



The Karnataka Repealing (Regional Laws) Act, 2011

Act 36 of 2011

Keyword(s):

Regional Laws

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KARNATAKA ACT NO. 36 OF 2011
THE KARNATAKA REPEALING (REGIONAL LAWS) ACT, 2011
Arrangement of Sections

Sections:

1. Short title and commencement
 2. Definitions
 3. Repeal of certain laws
 4. Savings
- Schedule

STATEMENT OF OBJECTS AND REASONS

Act 36 of 2011.- The Government has constituted a One Man Committee headed by Sri K.R. Chamayya, Retd. Law Secretary and Retd. Wise Chairman of Karnataka Administrative Tribunal to suggest repeal of all absolute regional Acts in force in the different areas of the State i.e. Belgaum Area, Coorg District, Gulbarga Area, Mangalore and Kollegal Area and Mysore Area and to prepare volumes of such of those Acts which are considered to be necessary. In the second phase, Committee has recommended to repeal 40 Acts of Belgaum Area Regional Laws, 01 Act of Coorg District Area Regional Laws, 05 Acts of Gulbarga Area Regional Laws, 36 Acts of Mangalore and Kollegal Area, 05 Acts of Old Mysore Area the Government agrees with the suggestion of the Committee.

Hence the Bill.

[L.C. Bill No. 6 of 2011, File No.Samvyashae 8 Shasana 2010]

KARNATAKA ACT NO. 36 OF 2011

(First published in the Karnataka Gazette Extra-ordinary on the Sixteenth day of July, 2011)

THE KARNATAKA REPEALING (REGIONAL LAWS) ACT, 2011

(Received the assent of the Governor on the Fourteenth day of July, 2011)

An Act to repeal certain regional laws and to amend certain other laws in force in the State.

Whereas it is expedient to repeal certain regional laws in force in one or other Areas of the State and to amend certain such and other laws in force in the State.

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

1. Short title and commencement.- (1) This Act may be called the Karnataka Repealing (Regional Laws) Act, 2011.

(2) It shall come into force at once.

2. Definitions.- In this Act, unless the context otherwise requires,-

(a) "regional laws" mean laws in force in the former States of Bombay, Coorg, Hyderabad, Madras and Mysore immediately before 1st November 1956, and continued in force under section 119 of the States Reorganization Act 1956 (Central Act 37 of 1956) in the respective Areas of those States which are now part of Karnataka State; and

(b) "Schedule" means a Schedule annexed to this Act.

3. Repeal of certain laws.- The regional laws specified in the Schedule as in force in the respective Areas of the State are hereby repealed.

4. Savings.- (1) The repeal by this Act of any regional law shall not affect any other law in which the repealed law 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 recognized or derived by, in or from any law hereby repealed;

nor shall the repeal by this Act of any regional law revive or restore any office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure, merger 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, 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 any regional law shall affect any proceedings initiated or to be initiated under that law before any court or other authority to challenge, or to enforce, the rights conferred by that law and those proceedings shall be continued and disposed off in accordance with that law as if the said law is not repealed by this Act.

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

(i) the text of any other law, was amended by the express addition, omission, insertion or substitution of any matter, or extended to any area of the State, the repeal shall not affect the continuance of any such amendment or extension made by the law 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 merger, or extension or restoration or restoration has taken place or any direction has been given, the repeal shall not affect the operation of such validation or saving or transfer or declaration or direction or merger, or extension and in operation at the commencement of this Act; and

(iii) any other law has been amended or repealed or extended to the State of Karnataka or any part thereof 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 sections 6, 8 and 24 of the Karnataka General Clauses Act, 1899 (Karnataka Act III of 1899) shall be applicable in respect of repeal and amendment of a law by this Act.

SCHEDULE

(See section 3)

REPEALED REGIONAL LAWS

BELGAUM AREA REGIONAL LAWS

| Sl. No. | Year | Act No. | Short Title |
|---------|------|---------|--|
| 1. | 1827 | II | Caste-questions, Pleaders (Regulation II of 1827) |
| 2. | 1827 | V | Acknowledgment of debts; Interest; Mortgages (Regulation V of 1827) |
| 3. | 1827 | VIII | Administration of Estates (Regulation VIII of 1827) |
| 4. | 1827 | XIII | Criminal Courts (Substitution of Letter for Summons) (Regulation XIII of 1827) |
| 5. | 1863 | VII | The Exemptions from Land-revenue (No. 2) Act, 1863 (Act VII of 1863) |
| 6. | 1865 | VII | The Religious Endowments (Extension to Kanara) Act, 1865 (Act VII of 1865) |
| 7. | 1878 | V | The Bombay Abkari Act, 1878 (Act V of 1878) |
| 8. | 1897 | III | The Female Infanticide Prevention (Amendment) Act, 1897 (Act III of 1897) |
| 9. | 1926 | XI | The Invalidation of Hindu Ceremonial Emoluments Act, 1926 (Act XI of 1926) |
| 10. | 1930 | XXV | The Bombay Local Fund Audit Act, 1930 (Act XXV of 1930) |
| 11. | 1935 | XXV | The Bombay Public Trusts Registration Act, 1935 (Act XXV of 1935) |

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|---|
| 12. | 1935 | XVIII | The Mussalman Wakf (Bombay Amendment)Act, 1935 (Act XVIII of 1935) |
| 13. | 1936 | XXIII | The Parsi Public Trusts Registration Act, 1936 (Act XXIII of 1936) |
| 14. | 1942 | II | The Local Authorities Loans(Bombay Amendment)Act,1942 |
| 15. | 1942 | XXX | The Bombay Cotton Control Act, 1942 (Act XXX of 1942) |
| 16. | 1944 | VIII | The Bombay Growth of Foodcrops Act, 1944 (Act VIII of 1944) |
| 17. | 1944 | X | The Mussalman Wakf, Bombay Trusts Registration and Parsi Public Trusts Registration (Amendment) Act, 1944 (Act X of 1944) |
| 18. | 1945 | XV | The Mussalman Wakf (Bombay Amendment) Act, 1945 (Act XV of 1945) |
| 19. | 1947 | XIV | The Indian Registration (Bombay Amendment) Act, 1947 (Act XIV of 1947) |
| 20. | 1947 | XIX | The Bombay Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947 (Act XIX of 1947) |
| 21. | 1947 | LXIV | The Bombay Forward Contracts Control Act, 1947 (Act LXIV of 1947) |
| 22. | 1948 | XXII | The Bombay Refugees Act, 1948 (Act XXII of 1948) |
| 23. | 1948 | XLV | The Legal Practitioners (Bombay Amendment) Act, 1948 (Act XLV of 1948) |
| 24. | 1948 | LIV | The Bombay Lotteries and Prize Competitions Control and Tax Act, 1948 (Act LIV of 1948) |
| 25. | 1948 | LX | The Code of Civil Procedure (Bombay Amendment) Act, 1948 (Act LX of 1948) |
| 26. | 1949 | XXVII | The Bombay Repatriated Prisoners Act , 1949 (Act XXVII 1949) |
| 27. | 1949 | XXXIII | The Bombay Bhagdari and Narwadari Tenures Abolition Act, 1949 (Act XXXIII of 1949) |
| 28. | 1950 | LIV | The Bombay National Parks Act, 1950 (Act LIV of 1950) |
| 29. | 1950 | LX | The Bombay Paragana and Kulkarni Watans (Abolition) Act, 1950 (Act LX of 1950) |
| 30. | 1951 | VI | The Press and Registration of Books (Bombay Amendment) Act, 1951 (Act VI of 1951) |
| 31. | 1953 | XXXVIII | The Bombay Land Tenures Abolition (Amendment) Act, 1953 (Act XXXVIII of 1953) |

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|--|
| 32. | 1953 | XLII | The Bombay Personal Inams Abolition Act, 1952 (Act XLII of 1953) |
| 33. | 1953 | LXX | The Bombay Service Inams (Useful to Community) Abolition Act, 1953 (Act LXX of 1953) |
| 34. | 1954 | V | The Bombay Registration of Marriages Act, 1953 (Act V of 1954) |
| 35. | 1953 | XXXIX | The Bombay Merged Territories and Areas (Jagirs Abolition) Act, 1953 (Act XXXIX of 1954) |
| 36. | 1955 | XXII | The Bombay Merged Territories Miscellaneous Alienations Abolition Act, 1955 (Act XXII of 1955) |
| 37. | 1955 | L | The Bombay Paragana and Kulkarni Watans (Abolition) (Amendment) Act, 1955 (Act L of 1955) |
| 38. | 1955 | LI | The Bombay Land Tenures Abolition (Amendment) Act, 1955 (Act LI of 1955) |
| 39. | 1956 | III | The Bombay Aerial Ropeways Act, 1955 (Act III of 1956) |
| 40. | 1956 | XXXVI | The Industrial Employment (Standing Orders) (Bombay Amendment) Act, 1956 (Act XXXVI of 1956) |
| 41. | 1956 | XL | The Bombay Land Tenures Abolition Amendment) Act, 1956 (Act XL of 1956) |

COORG DISTRICT REGIONAL LAWS

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|---|
| 1. | 1943 | I | The Coorg Public Health Act, 1943 (Coorg Act I of 1943) |

GULBARGA AREA REGIONAL LAWS

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|--|
| 1. | 1337 | VI | The Hyderabad Cotton Cultivation and Transport Act (1337 F. VI) |
| 2. | 1950 | XII | The Hyderabad Infections Diseases Act 1950 (XII of 1950) |
| 3. | 1952 | XII | The Hyderabad Jagirdars Debt Settlement Act, (1952 XII) |
| 4. | 1955 | VIII | The Hyderabad Abolition of Inams Act (1955 VIII) |
| 5. | 1956 | X | The Abolition of Inams (Amendment) Act, (1956 X) |

MANGALORE AND KOLLEGAL AREA REGIONAL LAWS

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|---|
| 1. | 1817 | VII | The Madras Endowments and Escheats Regulation, 1817 (VII of 1817) |
| 2. | 1862 | IV | The Madras Enfranchised Inams Act, 1862 (IV of 1862) |
| 3. | 1865 | V | The Madras District Police (Amendment) Act, 1865 (V of 1865) |
| 4. | 1866 | IV | The Madras Enfranchised Inams Act, 1866 (IV of 1866) |
| 5. | 1869 | VIII | The Madras Inams Act, 1869 (VIII of 1869) |
| 6. | 1886 | IV | The Railway Protection Act, 1886 (IV of 1886) |
| 7. | 1899 | IV | The Madras Court of Wards (Amendment) Act, 1899 (IV of 1899) |
| 8. | 1904 | II | The Madras Impartible Estates Act, 1904 (II of 1904) |
| 9. | 1908 | I | The Madras Estates Land Act, 1908 (I of 1908) |
| 10. | 1920 | XIII | The Mulgeni Rent Enhancement Act, 1920 (XIII of 1920) |
| 11. | 1934 | VIII | The Madras Estates Land (Amendment) Act, 1934 (VIII of 1934) |
| 12. | 1936 | I | The Madras Estates Land (Amendment) Act, 1935 (I of 1936) |
| 13. | 1936 | XIII | The Madras Estates Land (Second Amendment) Act, 1936 (XIII of 1936) |
| 14. | 1936 | XVIII | The Madras Estates Land (Third Amendment) Act, 1936 (XVIII of 1936) |
| 15. | 1937 | VIII | The Usurious Loans (Madras Amendment) Act, 1936 (VIII of 1937) |
| 16. | 1939 | III | The Madras Public Health Act, 1939 (III of 1939) |
| 17. | 1943 | III | The Legal Practitioners (Madras Amendment) Act, 1943 (1943 of III) |
| 18. | 1947 | IX | The Bar Councils and Legal Practitioners (Madras Amendment) Act, 1947 (IX of 1947) |
| 19. | 1947 | XXX | The Madras Estates Land (Reduction of Rent) Act, 1947 (XXX of 1947) |
| 20. | 1947 | XXXII | The Madras Marumakkattayam (Amendment) Act, 1947 (XXXII of 1947) |
| 21. | 1947 | XXXIV | The Opium and Dangerous Drugs (Madras Amendment) Act, 1947 (XXXIV of 1947) |
| 22. | 1948 | XXVI | The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (XXVI of 1948) |

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|--|
| 23. | 1949 | XX | The Madras Sugar Factories Control Act, 1949 (XX of 1949) |
| 24. | 1949 | XXVIII | The Madras Jute Goods Control Act, 1949 (XXVIII of 1949) |
| 25. | 1950 | V | The Madras Jute (Control of Prices and Sales) Act, 1950 (V of 1950) |
| 26. | 1950 | XVII | The Legal Practitioners (Madras Amendment) Act, 1950 (XVII of 1950) |
| 27. | 1950 | XXXIV | The Code of Civil Procedure (Madras Amendment) Act, 1950 (XXXIV of 1950) |
| 28. | 1950 | XXXVI | The Madras Hereditary Village-offices (Amendment) Act, 1950 (XXXVI of 1950) |
| 29. | 1951 | XVII | The Madras Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1951 (XVII of 1951) |
| 30. | 1951 | XXXIX | The Madras Estates Land (Reduction of Rent) Second Amendment Act, 1951 (XXXIX of 1951) |
| 31. | 1953 | IX | The Madras Estates (Abolition and Conversion into Ryotwari) (Amendment) Act, 1953 (IX of 1953) |
| 32. | 1954 | XXIII | The Madras Installation of Oil Engines (Temporary Permission) Act, 1954 (XXIII of 1954) |
| 33. | 1954 | XXVII | The Madras Hindu Religious and Charitable Endowments (Amendment) Act, 1954 (XXVII of 1954) |
| 34. | 1954 | XXXV | The Indian Bar Councils (Madras Amendment) Act, 1954 (XXXV of 1954) |
| 35. | 1954 | XXXVIII | The Mappilla Marumakkattayam (Amendment) Act, 1954 (XXXVIII of 1954) |
| 36. | 1956 | IX | The Madras Hindu Religious and Charitable Endowments (Amendment) Act, 1956 (IX of 1956) |

MYSORE AREA REGIONAL LAWS

| Sl. No. | Year | Act No. | Short Title |
|----------------|-------------|----------------|---|
| 1. | 1885 | II | The Excise (Spirits) Act 1885. (Mysore Act II of 1885) |
| 2. | 1944 | X | The Mysore Public Health Act 1944. (Mysore Act X of 1944) |
| 3. | 1944 | XXIX | The Mysore Factories (Control of Dismantling) Act 1944. (Mysore Act XXIX of 1944) |

| | | | |
|----|------|-------|---|
| 4. | 1948 | XLIV | The Mysore Hindu Sagotra Marriage Validation Act 1948. (Mysore Act XLIV of 1948) |
| 5. | 1951 | XXVII | The Mysore Lotteries and Prize Competition Control and Tax Act 1951. (Mysore Act XXVII of 1951) |

The above translation of the ಕರ್ನಾಟಕ (ಪ್ರಾದೇಶಿಕ ಕಾನೂನುಗಳ) ನಿರಸನಗೊಳಿಸುವ ಅಧಿನಿಯಮ, 2011 (2011ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 36) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

H.R.BHARDWAJ

GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

G.K. BOREGOWDA

Secretary to Government,

Department of Parliamentary Affairs and Legislation