



KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
EIGHTH SESSION

**THE KARNATAKA PARLIAMENTARY SECRETARIES SALARY, ALLOWANCES
AND MISCELLANEOUS PROVISIONS (REPEAL) BILL, 2020
(LA Bill No. 65 of 2020)**

A Bill to repeal the Karnataka Parliamentary Secretaries Salary, Allowances and Miscellaneous Provisions Act, 1963 (Karnataka Act 15 of 1963);

Whereas, it is expedient to repeal the Karnataka Parliamentary Secretaries Salary, Allowances and Miscellaneous Provisions Act, 1963 (Karnataka Act 15 of 1963); for the purposes hereinafter appearing;

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

1. Short title and commencement.- (1) This Act may be called the Karnataka Parliamentary Secretaries Salary, Allowances and Miscellaneous Provisions (Repeal) Act, 2020.

(2) It shall come into force at once.

2. Repeal and savings.- the Karnataka Parliamentary Secretaries Salary, Allowances and Miscellaneous Provisions Act, 1963 (Karnataka Act 15 of 1963) is hereby repealed:

Provided that, such repeal shall not affect,-

(a) the previous operation of the Act so repealed or anything duly done or suffered there under; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act, so repealed; or

(c) any penalty, forfeiture, or punishment incurred in respect of any offence committed under the Act so repealed; or

(d) any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceedings or remedy may be instituted, continued or enforced and any such penalty, forfeiture and punishment may be imposed, as if this act had not been passed.

STATEMENT OF OBJECTS AND REASONS

The Hon'ble High Court of Karnataka in W.P.No. 2073 of 2019 (GM-RES-PIL) has struck down the Karnataka Parliamentary Secretaries Salary, Allowances and Miscellaneous Provisions Act, 1963 (Karnataka Act 15 of 1963) as ab initio void being ultra vires the Constitution of India relying on Supreme Court judgment *Bimolangshu Roy Vs State of Assam* (2018) 14 SCC 408.

Therefore, it is considered necessary to repeal the Karnataka Parliamentary Secretaries Salary, Allowances and Miscellaneous Provisions Act, 1963 (Karnataka Act 15 of 1963)

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislature measure.

J.C. Madhu Swamy

Minister for Law Parliamentary Affairs
and Legislation and Minor Irrigation.

M.K. Vishalakshi

Secretary (I/c)
Karnataka Legislative Assembly