

KARNATAKA ACT NO. 27 OF 2016

THE KARNATAKA STATE LAW UNIVERSITY (AMENDMENT) ACT, 2016

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STATEMENT OF OBJECTS AND REASONS

Amending Act 27 of 2016.- It is considered necessary to amend the Karnataka State Law University Act, 2009 (Karnataka Act 11 of 2009) so as to bring uniformity with the U.G.C. Regulations, 2010.

Hence, the Bill.

(LA Bill No. 10 of 2016, File No. DPAL 38 Shasana 2014

[Entry 25 of List III of the Seventh Schedule to the Constitution of India.]

KARNATAKA ACT NO. 27 OF 2016

(First Published in the Karnataka Gazette Extra-ordinary on the eighth day of August, 2016)

THE KARNATAKA STATE LAW UNIVERSITY (AMENDMENT) ACT, 2016

(Received the assent of the Governor on the fourth day of August, 2016)

An Act to amend the Karnataka State Law University Act, 2009.

Whereas, it is expedient to amend the Karnataka State Law University Act, 2009 (Karnataka Act 11 of 2009) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty seventh year of the Republic of India as follows.-

1. Short title and commencement.- (1) This Act may be called the Karnataka State Law University (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 2.- In the Karnataka State Law University Act, 2009 (Karnataka Act 11 of 2009) (hereinafter referred to as the Principal Act), in section 2, in clause(l) for the words "Reader", "Lecturer", "Senior Lecturer and Selection Grade Lecturer" the words "Associate Professor, and Assistant Professor" shall be substituted;

3. Amendment of section 3.- In section 3 of the Principal Act, in sub-section(3), for the words "at Rayapur Village", the words "at Navanagar" shall be substituted.

4. Amendment of section 4.- In section 4 of the Principal Act, in sub-section (1), in clause (f), for the words "and Legal Services", the words "Legal Services, Government Officers and Officials", shall be substituted.

5. Amendment of section 5.- In section 5 of the Principal Act, in clause (xvi), for the words "Lecturers, Readers and Professor and other teaching posts" the words "Teachers" shall be substituted.

6. Amendment of section 14.- In section 14 of the Principal Act,-

(a) in sub-sections (1) and (3), for the words "eminent academician", the words "distinguished academician" shall be substituted;

(b) after sub-section(2), the following shall be inserted namely:-

"(2-A) The person to be appointed as the Vice-Chancellor shall possess highest level of competence, integrity, morals and institutional commitment with an experience of not less than ten years as professor in law of an University or an experience of not less than ten years in equivalent position in a reputed research and/or academic administrative organization in legal field;"

(c) in sub-section (5), for the words "Sixty Five years", the words "Sixty Seven years" shall be substituted.

6A. Amendment of section 17.- In section 17 of the principal Act, for sub-section (2), the following shall be substituted, namely :-

“(2) The State Government may appoint an officer not below the rank of Group-A senior scale of the Department of Law or Department of Parliamentary Affairs or an officer belonging to All India Service or Karnataka Administrative Service as Registrar of the University.

Provided that in case no officer specified sub-section (2), is available then a professor with not less than five years of service as Professor may be appointed as Registrar of the University.”

7. Amendment of section 18.- In section 18 of the Principal Act, in sub-section(1), the words "the Finance Committee" shall be omitted;

8. Amendment of section 29.- In section 29 of the Principal Act, in sub-section(3) in clause (h), after the words "the Vice-Chancellor", the words "for a period of one year on the basis of seniority" shall be inserted.

9. Amendment of section 33.- In section 33 of the Principal Act, in sub-section(1),-

- (i) in clause (h) for the words "in the order of Seniority", the words "for a period of one year on the basis of seniority" shall be substituted; and
- (ii) after clause (n), the following shall be inserted, namely:-
 "(o) one Dean nominated by Vice-Chancellor for a period of two years;"

10. Amendment of section 58.- In section 58 of the Principal Act,-

- (i) for sub-section(5), the following shall be substituted, namely:-

“(5) In cases of Affiliation for a new college, new course in existing college and in cases of permanent affiliation, the Registrar shall within such time as the Government may from time to time specify submit application and all proceedings, if any of the academic council and of the Syndicate to the Government which shall after such inquiry as may appear to it to be necessary, make recommendation for the grant of the affiliation for new college, new course in existing college or permanent affiliation or any part thereof or refuse the affiliation or any part thereof and the University shall issue orders accordingly:

Provided that in case of continuation of affiliation to the existing colleges, the recommendation of the Government shall not be necessary and the University shall after following such procedure as may be prescribed and with approval of the syndicate, grant the continuation of such affiliation”.

- (ii) in sub-section (6), the proviso shall be omitted.

11. Insertion of new section 58A.- In the Principal Act, after section 58, the following shall be inserted, namely:-

"58A. Permanent Affiliation.- (1) A college which was affiliated continuously for a period of not less than five years and fulfilled all the conditions of affiliation and attained the academic excellence and the administrative standards on an average stipulated by the University from time to time shall be eligible for grant of permanent affiliation.

(2) The provisions of Section 58 shall mutatis mutandis apply for sanction of permanent affiliation.

(3) A college permanently affiliated to the University shall be subject to review of its functioning both administratively and academically from time to time by the University and atleast once in a period of five years by the Government.

(4) Notwithstanding anything contained in the preceding sub-sections, if a permanently affiliated college fails to fulfill any of the conditions specified in sub-section (1), the permanent affiliation shall be cancelled:

Provided that such permanent affiliation shall not be cancelled unless an opportunity of being heard is afforded by the University, to the college concerned:

Provided further that, on cancellation of the permanent affiliation, the concerned college shall seek temporary continuation of affiliation on yearly basis".

12. Amendment of section 62.- In section 62 of the Principal Act, in sub-section(2), the words "devise method of evaluation, examination and tests" shall be omitted.

13. Amendment of section 63.- In section 63 of the Principal Act, after sub-section (6), the following shall be inserted, namely:-

"(7) If any affiliated college voluntarily closes any course or the college without following procedures specified in sub-sections (1) to (6), the University may forfeit the deposit or may impose a fine of not less than Rs. 25,000/- but not exceeding Rs. 1,00,000/-".

14. Substitution of expressions.- In the Principal Act, for the words "Reader", "Lecturer", "Readership", "Lecturership" wherever they occur the words "Associate Professor", "Assistant Professor" "Associate Professorship" "Assistant Professorship" shall respectively be substituted.

The above translation of **PEÁŌI PÀ gÁdà PÁEMEEÀ «±kZÁi®AiÀ (wZÁYÁr)**
CÇPÁiÀªÀ, 2016 (2016gÀ PEÁŌI PÀ CÇPÁiÀªÀ ,ASÍ 27) be published in the
 official Gazette under clause (3) of Article 348 of the Constitution of India.

VAJUBHAI VALA
GOVERNOR OF KARNATAKA

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

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