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Pleasure doctrine - Applicability - Uttar Pradesh Municipalities Act (2 of 1916) , S.9 Proviso 4— (Added by U.P. Act 19 of 1990) - Nomination of women members on Municipal Board

Constitution of India , Art.14, Art.15(3) – Municipalities - Nominated members- Continue in office during pleasure of State Government - Proviso 4 to S. 9 - Provision neither offends any Article of the Constitution nor the same is against any public policy or democratic norms enshrined in the Constitution - There is also no question of any violation of principles of [natural justice](#) in not affording any opportunity to the nominated members before their removal nor the removal under the pleasure doctrine contained in the fourth proviso to Section 9 of the Act puts any stigma on the performance or character of the nominated members. [Para 11]

Special provision contained for nominating one or two women members as the case may be provided in Section 9 of the Act would be protected from challenge under clause (3) of Art. 15 of the Constitution. It may also be worthwhile to note that the provision of pleasure doctrine incorporated by adding proviso four does not, in any manner, take away the right of [representation](#) of women members in the Board, but it only permits the State Government to keep the nominated women members of its own choice. We are not impressed with the reasoning given by the High Court that the fourth proviso to Section 9 of the Act in any manner deprived the fundamental right of equality as enshrined in Article 14 of the Constitution.

Right of equality enshrined under Article 14 of the Constitution applies to equals and not to unequals.

The nominated members of the Board fall in a different class and cannot claim equality with the elected members.

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