

KARNATAKA ACT NO. 58 OF 2020

THE KARNATAKA PARLIAMENTARY SECRETARIES SALARY, ALLOWANCES AND MISCELLANEOUS PROVISIONS (REPEAL) ACT, 2020

Sections:

1. [Short title and commencement](#)
2. [Repeal and savings](#)

STATEMENT OF OBJECTS AND REASONS

ACT 58 OF 2020.- 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.

[L.A. Bill No. 65 of 2020, File No. Samvyashae 77 Shasana 2020]

[Entry 38 of List II of the Seventh Schedule to the Constitution of India.]

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THE KARNATAKA PARLIAMENTARY SECRETARIES SALARY, ALLOWANCES AND MISCELLANEOUS PROVISIONS (REPEAL) ACT, 2020

(Received the assent of the Governor on the 30th day of December 2020)

An Act 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Secretaries Salary, Allowances and Miscellaneous Provisions Act, 1963 (Karnataka Act 15 of 1963) is hereby repealed: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- (a) the previous operation of the Act so repealed or anything duly done or suffered there under; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act, so repealed; or
- (c) any penalty, forfeiture, or punishment incurred in respect of any offence committed under the Act so repealed; or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.

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

(K. DWARAKANATH BABU)
Secretary to Government
Department of Parliamentary Affairs
And Legislation