

KARNATAKA REPEALING AND AMENDING ACT, 2002**13 of 2003****[31st March, 2003]**

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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 Fifty-second 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. Definition :-

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The enactments specified in the First Schedule are hereby repealed.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(1) The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; and this Act shall not affect the validity, invalidity, effect or consequences of anything already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the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed; nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction,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.

SCHEDULE 1

REPEALED ACTS Part I State Acts

FIRST SCHEDULE		
(See Section 3)		
REPEALED ACTS Part I State Acts		
SI. No.	Year and 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.	1960	The Karnataka State Aid to Industries Act, 1959

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6.	1960 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.	1962 6	The Karnataka Land Improvement Act, 1961
10.	1962 20	The Karnataka Public Conveyance Act, 1961
11.	1963 6	The Industrial Disputes (Karnataka Amendment) Act, 1962
12.	1963 20	The Karnataka Gift Goods (Unlawful Possession) Act, 1963
13.	1963 21	The Bombay Merged Territories and Areas (Jagirs Abolition) (Karnataka Amendment) Act, 1963
14.	1963 25	The Madras Hindu Religious and Charitable Endowments (Karnataka Amendment) Act, 1963
15.	1963 35	The Industrial Disputes (Karnataka Amendment) Act, 1963
16.	1964 27	The Karnataka Cattle Licencing Act, 1964
17.	1964 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 Amendment and Validation) Act, 1967
20.	1969	The Hyderabad Jagirs (Commutation) Regulation

	30	(Karnataka Amendment) Act, 1969
21.	1969 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.	1973 19	The Charitable Endowments (Karnataka Amendment) Act, 1973
25.	1973 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.	1975 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.	1978 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.	1980 19	The Registration (Karnataka Amendment) Act, 1980
35.	1980	The Mysore Betting Tax (Karnataka Amendment) Act.

	22	1980
36.	1981 20	The Mysore Betting Tax (Karnataka Amendment) Act, 1981
37.	1981 33	The Electricity Supply (Karnataka Amendment) Act, 1981
38.	1981 49	The Disturbed Areas (Special Court) (Karnataka Amendment) Act, 1981
39.	1982 1	The Identification of Prisoners (Karnataka Amendment) Act, 1981
40.	1982 2	The Payment of Wages (Karnataka Amendment) Act, 1981
41.	1982 20	The Code of Criminal Procedure (Karnataka Amendment) Act, 1982
42.	1983 24	The Karnataka State Industrial Security Force Act, 1983
43.	1984 24	The Karnataka Inams Abolition Laws (Amendment) Act, 1984
44.	1984 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.	1985 19	The Code of Criminal Procedure (Karnataka Amendment) Act, 1985
47.	1985 27	The Karnataka Sales Tax (Amendment) Act, 1985
48.	1986 10	The Karnataka Tax on Luxuries (Hotels and Lodging Houses (Amendment) Act, 1986
49.	1986 19	The Karnataka Land Reforms (Amendment) Act, 1986
50.	1986	The Karnataka Civil Services (Exclusion of the service

	27	rendered by a Government servant as a local candidate for computing the service for grant of selection time scale of pay) Act, 1986
51.	1986 46	The Electricity (Supply) (Karnataka Amendment) Act, 1986
52.	1987 1	The Indian Partnership (Karnataka Amendment) Act, 1986
53.	1987 14	The Karnataka Sales Tax (Amendment) Act, 1987
54.	1987 27	The Code of Criminal Procedure (Karnataka Amendment) Act, 1987
55.	1987 35	The Cotton Transport (Karnataka Amendment) Act, 1987
56.	1987 38	The 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.	1989 21	The Mysore Betting Tax (Amendment) Act, 1988
60.	1989 24	The Registration (Karnataka Amendment) Act, 1987
61.	1991 2	The Karnataka Land Revenue (Amendment) Act, 1990
62.	1991 21	The Karnataka Land Revenue (Amendment) Act, 1991
63.	1991 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.	1994 23	The Hindu Succession (Karnataka Amendment) Act, 1990
67.	1994 24	The Resettlement of Project Displaced Persons Act, 1987
68.	1994 41	The Karnataka Special Tribunal Act, 1994
69.	1994	The Karnataka Tax on Entry of Goods (Amendment) Act

69.	1994 45	The Karnataka Tax on Entry of Goods (Amendment) Act, 1994
70.	1995 29	The Mysore (Religious Charitable Inams Abolition) (Karnataka Amendment) Act, 1995
71.	1996 6	The Karnataka Advocates Welfare Fund (Amendment) Act, 1996
72.	1996 10	The Mysore (Personal and Miscellaneous) Inams Abolition (Amendment) Act, 1996
73.	1996 11	The Motor Vehicles (Karnataka Amendment) Act, 1996
74.	1997 25	The Karnataka Shops and Commercial Establishments (Amendment) Act, 1997
75.	1997 27	The Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment <i>etc.</i> ,) (Amendment) Act, 1997
76.	1997 29	The Karnataka Panchayat Raj (Third Amendment) Act, 1997
77.	1998 17	The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Act, 1998
78.	1998 22	The Karnataka Land Revenue (Amendment) Act, 1997
79.	1998 23	The Karnataka Land Reforms (Amendment) Act, 1997
80.	1998 25	The Karnataka Co-operative Societies (Amendment) Act, 1997
81.	1998 26	The Electricity Laws (Karnataka Amendment) Act, 1998
82.	1998 34	The Karnataka Land Reforms (Amendment) Act, 1998
83.	1998 36	The Code of Civil Procedure (Karnataka Amendment) Act, 1995
84.	1999 2	The Karnataka Appropriation Act, 1999
85.	1999 3	The Karnataka Appropriation (Vote on Account) Act, 1999
86.	1999 4	The Karnataka Taxation Laws (Amendment) Act, 1999
87.	1999 5	The Karnataka Motor Vehicles Taxation (Amendment) Act, 1999
88.	1999 6	The Karnataka Stamp (Second Amendment) Act, 1999
89.	1999 7	The Karnataka Parliamentary Secretaries Allowances (Amendment) Act, 1999
90.	1999 8	The Karnataka State Universities (Amendment) Act, 1998
91.	1999 9	The Karnataka Societies Registration (Amendment) Act, 1997
92.	1999 10	The Karnataka Panchayat Raj (Amendment) Act, 1999
93.	1999 12	The Karnataka Excise (Second Amendment) Act, 1999

93.	1999 12	The Karnataka Excise (Second Amendment) Act, 1999
94.	1999 13	The Karnataka Housing Board (Amendment) Act, 1999
95.	1999 14	The Karnataka Land Revenue (Amendment) Act, 1998
96.	1999 15	The Karnataka Anatomy (Amendment) Act, 1998
97.	1999 16	The Karnataka Appropriation (No. 2) Act, 1999
98.	1999 17	The Karnataka Appropriation (No. 3) Act, 1999
99.	1999 18	The Karnataka Taxation Laws (Third Amendment) Act, 1999
100.	1999 19	The Kannada University (Amendment) Act, 1999
101.	1999 20	The Karnataka State Universities (Amendment) Act, 1999
102.	1999 21	The Karnataka Panchayat Raj (Second Amendment) Act, 1999
103.	1999 22	The Karnataka Public Premises (Eviction of Unauthorised Occupants) (Second Amendment) Act, 1999
104.	1999 23	The Visveshwariah (Technological) University (Amendment) Act, 1999
105.	1999 24	The Karnataka Stamp (Amendment) Act, 1999
106.	1999 26	The Karnataka Land Revenue (Amendment) Act, 1999
107.	2000 3	The Karnataka Appropriation Act, 2000
108.	2000 4	The Karnataka Appropriation (Vote on Account) Act, 2000
109.	2000 5	The Karnataka Taxation Laws (Amendment) Act, 2000
110.	2000 6	The Karnataka Motor Vehicles Taxation (Amendment) Act, 2000
111.	2000 7	The Karnataka Stamp and Certain other Laws (Amendment) Act, 2000
112.	2000 8	The Karnataka Panchayat Raj (Amendment) Act, 2000
113.	2000 9	The Karnataka Sales Tax (Amendment) Act, 2000
114.	2000 10	The Karnataka Rent Control (Amendment) Act, 2000
115.	2000 11	The Karnataka Panchayat Raj (Second Amendment) Act, 1999
116.	2000 12	The Karnataka Court fees and Suits Valuation (Amendment) Act, 2000
117.	2000 13	The Karnataka Co-operative Societies (Amendment) Act, 2000
118.	2000 14	The Karnataka Public Premises (Eviction of Unauthorised Occupants) (Amendment) Act, 2000
119.	2000 15	The Karnataka Land Revenue (Amendment) Act, 2000

120.	2000 18	The Karnataka Appropriation (No. 1) Act, 2000
121.	2000 19	The Karnataka Industrial Areas Development (Amendment) Act, 2000
122.	2000 20	The Karnataka Forest and Certain other Laws (Amendment) Act, 1999
123.	2000 21	The Karnataka Sales Tax and Excise Laws (Amendment) Act, 2000
124.	2000 22	The Karnataka Repealing and Amending Act, 2000
125.	2000 23	The Certain Laws Repealing and Amending Act, 2000
126.	2000 24	The Karnataka Irrigation and Certain other Laws (Amendment) Act, 2000
127.	2000 26	The Karnataka Entertainments Tax (Amendment) Act 2000
128.	2000 27	The Karnataka Appropriation (No. 2) Act, 2000
129.	2000 31	The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Act, 2000
130.	2000 32	The Karnataka Motor Vehicles Taxation (Second Amendment) Act, 2000

SCHEDULE 2
Amendments

SECOND SCHEDULE			
(See Section 4)			
Amendments			
SI. No.	Act No. and year	Short title	Amendments
1.	III of 1899	The Karnataka General Clauses Act, 1899	In Section 1 with effect from 1-11-1956,
			(i) for "and commencement" <i>substitute</i> "commencement and extent";
			(ii) after sub-section (2), <i>insert</i> "(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, <i>substitute</i> "(2) It shall come into force at once"
4.	8 of 1990	The Karnataka	In Section 8 with effect from 1st

		Sales Tax	April, 1990,
		(Amendment) Act, 1990	(i) in the heading for "Section 25-B" substitute "Chapter VI-A";
			(ii) for "Section 25-B" substitute "Chapter VI-A including Section 25-B"
5.	1 of 1995	The Karnataka Education Act, 1983	In Schedule I, in item 3 with effect from 1st June, 1995, for "Sections 21 and 38" <i>substitute</i> "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" <i>substitute</i> "provided in Hotels"; (ii) in item (2), <i>omit</i> "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" <i>substitute</i> "(1) Lease of immovable property including"
8	5 of 2000	The Karnataka Taxation Laws (Amendment) Act, 2000	In Section 4 with effect from 1st April, 2000, clause (22) shall be <i>omitted</i>
9.	22 of 2000	The Karnataka Repealing and Amending Act, 2000	In the First Schedule, SI. Nos. 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 columns (2) to (4) thereof shall be and shall be deemed to have been <i>omitted</i> 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 10-F of the principal Act", <i>insert</i> "in sub-section (1)"