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## **Constitution of India Art 173 - Qualification for membership of the State Legislature**

**A person shall not be qualified to be chosen to fill a seat in the Legislature of a State unless he—**

**(a) is a citizen of India, and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the Third Schedule;**

**(b) is, in the case of a seat in the Legislative Assembly, not less than twenty-five years of age and, in the case of a seat in the Legislative Council, not less than thirty years of age; and**

**(c) possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament.**

### **SYNOPSIS**

**Qualification for membership:** There is no need for person seeking election to have qualifications that members of electoral college possess, *Kuldip Nayar v. Union of India*, (2006) 7 SCC 1.