

Karnataka State Universities (Amendment) Act, 2009

15 of 2009

[14 August 2009]

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An Act further to amend the Karnataka State Universities Act, 2000. Whereas, it is expedient further to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001), for the purposes hereinafter appearing; Be it enacted by the Karnataka Legislature in the Sixtieth 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, 2009.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

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"), in sub-section (1).--

- (1) In clause (d), the words "Chitradurga, Davanagere" shall be

omitted;

(2) After sub-section (1-B), the following shall be inserted, namely.--"(1-C) There shall be established the Davanagere University with headquarters at Davanagere and territorial jurisdiction extending over the districts of Davanagere and Chitradurga".

3. Amendment Of Section 5 :-

In Section 5 of the Principal Act, after subsection (3), the following shall be inserted, namely.--

(4) Any privilege enjoyed from the Kuvempu University by the colleges or educational institutions situated in Chitradurga and Davanagere Districts before the date of commencement of the Karnataka State Universities (Amendment) Act, 2009 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and all such colleges or educational institutions previously admitted to the privileges of, or affiliated to, the Kuvempu University shall be deemed to be admitted to the privileges of, or affiliated to, the Davanagere University".

4. Amendment Of Section 14 :-

In Section 14 of the Principal Act, after the fourth proviso to sub-section (4), the following shall be inserted, namely.--

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

5. Powers Of Special Officer :-

The Special Officer appointed by the State Government for the purpose of taking steps to establish the Davanagere 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 as appointed.

6. Duties Of The First Vice-Chancellor :-

(1) It shall be the duty of the First Vice-Chancellor to make Vice-Chancellor to make arrangements for constituting the Syndicate, Academic Council and other authorities of the Davanagere

University within six months of the date of commencement of the Karnataka State University (Amendment) Act, 2009 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 Chancellor may specify in this behalf.

7. 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 Davanagere 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 Kuvempu University applicable to the affiliated colleges or other educational institutions which are deemed to be affiliated to Davanagere University under Section 5 of the principal Act shall be deemed to be Statutes, Ordinances, Regulations and Rules made by the Davanagere University and shall continue as such till the Davanagere 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.

8. Savings As To Certain Examination :-

Notwithstanding anything contained in the Principal Act as amended by the 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 Kuvempu University in accordance with the Statutes, Ordinances, Regulations or Rules in force he may until such examination is provided by the Davanagere University be admitted to the examination of the Kuvempu University and be conferred with the degrees or diplomas for which he qualifies on the result of such examination.

(b) The Kuvempu University have held any examinations, 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 Kuvempu University then such examination shall be deemed to have been held by the Kuvempu University.

9. 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 amendment Act.