

Banglore Development Authority Act, 1976

Section 76 - Repeal and Savings

(1) On the issue of the notification under sub-section (1) of section 3 constituting the Bangalore Development Authority, the City of Bangalore Improvement Act, 1945 (Mysore Act 5 of 1945) shall stand repealed.

(2) On such repeal the Board constituted under the said Act shall stand dissolved and all the members thereof including the Chairman shall cease to hold office.

(3) Subject to the provisions of sub-section (2) nothing in sub-section (1) shall affect,-

(a) the previous operation of the said Act or and thing duly done or suffered thereunder ; or

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

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act ; or

(d) any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture, punishment may be imposed as if this Act had not been enacted :

Provided that all the assets and liabilities of, and all contracts made by or on behalf of the Board of Trustees for the improvement of the City of Bangalore before the date of commencement of this Act and subsisting on that day shall subject, to such conditions as may be specified by the State Government, devolve on the Authority :

Provided further that anything done or any action taken (including any appointment, notification, rule, regulation, order, scheme or bye-law made or issued, any permission granted) under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under this Act :

Provided also that any reference in any enactment or in any instrument to any provision of the repealed Act shall unless a different intention appears be construed as reference to the corresponding provision of this Act.

(4) Notwithstanding the provisions of sub-section (1).-

(a) every officer and other employee serving under the Board constituted under the City of Bangalore Improvement Act, 1945 immediately before the date of commencement of this Act shall, on and from such date, be transferred to and become an officer or other employee of the Authority and shall hold office by the same tenure, at the same remuneration and on the same terms and conditions of service as he would have held the same if the Act had not been repealed and shall continue to do so unless and until such tenure remuneration and terms and conditions are duly altered by the Authority:

Provided that any service rendered by any such officer or other employee before the repeal of the City of Bangalore Improvement Act, 1945 shall be deemed to be service rendered under the Authority :

Provided further that the Authority may employ any such officer or other employee for the discharge of such functions under this Act as it may think proper and every such officer or

other employee shall discharge those functions accordingly ;

(b) the City of Bangalore Improvement (Allotment of Sites) Rules, 1972 and the City of Bangalore Improvement (Disposal of Corner Sites and Commercial Sites) Rules, 1972 relating to allotment of sites shall be continued to be in force unless and until superseded by or under the provisions of this Act as if the provisions of the said rules had not been repealed, but references to the Board shall be construed as references to the Authority.