

The Karnataka Koragas (Prohibition Of Ajalu Practice) Act, 2000

KARNATAKA

India

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Act 30 of 2000

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The Karnataka Koragas (Prohibition Of Ajalu Practice) Act, 2000 KARNATAKA ACT NO. 30 OF 2000 An Act to provide for the prevention of using the services of Koragas for Ajalu practice in some parts of the State of Karnataka. WHEREAS using services of Koragas for Ajalu practice exists in certain parts of the State of Karnataka specially in Dakshina Kannada and Udupi Districts; AND WHEREAS such practice amounts to exploitation of Koragas and treating them as slaves and which offends human dignity; AND WHEREAS it is expedient to put an end to such practice; BE it enacted by the Karnataka State Legislature in the fifty first year of the Republic of India, as follows:-

1. Short title, extent and commencement.-

(1) This Act may be called the Karnataka Koragas (Prohibition of Ajalu Practice) Act, 2000. (2) It extends to the whole State of Karnataka. (3) It shall be deemed to have come into force with effect from the seventeenth day of August 2000.

2. Definitions.-

In this Act, unless the context otherwise requires,- (a) "Ajalu practice" means, performance of any act or ceremony, - (i) differentiating between Koragas and persons belonging to other communities by paying no wages or lesser wages to Koragas for using their service; (ii) treating Koragas as inferior human beings as compared to others; (iii) mixing hair, nails or any other inedible or abnoxious substance in the food and asking Koragas to eat that food; (iv) driving Koragas to run like buffaloes before the beginning of Kambala. (b) 'Kambala' means buffalo race in marshy land; (c) "Koraga" means an Adivasi Tribal person belonging to Koraga Community of any age.

3. Prohibition of Ajalu Practice.-

Notwithstanding anything contained in any law , custom, usage or practice by whatever name called, no person shall use the services of a Koraga for Ajalu practice with or without his consent.

4. Penalty.-

Any person who, after the commencement of this Act, uses or abets the using of the services of a Koraga for Ajalu practice shall on conviction be punishable with imprisonment for a term which shall not be less than six months but, which may extend up to five years and with a fine not exceeding five thousand rupees.

5. Protection of action taken in good faith.-

No suit, prosecution, or other legal proceedings shall lie against the Government or any person for any thing which is done or intended to be done in good faith under this Act.

6. Power to make rules.-

(1)The State Government by notification, after previous publication may make rules for carrying out the purposes of this Act.(2)Every rule made under this Act shall be laid, as soon as may be after it is made before each House of the State Legislature, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or successive sessions, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, or issued, the rules shall there after have effect only in such modified form or be of no effect, as the case may be, so, however, that such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

7. Repeal and savings.-

(1)The Karnataka Koragas (Prohibition of Ajalu practice) Ordinance, 2000 (Karnataka Ordinance No.7 of 2000) is hereby repealed.(2)Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.