) of the said section, namely:-	been dismissed or is under suspension, from practicing as such by order of any competent court; (e) if he has been convicted by a Criminal Court for an offence involving moral turpitude; before the expiry of three years from the date of conviction or before the expiry of the period of sentence whichever period expires later; (f) if he is a deaf mute; **(g) if he is a leper;** (h) in the case of a retired officer, if his retirement had been the result of misconduct, (i) if his license has at any time been cancelled and the order canceling the licence has not been quashed by competent authority; (j) if he is an officer retired from Government service whose pension has been withheld, either wholly or in part, due to his misconduct or negligence, and such period for which the pension is so withheld, has not expired.	
109.	Allahabad High Court Rules, 1952	None.	Section 16(2) - **Application for enrollment** :- On a certificate being granted under Section 7 of the Legal Practitioners Act, 1879, the pleader or mukhtar, as the case may be may present an application for enrollment accompanied by such certificate in person to the District Judge of the district in which the applicant desires to	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			practice. **(2) If the certificate be in order and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous or infectious malady and is otherwise a fit and proper person to be enrolled, he shall enroll him.** If the District Judge considers that the applicant is not fit and proper person to be enrolled as pleader or mukhtar, he shall make a report to the High Court. Section 22 - **Change of district of enrollment :-** Any pleader or mukhtar desiring to be enrolled in any district other than the one in which he was last enrolled or re-enrolled shall submit along with his application his last certificate of practice together with a certificate from the District Judge of the district in which he last practiced that he is a fit and proper person to be enrolled and that nothing is known against him such as may debar him from being enrolled as a Pleader or Mukhtar. If sufficient cause is shown why the applicant is unable to furnish his last certificate of practice or the aforesaid certificate from the District Judge of the district in which he last practiced, the District	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			Judge may accept any other evidence in proof of his having been previously enrolled in such district and of his being a fit and proper person to be enrolled as a Pleader or Mukhtar. **If the application is in order and the District Judge is satisfied that the applicant is not suffering from leprosy or other dangerous or infectious malady and is otherwise a fit and proper person to be enrolled he may enroll him.** Upon every enrollment under this rule the District Judge shall notify the fact of such enrollment to the Court. Section 23 - **Enrollment after discontinuing practice** :- Any pleader or mukhtar desiring to be enrolled in the same district after an interval during which his name was not on the roll shall submit along with his application his last certificate of practice and furnish to the district judge satisfactory proof of his being a fit and proper person to be enrolled. If sufficient cause is shown why the applicant is unable to furnish his last certificate of practice, the district judge may satisfy himself in any other way as to his having been previously enrolled as a Pleader or Mukhtar. **If the application is in order and the district judge is satisfied that the applicant is not suffering from leprosy or other dangerous or infectious malady and is otherwise**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			a fit and proper person to be re-enrolled he may re-enroll him.	
110.	Delhi Petty Offences (Trial By Special Metropolitan Magistrates) Rules, 1998	In exercise of the powers conferred by proviso to sub-section (1) of Section 18 of Code of Criminal Procedure 1973 (No. 2 of 1974) and in supersession of the Rules made earlier under the said section by this Court, Hon'ble the Acting Chief Justice and Hon'ble Judges of the High Court of Delhi at New Delhi, hereby make the following Rules, namely:-	**4. Disqualification-A person.**— (1) who does not hold or has not held a post under the Govt./High Court of Delhi and the Courts subordinate thereto of the rank and status and does not possess the qualification, if any, attached thereto, as mentioned in the just preceding Rule; or (2) who having held an office under the State or the Union Government or the High Court and the Courts subordinate thereto, has been dismissed or removed or compulsorily retired from service or subjected to any other major penalty for misconduct; or (3) who having held an office as mentioned in sub-rule (2) has been convicted and sentenced by a Court for an offence involving moral delinquency or is charged of any offence constituting moral turpitude and proceedings against him are pending; or **(4) who having held an office as mentioned in sub-rule (2), is of unsound mind or who is deaf or mute or blind or suffering from leprosy or any other contagious disease; or**	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(5) who having held an office as mentioned in sub-rule (2) has been adjudicated as an insolvent or an undischarged insolvent; or (6) who having held an office as provided in sub-rules (1), (2), (3), (4) and (5) of Rule 3, is a practising advocate; shall not be eligible for conferment of powers of Special Metropolitan Magistrate: Provided that a practising advocate as mentioned in sub-rule (6), shall not be disqualified for conferment of powers of Special Metropolitan Magistrate, if he, before he is considered for such conferment, undertakes that he shall have his licence as an advocate suspended immediately on conferment of power of Special Metropolitan Magistrate and does so before assumption of charge as such.	

Excise Laws

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
111.	Andhra Pradesh Excise (Grant Of Licence Of Selling By In-House And Conditions Of Licence) Rules, 2005	In exercise of the powers conferred by Section 72 read with Sections 17, 28 and 29 of the Andhra Pradesh Excise Act, 1968 (Act 17 of 1968) and Ordinance 5 of 2005, the Governor of Andhra Pradesh hereby makes the following Rules:	**Section 6 -** **Persons not eligible for grant of licence:--** The following persons are not eligible for grant of licenses: (i) persons below the age of twenty one years. (ii) persons who are un-discharged insolvents or who have been convicted of offences under the provisions of the Act or the Customs Act, 1962 or Narcotics Drugs and Psychotropic Substances Act, 1985 (Central Act 61 of 1985) or convicted under Andhra Pradesh Intoxicating Liquors (Prohibition of Advertisements) Act, 1978 or convicted of non-bailable offences or are habitual offenders. **(iii) Persons suffering from leprosy or other contagious disease, only in cases where such persons have to handle the stocks of liquor or beer in premises or elsewhere personally.** (iv) Defaulters in the payment of excise revenue to the Government.	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
112.	Tamil Nadu Excise Act, 1971	An Act to consolidate and amend the excise law in the State of Tamil Nadu.	Section 18 - **Prohibition of employment of children and of persons suffering from infectious disease** (1) No person, who is licensed to sell any liquor for human consumption shall during the hours in which the premises are kept open for such purpose, employ or permit to be employed, either with or without remuneration, any children under such age' as may be prescribed, in any part of the premises where the liquor is consumed by the public. **(2) No such person as is referred to in sub-section (1) shall employ or permit to be employed either with or without remuneration, any person who is suffering from leprosy or any infectious disease.**	Article 14 and 21
113.	Pondicherry Excise Rules, 1970	In exercise of the powers conferred by section 70 of the Pondicherry Excise Act, 1970 (No. 12 of 1970), the Lieutenant Governor, Pondicherry, hereby makes the following rules,	**Section 141 -** **General conditions of licence/permit.—** (1) The licence/permit shall, except where no business is transacted, be hung up in a conspicuous place in the premises, in which the business under the licence/permit is transacted. A sign-board shall also be affixed to the licensed premises showing the number and kind of licence/permit and the hours of business. (2) The licensed premises shall be kept open for	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		the draft of the same having been previously published in the Extraordinary Gazette No. 108-bis, dated 20th October, 1970, as required by sub-section (1) of section 70 of the said Act, namely :—	business or for inspection by Excise or other authorised officers on all days except the weekly holidays or such other days on which the commissioner may order closure. (3) In the absence of the licensee/permit holder, his authorised representative shall be incharge of the licence/permit, stock and account books. (4) The possession of denatured spirit, methylated spirit, methyl alcohol or denatured spirituous preparations outside the licensed premises is forbidden unless the quantity possessed is within the limits of private possession. (5) Premises for wholesale and for retail sale shall not be located in the same place. Provided that when the licences are held by one and the same person they may be located in the same premises if the portion relating to one licence is effectively partitioned off from the portions relating to the other and the portions so participated off are sufficiently commodious to locate the business under the respective licences. (6) If licences/permits are held by one and the same person in the following combinations, namely :- (i) a licence for wholesale vend of denatured spirit of methylated spirit or methyl alcohol and licence for the manufacture and sale of denatured spirituous preparations; and (ii) licence for manufacture and sale of denatured spirituous preparations and permit for the possession and use of denatured spirituous	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			preparations. The respective licences under each shall be located in separate premises. (7) Denatured spirit, methylated spirit, methyl alcohol or denatured spirituous preparation possessed or exposed for sale in the licensed premises shall be undiluted and unadulterated. Denatured spirit or methylated spirit whose strength is below 50 degree O.P. shall not be possessed or sold. (8) If any inspecting officer is of opinion that any spirit or denatured spirituous preparations found by him in the licensed premises is not of the required standard, he may, after recording his reasons, take in the presence of the licensee/permit holder or his authorised representative two samples from each of the receptacles containing such suspected spirit or denatured spirituous preparations and forward one sample in sealed bottle to the Chemical Examiner for analysis and cause the other to be sealed and kept with the licensee/permit holder. Pending receipt of the report of analysis or test from the Chemical Examiner such officer shall cause such stock of suspected spirit or denatured spirituous preparations to be sealed with his seal and leave the stock so sealed with the licensee/permit holder with written directions that it should be kept in safe custody. If the result of analysis or test shows that the suspected stock is not of the prescribed standard, the licensee/permit holder shall abide by the order of	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			the licensing authority regarding its disposal. Otherwise the sealed stock shall be forthwith released. The officer who takes action under this rule shall send a report forthwith to the licensing authority through his official superior detailing the circumstances under which the samples were taken. Note :— The rendering or attempting to render any denatured spirit or preparations containing denatured spirit fit for human consumption or the possession of such spirit or preparation in respect of which such an attempt has been made is punishable under section 32 of the Act. (9) Every bottle, jar, cask or other receptacle containing denatured spirit, methylated spirit, methyl alcohol received into and kept for storage or sale in a premises licensed under these rules or possessed by a private person or institution permitted to be in possession of such spirit or methyl alcohol shall have affixed to it in a conspicuous manner a label which should contain the picture of a full human skeleton at least three inches in length extending from top to bottom of the label with the following words printed on the right and left of the picture, namely :— "Poison not to be taken internally." DENATURED SPIRIT METHYLATED SPIRIT METHYL ALCOHOL "Spirits made in	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			..... and bottled by .... The words "Poison not to be taken internally" shall be printed in red and bold letters in English, Tamil, Malayalam and Telegu as the case may be. The design and style of the label shall be as in Form D.L. 19 (a) D.L. 19 (c), as the case may be. (ii) In the case of denatured spirituous preparations, the label to be affixed with reference to the provisions in sub-rule (i) above of this rule shall be in Form D.L.20 (10) True accounts of transactions shall be maintained from day to day in ink in the form prescribed in this Chapter. The accounts shall be in printed books. The accounts, copies of indent, invoices, and permits relating to the purchase, import or transport of denatured spirit or methylated alcohol or methyl alcohol or denatured spirituous preparations shall be preserved in support of accounts for one year after the period covered by the respective licence/permit and shall be produced when called for by any officer authorised to inspect the licence/permit. They shall be handed over to such officer on a receipt being given therefor. The licensee/permit holder shall furnish to the licensing authority such statistics or information as may be required from time to time regarding	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			the working of the licence/permit. (11) An inspection book paged and stamped with the seal of the Deputy Commissioner shall be maintained at the licensed premises for the use of inspecting officers. The book being Government property should be handed over to the licensing authority or inspecting officer either on demand during the currency of the licence/permit or voluntarily after the licence/permit expires or is cancelled, on a receipt given therefor. (12) The holder of a licence permit issued under these rules shall, if so ordered by the licensing authority, provide himself with such weights and measures as may be prescribed for use in the licensed premises. The weights and measures shall bear the stamp of the Inspector of Weights and Measures or other authorised officer. The weights and measures shall be available at the licensed premises for use by inspecting officers whenever they need them. (13) The licensee/permit holder shall pay the prescribed duty on the denatured spirit or methylated spirit or methyl alcohol obtained by holders of licences or permits from a distillery or Warehouse in the Union territory and denatured spirit or methylated spirit or methyl alcohol or denatured spirituous preparations obtained from sources outside the Union territory. In the former case the duty shall be paid by the licensee/permit holder at the time of purchase of stock from the distillery or bonded warehouse and in the latter	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			case the duty shall be credited into a treasury and the challan shall be enclosed to the application for an import permit. No refund to duty is permissible on denatured spirituous preparations exported to places outside Union territory. No remission, refund or abatement of any duty leviable under these rules or under the terms of any licence / permit issued thereunder shall be allowed on grounds of loss, leakage, etc., of denatured spirit or methylated spirit or methyl alcohol or denatured spirituous preparations or for any other cause whatsoever. All arrears or dues outstanding against any licensee/permit holder shall be adjusted from the deposit, if any furnished by the licensee/permit holder or collected from him. Any shortage or leakage or loss of denatured spirit or methylated spirit or methyl alcohol or denatured spirituous preparations not accounted for to the satisfaction of the licensing authority will render the licence / permit liable to cancellation and the licensee/permit holder being proceeded against under the provisions of the Act or these rules. (14) The licensee/permit holder shall be bound by any additional general rules and conditions that may be prescribed under the Act, and shall if so required, by the licensing authority or any officer authorised by such authority deliver the licence/permit for amendment or for issue of a fresh licence/permit. (15) All Excise Officers and other Officers duly	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			empowered under the rules are entitled to inspect licensed premises and check the accounts maintained under the rules and carry out the duties and perform the functions appertaining to them. The licensee/permit holder is prohibited from having any pecuniary dealings whatsoever with such officers. **(16) If it is found that licensee/permit holder is suffering from leprosy or such other contagious disease, he shall not be allowed to continue to hold the licence/permit nor shall any person suffering from any such disease be employed by the licensee/permit holder in any capacity within the licensed premises. The licensee/permit holder shall not also employ any person convicted of an offence under the Act or the Rules or under the Indian Penal Code.**	
114.	Andhra Pradesh Excise (Lease Of Right To Sell Liquor In Retail) Rules, 1969	None.	**Section 7 -** **Prohibition of certain persons to enter the place of auction:--** Hall tickets shall not be issued to any person who,- (a) has been convicted of any offences specified in clause (d) of sub-section (1) of Section 31 of the Act in respect of which he has been penalised or convicted within the preceding five years; (b) has been convicted or whose licence has been cancelled for breach of any of the conditions of	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			licence granted under Section 31 of the Act within the preceding three years; (bb) has been held guilty either in a departmental proceeding or in a court of an offence under Section 37 of the Act for adulteration of toddy or arrack by mixing any article injurious to public health or otherwise within the preceding five years. **(c) is suffering from leprosy or any other contagious disease;** (d) is a defaulter of excise revenue: or (e) is adjudged as an insolvent by a Competent Court. **9. Disqualification:--** (1) No lease shall be granted to the following persons, nor any such persons shall be entitled to hold the lease: **(a) person suffering from leprosy or any other contagious disease, who either in the shop, tope or any place, discharge personally such functions as would entail personal handling of liquor;** (b) persons who have been prohibited under Rules	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			5 to 8; (c) persons who are ineligible to participate in the auction for the non-fulfillment of the conditions prescribed under Rules 5 to 8; (d) (i) persons who entered into a lease with Government for supply of arrack in a local area during the currency of such lease shall not be eligible to bid or tender for shops or group of shops in the area of operation of such contract. (ii) defaulter of excise revenue. (e) the defaulters in the payment of excise revenue; Explanation:-- (1) Any defaulter having obtained stay from the competent authorities] for recovery of dues shall continue to be treated as a defaulter for the purposes of this rule and no lease shall be granted unless there is a specified direction in the stay order that the defaulter is not precluded from participating in such auctions. (2) If any person who is disqualified under this rule is found to be holding a lease, the licence thereof may be withdrawn in accordance with Section 32 of the Act and the Commissioner shall direct	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			reauction of the lease: Provided that if such disqualification Comes to the notice of the auctioning authority before the lease is granted but after the bid or tender is accepted the auctioning authority may cancel the bid or tender and conduct re-auction.	
115.	Andhra Pradesh Excise Act, 1968	An Act to consolidate and amend the law relating to the production, manufacture, possession, transport, purchase and sale of intoxicating liquor and drugs, the levy of duties of excise and countervailing duties on alcoholic liquors for human consumption and opium, Indian hemp and other narcotic drugs and narcotics and to	Section 19 - **Prohibition of employment of children and of persons suffering from contagious diseases** (1) No person who is licensed to sell any intoxicant for human consumption on his premises shall during the hours in which such premises are kept open for such purpose, employ or permit to be employed either with or without remuneration, any children under such age as may be prescribed, in any part of the premises where the intoxicant is consumed by the public. **(2) No such person as is referred to in sub-section (1) shall employ or permit to be employed either with or without remuneration, any person who is suffering from leprosy or any other contagious disease.** Section 36 -	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		provide for matters connected therewith in the State of Andhra Pradesh.	**Penalty for misconduct of licensees etc** (1) Whoever being a holder of a licence or permit granted or issued under this Act or being in the employ of such holder and acting on his behalf;- (a) fails to produce such licence or permit on demand by any Prohibition and Excise officer or any other officer duly empowered to make such demand: or (b) willfully does or omits to do any thing in breach of any of the conditions of his licence or permit not otherwise provided in this Act; or (c) Willfully contravenes any rule made under this Act; or (d) permits drunkenness, disorderly conduct, riot or gaming in any place wherein any intoxicant is sold or manufactured; or (e) permits or suffers persons whom he knows or has reason to believe to have been convicted of any non-bailable offence, or who are reputed prostitutes or habitual offenders, to resort to, or assemble or remain in or on the premises where any excisable article is sold or manufactured; or	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(f) sells any intoxicant to a person who is drunk; or (g) sells or gives any intoxicant to any [person apparently under twenty one years of age or permits or suffers such person] to remain in or on the premises where any excisable article is sold or manufactured; or **(h) in contravention of Section 19 employs or permits to be employed on any part of his licensed premises referred to in that section any child or person suffering from leprosy or other contagious disease, shall, on conviction, be punished-** (i) in the case of an offence falling under clause (a), clause (b). or clause (c). with imprisonment for a term which shall not be less than six months but which shall not exceed two years and with fine which may extend to one thousand rupees; (ii) in any other case, with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both. (2) Where any holder of a licence or permit under this Act or any person in his employ or acting on his behalf is charged with permitting drunkenness on the premises of such holder, and it is proved that any person was drunk on such premises, it	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			shall lie on the person charged to prove that the holder of the licence and the persons employed by him took all reasonable steps for preventing drunkenness on such premises.	

Laws curtailing entry into specific areas

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
116.	Madhya Pradesh Gram Panchayat (Regulation Of Slaughter House) Rules, 1998	In exercise of the powers conferred by the sub-section (1) of Section 95 read with Clause (v) of Section 54 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994), the State Government hereby makes the following rules the same having been previously published as required by sub-section (3) of the Section 95 of the said Act, namely	Section 22 - **(1) No person suffering from leprosy, sores or any other skin disease or any contagious or infectious shall enter the slaughterhouse premises.** (2) No person other than the Gram Panchayat staff on duty and licensed butchers and their assistants or *bona fide* servants, shall enter the slaughterhouse premises during the process of slaughtering, skinning and cutting up of carcass. (3) No person shall create any disturbance in the slaughterhouse premises. (4) Any person who contravenes the provisions of these rules may be removed summarily under the direction of the Inspector.	Article 19(1)(d) and 21
117.	Kerala Places of Public Resort Rules, 1965	In exercise of the powers conferred by sub-section (1) of section 7 and section 19 of the	**Rule 34 -** Every licence granted under the Act shall be subject to the following additional conditions: 1. No fire or naked light shall, under any	Article 14 and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		Kerala Places of Public Resort Act, 1963 (Act 40 of 1963) the Government of Kerala hereby make the following rules:-	circumstance, be allowed inside the licensed premises. 2. All swinging lights shall be suspended by metal wires or rods. 3. No inflammable or explosive substance such as petroleum, kerosene oil, fire works, or gunpowder in excess of the quantity, required for one day's use shall be stored upon or within the licensed premises. 4. The main doors, enumerated in column (4) of the licence shall always be left unfastened and unobstructed whilst the public are using the licensed premises. 5. No structural or material alteration shall be made in the licensed premises except with the written permission of the licensing authority. **6. No leper and no person suffering from an open sore or any loathsome, infectious or contagious disease shall be permitted inside the licensed premises. If such a person is found in any such premises, the licensee shall immediately report the fact to the nearest Health Officer, Health Inspector or other Officer not below the rank of a Health Assistant of the Health Services Department or to the licensing authority and the licensee shall at his own cost take such steps as may be required**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			by such officer or authority to disinfect the place and to prevent the further spread of the infection. 7. The licensed premises shall not be kept open after 2 a.m. without special permission from the licensing authority. 8. The licensing authority or any subordinate Officer duly authorised by the licensing authority. Officers of the State Government exercising control or supervision over the local authority, the Health Officer, the Health Inspector, the Health Assistant having jurisdiction over the area, and any Police Officer specially deputed to keep order during any entertainment in the licensed premises shall at all times have free access to the said premises to see whether the conditions of the licence are fulfilled. 9. The licensing authority may add such other conditions not inconsistent with these rules to the licence as he may deem desirable in the interest of health and safety of the public.	
118.	Travancore Cochin Public Health Act, 1955	An Act to make provision for advancing the public health of the State of	**82. Person suffering from leprosy not to use public conveyance** (1) No person who knows that he is suffering from	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
		Travancore-Cochin.	leprosy shall- (a) enter any public conveyance used for the conveyance of passengers at separate fares, or (b) enter any other public conveyance, without previously intimating to the owner, driver or conductor thereof that he is suffering from leprosy. (2) No person who has the care of a person whom he knows to be suffering from leprosy shall permit him to be carried- (a) in any public conveyance used for the conveyance of passengers at separate fares, or (b) in any other place conveyance, without previously intimating to the owner, driver of conductor thereof that he is suffering from leprosy. (3) The owner, driver or conductor of a public conveyance used for the conveyance of passengers at separate fares shall not convey therein a person whom he knows to be suffering from leprosy at any time when a passenger not suffering from leprosy is being conveyed therein; Provided that a person suffering from leprosy may be conveyed in the public conveyance	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			aforesaid in such cases of emergency and subject to such restrictions and safeguards as may be notified by the Government. (4) The owner or drive of any other public conveyance may refuse to convey therein any person suffering from leprosy until he has been paid a sum sufficient to cover any loss and expense which will be incurred by reason of the provisions of the next succeeding sub-section. (5) The person in charge of a public conveyance in which a person whom he knows to be suffering from leprosy has been conveyed shall, as soon as practicable, give notice to the Health Officer of the local area in which the conveyance is usually kept and before permitting any other person to enter the conveyance shall cause it to be disinfected. (6) The local authority, when so requested by the person in charge of a public conveyance in which a person suffering from leprosy has been conveyed, shall provide for its disinfection. **Section 83 : Prohibition of persons suffering from leprosy from attending school, college of taking out books or newspapers from public or circulating libraries** (1) No person who knows that he is suffering from	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			leprosy shall- (a) attend any school, college, playground or such other place; or (b) take any book or newspaper or cause any book or newspaper to be taken for his use or any book or newspaper taken, from any public or circulating library. (2) No person who has the care of a person whom he knows to be suffering from leprosy shall permit him to do any of the acts prohibited by sub- section (1) (3) For the purpose of this section- (a) "public library" shall include "public reading room"; (b) "book" shall include every volume, part or division of a volume, pamphlet and leaflet in any language and every sheet of map, chart or plan separately printed, lithographed or otherwise mechanically produced; and (c) "newspaper" shall mean any periodical work containing public news. **Section 84 : Segregation of person suffering from leprosy**	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			The Government may, on the recommendation of the Director Public Health, by notification, declare any area to be a "Segregation Area" if they are satisfied that in such area adequate segregation accommodation for persons suffering from leprosy has been provided by the local authority, or has been placed at its disposal and set apart by it for the purpose; and thereupon, the following provisions shall apply to such area:- (i) The Health Officer may, by notice, require any person suffering from leprosy and residing within the segregation area to remove himself to such segregation accommodation as may be specified in the notice and remain there until such time as he is certified by an authorized practitioner to be no longer infectious. (ii) The notice shall allow a reasonable period for compliance there with. (iii) If the person suffering from leprosy does not comply with the notice within the period allowed therein, the Health Officer may have him compulsory removed to the segregation, accommodation specified therein, using such force, as may be reasonably necessary for the purpose.	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(iv) The Health Officer may permit any person detained in the segregation, accommodation to engage himself or accept employment in any of the capacities other than those specified in Section 81, provided that it does not involve the performance of any act specifically prohibited by this Act. (v) The notice referred to in clause (i) may be given to the person who has the care of a person suffering from leprosy, and thereupon it shall be the duty of the former to remove the person suffering from leprosy to the segregation, accommodation specified in the notice. (vi) If any person suffering from leprosy escapes from or leaves the segregation accommodation provided for him, without the written permission of the Health Officer or any other officer authorized by him in this behalf, such person may be arrested without a warrant by any police officer or by any one specially empowered by the Government and removed forthwith to such segregation accommodation. (vii) The local authority shall arrange for the food, clothing and other necessaries of every person suffering from leprosy who is detained in the segregation accommodation, but any such person shall be at liberty to make his own arrangements for his food, clothing or other	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			necessaries. (viii) If any person is arrested under clause (vi) after having been arrested and dealt with under that clause on at least three previous occasions, he shall, if the Health Officer so directs in writing, be produced before Magistrate of the First Class who shall have power to order his detention in a leprosy annexe attached to a prison until such times as he is certified by an authorized practitioner to be no longer infectious; and thereupon all the provisions of the law for the time being in force shall, so far as may be and with such modifications if any, as may, be prescribed, apply to such person as if he had been sentenced to simple imprisonment for the period for which such detention was ordered. If the Magistrate does not order such detention or if the order of detention passed by him is subsequently cancelled, whether by himself or by any other Magistrate of the First Class, the person arrested or detained, as the case may be, shall forthwith be removed to the segregation accommodation aforesaid.	
119.	Madhya Pradesh Public Health Act, 1949	An Act to make provision for advancing the public health of Madhya Pradesh.	**Section 81 -** **Prohibition of persons suffering from leprosy from attending school, college or taking out books from public libraries**	Article 19(1)(d) and 21

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			No person who knows that he is suffering from leprosy shall,-- (a) attend any school, college, playground, or such other place; or (b) take any book or cause any book to be taken for his use or use any book taken from any public or circulating Library. (2) No person who has the care of a person whom he knows to be suffering from leprosy shall permit him to do any of the acts prohibited by sub-section (1). **Section 82 -** **Segregation of persons suffering from leprosy** The Government, may, on the recommendation of the Director of Health Services by notification declare any area in the State to be a "Segregation area", if they are satisfied that in such area adequate segregation accommodation for person suffering from leprosy has been provided by the local authority, or has been placed at its disposal and set apart by it for the purpose; and thereupon, the following provisions shall apply to such area,--	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			(i) the Health Officer may, by notice, require any person suffering from leprosy and residing within the segregation area to remove himself to such segregation accommodation as may be specified in the notice and remain there until such time as he is certified by an authorised practitioner to be no longer infectious; (ii) the notice shall allow a reasonable period for compliance therewith; (iii) if the person suffering from leprosy does not comply with the notice within the period allowed therein, the Health Officer may have him compulsorily removed to the segregation accommodation specified therein using such force as may be reasonably necessary for the purpose; (iv) the Health Officer may permit any person detained in the segregation accommodation to engage himself or accept employment in any of the capacities other than those specified in Section 78, provided that it does not involve the performance of any act specially prohibited by this Act; (v) the notice referred to in clause (i) may be given to the person who has the care of person suffering from leprosy, and thereupon it shall be the duty of the former to remove the person	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			suffering from leprosy to the segregation accommodation specified in the notice; (vi) if any person suffering from leprosy escapes from, or leaves the segregation accommodation provided for him, without the written permission of the Health Officer authorised by him in this behalf, such person may be arrested without a warrant by any police officer or by any one specially empowered by the Government and removed forthwith to such segregation accommodation; (vii) the local authority shall arrange for the food, clothing and other necessaries, of every person suffering from leprosy who is detained in the segregation accommodation, but any such person shall be at liberty to make his own arrangements for his food, clothing or other necessaries; (viii) if any person is arrested under clause (vi) after having been arrested and dealt with under that clause on at least three previous occasions, he shall, if the Health Officer so directs in writing, be produced before a Magistrate of the First Class who shall have power to order his detention in a leprosy annexe attached to a prison, until such time as he is certified by an authorised practitioner to be no longer infectious and thereupon all the provisions of the law for	

S.No.	Act	Preamble	Impugned Provision	Fundamental Right infringed
			the time being in force shall, so far as may be and with such modification, if any, as may be prescribed, apply to such person, as if he had been sentenced to simple imprisonment for the period for which such detention was ordered. If the Magistrate does not order such detention or if the order of detention passed by him is subsequently cancelled, whether by himself or by another District Magistrate, the person arrested or detained, as the case may be, shall forthwith be removed to the segregation accommodation aforesaid.	