

THE KARNATAKA REPEALING AND AMENDING ACT, 2002

Arrangement of Sections

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STATEMENT OF OBJECTS AND REASONS

It is considered necessary to prepare upto date Codal Volumes of the Karnataka Acts and to repeal all the spent Acts and amendment Acts from time to time.

The Government constituted One-man Committee for the above purpose. The Committee has reviewed the Karnataka Acts for the period from 1.11.1956 to 31.12.2000 and has proposed the "Repealing and Amending Bill, 2002" which seeks to repeal the following types of Acts,-

- (i) Acts which amended the Karnataka Acts whether they are now in force or not;
- (ii) Acts which amended regional Acts which are no longer in force;
- (iii) Appropriation Acts as they are spent Acts;
- (iv) Acts which have been struck down or by necessary implication struck down by the Courts;
- (v) Acts which are by implication repealed by Central Acts;
- (vi) Acts which are temporary and spent enactments; and
- (vii) Acts which amend the Central Acts and regional Acts which are in force.

The Bill does not include Acts which are already repealed expressly.

This Bill also seeks to amend certain Acts which are considered necessary.

Hence the Bill.

[L.C. BILL No. 4 OF 2002]

[Various entries of List II and III of the Seventh Schedule]

KARNATAKA ACT 13 OF 2003

(First published in the Karnataka Gazette Extra-ordinary on the 31st day of March, 2003)

**THE KARNATAKA REPEALING AND AMENDING
ACT, 2002**

(Received the assent of the Governor on the 25th day of March 2003.)

An Act to repeal certain enactments and to amend certain other enactments.

Whereas it is expedient to repeal certain enactments and to amend certain other enactments.

Be it enacted by the Karnataka State Legislature in the Fiftysecond year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Repealing and Amending Act, 2002.

(2) It shall come into force at once.

2. Definitions.- Unless the context otherwise requires, "Schedule" means a Schedule annexed to this Act.

3. Repeal of certain enactments.- The enactments specified in the First Schedule are hereby repealed.

4. Amendment of certain enactments.- The enactments specified in columns (2) and (3) of the Second Schedule are hereby amended to the extent and in the manner mentioned in the corresponding entries in column (4) thereof.

5. Savings.- (1) The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to ;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed ;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force;

nor shall the repeal of the Appropriation Acts by this Act affect the audit, examination, accounting, investigation, inquiry or any other action taken or to be taken in relation thereto by any authority and such audit, examination, accounting, investigation, inquiry or action could be taken and/ or continued as if the said Acts are not repealed by this Act;

nor shall the repeal of Act 2 of 1973 and Act 38 of 1987 shall affect any proceedings initiated or to be initiated under these enactments before any court or other authority to challenge, or to enforce, the rights conferred by these enactments and those proceedings shall be continued and disposed off in accordance with these enactments as if the said enactments are not repealed by this Act.

(2) For the removal of doubts it is hereby declared that where this Act repeals any enactment by which,-

- (i) the text of any other enactment, was amended by the express addition, omission, insertion or substitution of any matter, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the commencement of this Act ;
- (ii) any action taken (including any rule or order or bye-law or regulation made or any tax or cess or fee assessed or collected) by the Government or any other authority has been validated or saved or proceedings before one authority has been transferred to another authority or any declaration has been made or any direction has been given, the repeal shall not affect the operation of such validation or saving or transfer or declaration or direction and in operation at the commencement of this Act; and
- (iii) any other enactment has been amended or repealed or extended to the State of Karnataka, with or without some consequential or transitory or saving provisions the repeal shall not affect the operation of such amendment, repeal, extension or provision and in operation at the time of commencement of this Act.

(3) The provisions of section 6 of the Karnataka General Clauses Act, 1899 (Karnataka Act III of 1899) shall be applicable in respect of repeal of an enactment by this Act.

FIRST SCHEDULE

(See section 3)

REPEALED ACTS

Part I

State Acts

Sl.No.	Year & Act No	Short Title
1	2	3
1.	1957 26	The Mysore Lotteries and Prize Competitions Control and Tax (Karnataka Amendment) Act, 1957.
2.	1958 11	The Mysore Betting Tax (Karnataka Amendment) Act, 1958.
3.	1959 1	The Mysore (Personal and Miscellaneous) Inams Abolition (Karnataka Amendment) Act, 1959.
4.	1960 1	The Mysore Industrial Disputes (Karnataka Amendment and Repealing) Act, 1959.
5.	8	The Karnataka State Aid to Industries Act 1959.
6.	16	The Mysore Inams Abolition Laws (Karnataka Amendment) Act, 1960.
7.	1961 19	The Indian Partnership (Karnataka Amendment) Act, 1961.
8.	1962 1	The Madras Aliyasanthana (Karnataka Amendment) Act, 1961.
9.	6	The Karnataka Land Improvement Act, 1961.
10.	20	The Karnataka Public Conveyances Act, 1961.
11.	1963 6	The Industrial Disputes (Karnataka Amendment) Act, 1962.
12.	20	The Karnataka Gift Goods (Unlawful Possession) Act, 1963.
13.	21	The Bombay Merged Territories and Areas (Jagirs Abolition) (Karnataka Amendent) Act, 1963.
14.	25	The Madras Hindu Religious and Charitable Endowments (Karnataka Amendment) Act, 1963.

1	2	3
15.	35	The Industrial Disputes (Karnataka Amendment) Act, 1963.
16.	1964 27	The Karnataka Cattle Licencing Act, 1964.
17.	37	The Hyderabad Abolition of Inams (Karnataka Amendment) Act, 1964.
18.	1966 37	The Madras Hindu Religious and Charitable Endowments (Karnataka Amendment) Act, 1966.
19.	1968 10	The Land Acquisition (Karnataka Amenment and Validation) Act, 1967.
20.	1969 30	The Hyderabad Jagirs (Commutation) Regulation (Karnataka Amendment) Act, 1969.
21.	33	The Mysore Inams Abolition Laws (Amendment) Act, 1969.
22.	1972 8	The Indian Penal Code (Karnataka Amendment) Act, 1969.
23.	1973 2	The Karnataka Tenants (Relief in Payment of Arrears of Rent) Act, 1972.
24.	19	The Charitable Endowments (Karnataka Amendment) Act, 1973.
25.	27	The Mysore Inams Abolition Laws (Amendment) Act, 1973.
26.	1974 7	The Mysore Betting Tax and Race Courses Licensing (Karnataka Amendment) Act, 1974.
27.	1975 37	The Industrial Employment (Standing Orders) (Karnataka Amendment) Act, 1975.
28.	64	The Registration (Karnataka Second Amendment) Act, 1976.
29.	1977 2	The Payment of Wages (Karnataka Amendment) Act, 1976.
30.	1978 29	The Indian Stamp (Karnataka Amendment) Act, 1978.
31.	30	The Madras Aliyasanthana (Karnataka Amendment) Act, 1978.
32.	1979 26	The Karnataka Inams Abolition Laws (Amendment)Act, 1979.
33.	1980 18	The Mysore Religious and Charitable Institutions (Karnataka Amendment) Act, 1979.
34.	19	The Registration (Karnataka Amendemnt) Act, 1980.
35.	22	The Mysore Betting Tax (Karnataka Amendment) Act, 1980.
36.	1981 20	The Mysore Betting Tax (Karnataka Amendment) Act, 1981.
37.	33	The Electricity Supply (Karnataka Amendment) Act, 1981.
38.	49	The Disturbed Areas (Special Court) (Karnataka Amendment) Act, 1981.
39.	1982 1	The Identification of Prisoners (Karnataka Amendment) Act, 1981.
40.	2	The Payment of Wages (Karnataka Amendment) Act, 1981.
41.	20	The Code of Criminal Proceudue (Karnataka Amendment) Act, 1982.

1	2	3	
42.	1983	24	The Karnataka State Industrial Security Force Act, 1983.
43.	1984	24	The Karnataka Inams Abolition Laws (Amendment) Act, 1984.
44.		35	The Code of Criminal Procedure (Karnataka Amendment) Act, 1983.
45.	1985	18	The Mysore (Religious and Charitable) Inams Abolition (Karnataka Amendment) Act, 1985.
46.		19	The Code of Criminal Procedure (Karnataka Amendment) Act, 1985.
47.		27	The Karnataka Sales Tax (Amendment) Act, 1985.
48.	1986	10	The Karnataka Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Act, 1986.
49.		19	The Karnataka Land Reforms (Amendment) Act, 1986.
50.		27	Karnataka Civil Services (Exclusion of the service rendered by a Government Servant as a local candidate for computing the service for grant of selection time scale of pay) Act 1986.
51.		46	The Electricity (Supply) (Karnataka Amendment) Act, 1986.
52.	1987	1	The Indian Partnership (Karnataka Amendment) Act, 1986.
53.		14	The Karnataka Sales Tax (Amendment) Act, 1987.
54.		27	The Code of Criminal Procedure (Karnataka Amendment) Act, 1987.
55.		35	The Cotton Transport (Karnataka Amendment) Act, 1987.
56.		38	Karnataka State University Teachers (Absorption of temporary teachers) Act, 1987.
57.	1988	5	The Industrial Disputes (Karnataka Amendment) Act, 1988.
58.	1989	16	The Karnataka Sales Tax (Amendment) Act, 1989.
59.		21	The Mysore Betting Tax (Amendment) Act, 1988.
60.		24	The Registration (Karnataka Amendment) Act, 1987.
61.	1991	2	The Karnataka Land Revenue (Amendment) Act, 1990.
62.		21	The Karnataka Land Revenue (Amendment) Act, 1991.
63.		33	The Land Acquisition (Karnataka Amendment) Act, 1988.
64.	1993	21	The Karnataka Advocates Welfare Fund (Amendment) Act, 1993.
65.	1994	22	The Code of Criminal Procedure (Karnataka Amendment) Act, 1994.
66.		23	The Hindu Succession (Karnataka Amendment) Act, 1990.
67.		24	Resettlement of Project Displaced Persons Act 1987.
68.		41	Karnataka Special Tribunal Act 1994.
69.		45	The Karnataka Tax on Entry of Goods (Amendment) Act, 1994.
70.	1995	29	The Mysore (Religious Charitable Inams Abolition) (Karnataka Amendment) Act, 1995.

1	2	3
71.	1996	6 The Karnataka Advocates Welfare Fund (Amendment) Act, 1996.
72.		10 The Mysore (Personal and Miscellaneous) Inams Abolition (Amendment) Act, 1996.
73.		11 The Motor Vehicles (Karnataka Amendment) Act, 1996.
74.	1997	25 The Karnataka Shops and Commercial Establishments (Amendment) Act, 1997
75.		27 The Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment etc.) (Amendment) Act, 1997.
76.		29 Karnataka Panchayat Raj (Third Amendment) Act, 1997
77.	1998	17 The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Act, 1998.
78.		22 Karnataka Land Revenue (Amendment) Act, 1997.
79.		23 The Karnataka Land Reforms (Amendment) Act, 1997.
80.		25 The Karnataka Co-operative Societies (Amendment) Act, 1997.
81.		26 The Electricity Laws (Karnataka Amendment) Act, 1998.
82.		34 The Karnataka Land Reforms (Amendment) Act, 1998.
83.		36 The Code of Civil Procedure (Karnataka Amendment) Act, 1995.
84.	1999	2 The Karnataka Appropriation Act, 1999.
85.		3 The Karnataka Appropriation (Vote on Account) Act, 1999.
86.		4 The Karnataka Taxation Laws (Amendment) Act, 1999.
87.		5 The Karnataka Motor Vehicles Taxation (Amendment) Act, 1999.
88.		6 The Karnataka Stamp (Second Amendment) Act, 1999.
89.		7 The Karnataka Parliamentary Secretaries Allowances (Amendment) Act, 1999.
90.		8 The Karnataka State Universities (Amendment) Act, 1998.
91.		9 The Karnataka Societies Registration (Amendment) Act, 1997.
92.		10 Karnataka Panchayat Raj (Amendment) Act, 1999.
93.		12 The Karnataka Excise (Second Amendment) Act, 1999.
94.		13 The Karnataka Housing Board (Amendment) Act, 1999
95.		14 The Karnataka Land Revenue (Amendment) Act, 1998.
96.		15 The Karnataka Anatomy (Amendment) Act, 1998.
97.		16 The Karnataka Appropriation (No.2) Act, 1999.
98.		17 The Karnataka Appropriation (No.3) Act, 1999.
99.		18 The Karnataka Taxation Laws (Third Amendment) Act, 1999.
100.		19 Kannada University (Amendment) Act, 1999.
101.		20 The Karnataka State Universities (Amendment) Act, 1999.
102.		21 The Karnataka Panchayat Raj (Second Amendment) Act, 1999.

1	2	3
103.	22	The Karnataka Public Premises (Eviction of Unauthorised Occupants) (Second Amendment) Act, 1999.
104.	23	The Visweshwariah (Technological) University of (Amendment) Act, 1999.
105.	24	The Karnataka Stamp (Amendment) Act, 1999.
106.	26	The Karnataka Land Revenue (Amendment) Act, 1999.
107.	2000	3 The Karnataka Appropriation Act, 2000.
108.		4 The Karnataka Appropriation (Vote on Account) Act, 2000.
109.		5 The Karnataka Taxation Laws (Amendment) Act, 2000.
110.		6 The Karnataka Motor Vehicles Taxation (Amendment) Act, 2000.
111.		7 The Karnataka Stamp and Certain other Laws (Amendment) Act, 2000.
112.		8 Karnataka Panchayat Raj (Amendment) Act, 2000.
113.		9 The Karnataka Sales Tax (Amendment) Act, 2000.
114.		10 The Karnataka Rent Control (Amendment) Act, 2000.
115.		11 The Karnataka Panchayat Raj (Second Amendment) Act, 1999.
116.		12 The Karnataka Court-Fees and Suits Valuation (Amendment) Act, 2000.
117.		13 The Karnataka Co-operative Societies (Amendment) Act, 2000.
118.		14 The Karnataka Public Premises (Eviction of Unauthorised Occupants) (Amendment) Act, 2000.
119.		15 The Karnataka Land Revenue (Amendment) Act, 2000.
120.		18 The Karnataka Appropriation (No.1) Act, 2000.
121.		19 The Karnataka Industrial Areas Development (Amendment) Act, 2000.
122.		20 The Karnataka Forest and Certain other Laws (Amendment) Act, 1999
123.		21 The Karnataka Sales Tax and Excise Laws (Amendment) Act, 2000.
124.		22 The Karnataka Repealing and Amending Act, 2000.
125.		23 The Certain Laws Repealing and Amending Act, 2000.
126.		24 The Karnataka Irrigation and Certain other Laws (Amendment) Act, 2000.
127.		26 The Karnataka Entertainments Tax (Amendment) Act, 2000.
128.		27 The Karnataka Appropriation (No.2) Act, 2000.
129.		31 The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Act, 2000.
130.		32 The Karnataka Motor Vehicles Taxation (Second Amendment) Act, 2000.

Part II
Central Acts

Sl.No.	Year & Act No	Short title
1.	1861 16	The Stage Carriages Act, 1861.
2.	1876 15	The Bombay Municipal Debentures Act, 1876.
3.	1879 14	The Hackney Carriages Act, 1879.
4.	1881 11	The Municipal Taxation Act, 1881.
5.	1886 6	The Births, Deaths and Marriages Registration Act, 1886
6.	1919 1	The Local Authorities Pension and Gratuities Act, 1919.
7.	1948 26	The Local Authorities Loans Act, 1948.

SECOND SCHEDULE

(See section 4)

Amendments

Sl. No.	Act & Year No.	Short Title	Amendments
1	III of 1899	The Karnataka General Clauses Act 1899	In section 1, with effect from 01.11.1956, (i) for "and commencement" substitute "commencement and extent" (ii) after sub-section (2), insert "(3) It extends to the whole of the State of Karnataka".
2	16 of 1966	The Karnataka Secondary Education Examination Board Act, 1966	Omit section 41 and Schedule.
3	10 of 1986	The Karnataka Tax on Luxuries(Hotels and Lodging Houses) (Amendment) Act, 1986.	For sub-section (2) of section 1 with effect from 31st March 1986, substitute" (2)It shall come into force at once".
4	8 of 1990	The Karnataka Sales Tax (Amendment) Act, 1990.	In section 8, with effect from 1st April 1990, (i) in the heading for "section 25B" substitute "Chapter VIA"; (ii) for "section 25B" substitute "Chapter VIA including section 25B".
5	1 of 1995	The Karnataka Education Act, 1983.	In schedule I, in Item 3, with effect from 1st June 1995, for "section 21 and section 38" substitute "and section 21".
6	7 of 1997	The Karnataka Taxation Laws (Amendment) Act, 1997.	In section 2, with effect from 1st April 1997,- (i) in item (1) for "Hotels" substitute "provided in Hotels"; (ii) in item (2), omit "on luxuries".
7	6 of 1999	The Karnataka Stamp (Second Amendment) Act, 1999.	In section 14, with effect from 1st April 1999, in sub-section (6), in clause (ii), for "(1) including" substitute "(1) Lease of immovable property including".

Sl. No.	Act & Year No.	Short Title	Amendments
8	5 of 2000	Karnataka Taxation Laws (Amendment) Act, 2000	In section 4, with effect from 1st April, 2000, clause (22) shall be omitted.
9	22 of 2000	Karnataka Repealing and Amending Act, 2000.	In the first Schedule, SI.No:633, 950, and 957 and the entries relating thereto in columns(2) to (4) thereof and in Second Schedule SI No: 21 and the entries relating thereto in Column (2) to (4) thereof shall be and shall be deemed to have been omitted from that Schedule and shall be deemed never to have been included in the said Schedules.
10	14 of 2001	The Karnataka Legislature Salaries, Pensions and Allowances (Amendment) Act, 2000.	In section 8, with effect from 1st day of December 2000, after "in section 10F of the principal Act", insert "in sub-section (1)".

The above translation of the ಕರ್ನಾಟಕ ನಿರಸನಗೊಳಿಸುವ ಮತ್ತು ತಿದ್ದುಪಡಿ ಮಾಡುವ ಅಧಿನಿಯಮ 2002 (2003ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 13) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.