

KARNATAKA ORDINANCE No. 2 OF 1985

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

(Promulgated by the Governor of Karnataka in the
Thirty-fifth Year of Republic of India and
First published in the Karnataka Gazette Extraordinary
on the Ninth day of January, 1985).

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

Whereas the Karnataka Educational Institutions
(Prohibition of Capitation Fee) (Amendment) Ordinance,
1984 (Karnataka Ordinance No. 10 of 1984) (promulgated)
on the ninth day of August, 1984, lapses on the tenth day
of January 1985 and the rules, notifications and orders
issued or validated thereunder have no legal effect there
after ;

And whereas it is considered necessary that the
provisions of the said Ordinance and the rules, notifica-
tions and orders made or issued or validated thereunder
should continue to be in force ;

And whereas neither House of the State Legislature
is in session and the Governor of Karnataka is satisfied
that circumstances exist which render it necessary for him
to take immediate action to amend the Karnataka
Educational Institutions (Prohibition of Capitation Fee)
Act, 1984 (Karnataka Act 37 of 1984) for the purposes
aforementioned.

Now, therefore, in exercise of the powers conferred
on me by clause (1) of Article 213 of the Constitution of

India, I, A. N. Banerji, Governor of Karnataka, am pleased to promulgate the following Ordinance, namely:—

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

(2) It shall be and 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 clause 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 the 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 and Government order No. ED 37 TEC 83 dated 1st October, 1983 Government Order No, ED 28 TEC 84 dated 21st June 1984 Government order No. ED 175 TPE 84 dated 31st July, 1984 and Government Order No. HFW 136 MSF 84 dated 1st August, 1984, 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, issued or done, as the case may be, under this Act or under any such rule or order or notification”

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 contra-

vention of the provisions of this Act after the lapse of Karnataka Ordinance 14 of 1983, but before the date of the publications of this Act in Official Gazette.”

5. Repeal and Savings.—(1) The Karnataka Educational Institutions (Prohibition of Capitation Fee) (Amendment) Ordinance, 1984 (Karnataka Ordinance 10 of 1984) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.