

Karnataka State Universities (Amendment) Act, 2003

33 of 2003

[20 August 2003]

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An Act to amend the Karnataka State Universities Act, 2000. Whereas it is expedient to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the fifty fourth year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Karnataka State Universities (Amendment) Act, 2003.

(2) It shall be deemed to have come into force on the twenty first day of June, 2003.

2. Amendment Of Section 3 :-

In section 3 of the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) (hereinafter referred to as the principal Act),-

(1) after sub-section (1), the following sub-section shall be inserted, namely:-

"(1A) For furthering the advancement of learning and prosecution of higher education and research by women there shall be established in the State a Women University with Head Quarters at Bijapur and territorial jurisdiction extending over the women colleges and other women educational institutions in the State:

Provided that for the purpose of granting affiliation the territorial jurisdiction shall extend to the women colleges and other women educational institutions in the districts of Bagalkot, Belgaum, Bellary, Bidar, Bijapur, Dharward, Gadag, Gulbarga, Haveri, Koppal, Raichur and Uttara Kannada."

(2) in sub-section (2), in clause (i), after the word, figure and bracket "sub-section (1)" the words, brackets, figures and letter "or sub-section (1A)" shall be inserted.

3. Amendment Of Section 5 :-

Section 5 of the principal Act shall be re-numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:-

"(2) Any privilege enjoyed from Gulbarga University or the Karnataka University by any women college or other women educational institution before the date of commencement of the Karnataka State Universities (Amendment) Act, 2003 shall, with effect from such date as may be specified by the State Government in this behalf be deemed to be withdrawn and all such women colleges or educational institutions previously admitted to the privileges of, or affiliated to, the Gulbarga University or the Karnataka University shall be deemed to be admitted to the privileges of, or affiliated to, the Women University."

4. Amendment Of Section 6 :-

In section 6 of the principal Act, after sub-section (1), the following proviso shall be inserted, namely:-

"Provided that the Women University shall be open to all women of whatever race, creed, caste or class and it shall not be lawful for the University to impose on any woman any test whatsoever of

religious belief or profession in order to entitle her to be admitted thereto as a teacher or a student or to hold any office therein or to graduate there at or to enjoy or exercise any privilege thereof."

5. Amendment Of Section 14 :-

In section 14 of the principal Act, after the proviso to sub-section (4), the following provisos shall be inserted, namely:- "Provided further that the Vice Chancellor of the Women University at Bijapur shall, as far as practicable be a woman:

Provided also that notwithstanding anything contrary contained in this section the First Vice Chancellor of the Women University shall be appointed by the State Government subject to such terms and conditions as may be specified by it."

6. Amendment Of Section 28 :-

In section 28 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:-

"Provided that in the case of Women University the Syndicate shall in addition to the members specified above also consist of the Secretary in charge of Women and Child Development Department or his nominee not below the rank of a Deputy Secretary."

7. Amendment Of Section 30 :-

In section 30 of the principal Act, in sub-section(1), the following proviso shall be inserted, namely:-

"Provided that in the case of the Women University the Academic Council shall, in addition to the members specified above also consist of the Director, Women and Child Development."

8. Amendment Of Section 32 :-

In section 32 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:-

"Provided that in the case of Women University, the Finance Committee shall, in addition to the members specified above, also consist of the Secretary in charge of Women and Child Development Department or his nominee not below the rank of a Deputy Secretary."

9. Powers Of Special Officer :-

The Special Officer appointed by the State Government for the purpose of taking steps to establish the Women University shall exercise such of the powers and perform such of the functions of the University and the Vice Chancellor as may be specified by the State Government, until the first Vice Chancellor is appointed.

10. Duties Of The First Vice Chancellor :-

(1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Syndicate, Academic Council and other authorities of the Women University within six months of the commencement of the Karnataka State Universities (Amendment) Act, 2003 (hereinafter referred to as the Amendment Act) or such longer period not exceeding one year as the Chancellor may direct.

(2) The Authorities constituted under sub-section (1) shall commence to exercise their powers and perform their functions on such date as the Chancellor may, specify in this behalf.

11. Transitory Provisions :-

(1) Notwithstanding anything contained in the principal Act as amended by the amendment Act the first Vice Chancellor may, with the previous approval of the Chancellor discharge all or any of the functions of the Women University for the purpose of carrying out the provisions of the principal Act as amended by the amendment Act and for that purpose may exercise any power or perform any duty which by the principal Act as amended by the Amendment Act is to be exercised or performed by any Authority of the University until such Authority comes into existence as provided by the principal Act as amended by the amendment Act.

(2) All statutes, ordinances, regulations and rules made by the Karnataka University and Gulbarga University applicable to the Women Colleges or other women educational institutions which are deemed to be affiliated to the Women University under section 5 of the principal Act shall be deemed to be statutes, ordinances, regulations and rules made by the Women University and shall continue as such till the Women University makes its own statutes, Ordinances, regulations or rules:

Provided that the Vice Chancellor may with the approval of the Chancellor make such modification and adaptations therein as he may consider necessary.

12. Saving As To Certain Examination :-

Notwithstanding anything contained in the principal Act as amended by this amendment Act or the statutes, ordinances, regulations or rules made thereunder, where immediately before the commencement of the amendment Act,-

(a) any student was studying for a degree of the Gulbarga University or the Karnataka University in accordance with the statutes, ordinances, regulations or rules in force she may until such examination is provided by the Women University be admitted to the examination of the Universities of Gulbarga and Karnataka and be conferred with the degrees or diplomas for which she qualifies on the result of such examination.

(b) the Gulbarga University or the Karnataka University has held any examination the result of which has been published but the degrees or diplomas relating thereto have not been conferred or issued or the result of any such examination has not been published by the said Universities then such examination shall be deemed to have been held by the Gulbarga University or the Karnataka University.

13. Removal Of Difficulties :-

If any difficulty arises in giving effect to the provisions of the amendment Act, the State Government may, by order published in the Official Gazette make such provision as may appear to it necessary or expedient for the purposes of removing the difficulty: Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of the amendment Act.

14. Repeal And Savings :-

(1) The Karnataka State Universities (Amendment) Ordinance, 2003 (Karnataka Ordinance 5 of 2003) 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 Act.