

KARNATAKA ACT No. 17 OF 1985

**THE KARNATAKA EDUCATIONAL INSTITUTIONS
(PROHIBITION OF CAPITATION FEE)
(AMENDMENT) ACT, 1985**

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement
2. Amendment of section 1
3. Amendment of section 15
4. Amendment of section 16
5. Repeal and savings

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*(First published in the Karnataka Gazette Extraordinary
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**THE KARNATAKA EDUCATIONAL INSTITUTIONS
(PROHIBITION OF CAPITATION FEE)
(AMENDMENT) ACT, 1985**

*(Received the assent of the Governor on the
Fourteenth day of May, 1985)*

An Act to amend the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984.

Whereas it is expedient further to amend the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984 (Karnataka Act 37 of 1984) for the purposes hereinafter appearing ;

Be it enacted by the Karnataka State Legislature in the Thirty-sixth Year of the Republic of India, as follows :—

I. Short title and commencement.—(1) This Act may be called the Karnataka Educational Institutions (Prohibition of Capitation Fee) (Amendment) Act, 1985.

(2) It shall be deemed to have come into force on the Ninth day of August, 1984.

2. Amendment of section 1.—In section 1 of the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984 (Karnataka Act 37 of 1984) (hereinafter referred to as the principal Act), for sub-section (2), the following sub-section shall be substituted namely :—

“(2) this section, clause (c) of section 15 and sub-sections (2) and (4) of section 16 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the Eleventh day of July, 1983.”

3. Amendment of section 15.—In section 15 of the principal Act for clause (b), the following clauses shall be substituted, namely :—

“(b) under the Karnataka Educational Institutions (Prohibition of Capitation Fee) (No. 2) Ordinance, 1983 (Karnataka Ordinance 14 of 1983) or before the date of promulgation of the said Ordinance but after the lapse of Karnataka Ordinance 10 of 1983 ; and

(c) under the Karnataka Educational Institutions (Prohibition of Capitation Fee) Ordinance, 1984 (Karnataka Ordinance 8 of 1984), or before the date of promulgation of the said Ordinance but after the lapse of Karnataka Ordinance 14 of 1983 ;

in relation to any of the matters for furtherance of which this Act is enacted (including the Government Order No. HFW 44 MSF 83, dated 20th June, 1983, Government Order No. ED 37 TEC 83, dated 7th July, 1983, Government Order No. ED 37 TEC 83, dated 1st October, 1983, Government Order No. ED 23 TEC 84, dated 21st June, 1984, Government Order No. HFW 137 PTD 84, dated 25th July, 1984, Government Order No. ED 157 TPE 84, dated 31st July, 1984 and Government Order No. HFW 136 MSF 84, dated 1st August, 1983) and anything done or any action taken under such rule or order or notification shall be deemed to be as valid and effective as if they were made, or issued under this Act or as the case may be done or taken under any such rule or order or notification made

or issued thereunder.”

4. Amendment of section 16.—In section 16 of the principal Act,—

(a) for the heading “Repeal and Savings” the heading “Repeal and Savings, etc.,” shall be substituted ;

(b) for sub-section (2), the following sub-sections shall be substituted, namely :—

“(2) The Karnataka Educational Institutions (Prohibition of Capitation Fee) Ordinance, 1984 (Karnataka Ordinance 8 of 1984) is hereby repealed.

(3) Notwithstanding the repeal of Karnataka Ordinance 14 of 1983 and Karnataka Ordinance 8 of 1984, anything done or any action taken under the said Ordinances shall be deemed to have been done or taken under this Act.

(4) Notwithstanding anything contained in sections 7 and 8 but subject to sub-section (3) no person or a company shall be convicted for anything done in contravention of the provisions of this Act after the lapse of Karnataka Ordinance 14 of 1983, but before the date of the publication of this Act in the Official Gazette.”

5. Repeal and Savings.—(1) The Karnataka Educational Institutions (Prohibition of Capitation Fee) (Amendment) Ordinance, 1985 (Karnataka Ordinance 2 of 1985) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken or any rule or order or notification made or issued under the principal Act as amended by the said Ordinance or by the Karnataka Educational Institutions (Prohibition of Capitation Fee) (Amendment) Ordinance, 1984 (Karnataka Ordinance 10 of 1984) repealed by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.