

KARNATAKA REPEALING AND AMENDING ACT, 2000**22 of 2000**

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STATEMENT OF OBJECTS AND REASONS (As appended to at the time of introduction) It is considered necessary to prepare up-to-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 for 1-1-1956 to 31-12-1998 and has proposed this "Repealing and Amending Bill, 2000" 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which amended the Karnataka Acts whether they are now in force or not; (ii) Acts which amended regional Acts which are no longer in force; (iii) Appropriation Acts as they are spent Acts; (iv) Acts which have been struck down or by necessary implication struck down by the Courts; (v) Acts which are by implication repealed by Central Acts; and (vi) Acts which are temporary and spent enactments. The Bill does not include. (i) Acts which amend the Central Acts and regional Acts which are in force; and (ii) Acts which are already repealed expressly. This Bill seeks to repeal and remove all spent and amendment Acts from the Statute Book. Hence the Bill.

1. Short title and commencement :-

(1) This Act may be called the Karnataka Repealing and Amending Act, 2000.

(2) It shall come into force at once.

2. Repeal of certain enactments :-

The enactments specified in the First Schedule are hereby repealed.

3. 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 column (4) thereof.

4. 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(1) The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; and this Act shall not affect the validity, invalidity, effect or consequences of anything already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 Acts 9 of 1975 and 29 of 1980 shall affect any proceedings initiated under those enactments before any Court or other authority to challenge, or to enforce, the rights conferred by those enactments and those proceedings shall be continued and disposed off in accordance with

those 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 or limits of any municipality has been extended or scale of pay or equation of any category of post has been revised, the repeal shall not affect the operation of such validation or saving or transfer or declaration or direction or extension or revision and in operation at the commencement of this Act;

(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 MYSORE GENERAL CLAUSES ACT, 1899 (Karnataka Act III of 1899), shall be applicable in respect of repeal of an enactment by this Act.

SCHEDULE 1

FIRST SCHEDULE

SCHEDULE 2

SECOND SCHEDULE