



**KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
SEVENTH SESSION**

**THE KARNATAKA STATE UNIVERSITIES AND CERTAIN OTHER LAW
(SECOND AMENDMENT) BILL, 2020
(LA Bill No. 39 of 2020)**

A Bill further to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) and the Karnataka Janapada Vishwavidyalaya Act, 2011 (Karnataka Act 11 of 2012) and for matters connected therewith or incidental thereto;

Whereas it is expedient further to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) and the Karnataka Janapada Vishwavidyalaya Act, 2011 (Karnataka Act 11 of 2012), for the purpose hereinafter appearing.

Be it enacted by Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and Commencement.-(1) This Act may be called the Karnataka State Universities and certain other law (Second Amendment) Act, 2020.

(2) sub-section (1), clause (c) of sub-section (2), clause (d) of sub-section (4), sub-section (20), sub-section (22), clause (ii) of sub-section (23) and sub-section (25) of Section 2, shall be deemed to have come into force with effect from the 12th day of September, 2001 and remaining provisions shall come into force with effect from the 19th day of June, 2020.

2. Amendment of Karnataka Act 29 of 2001.- In the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001),-

(1) in section 2,-

(a) after clause (1), the following shall be inserted, namely:-

“(1-a) “Assessment Year” means the year following the year in which the income of a financial year is assessed or taxed”;

(b) after clause (3), the following shall be inserted, namely:-

“(3-a) “Financial Year” means a period of twelve consecutive months commencing on 1st day of April every year”;

(c) after clause (4), the following shall be inserted, namely:-

“(4-a) “New university” means the university established by the State Government by an amendment of the Principal Act.”

(d) after clause (5), the following shall be inserted, namely:-

“(5-a) “person having a substantial interest in a concern” shall have the same meaning as assigned to this expression in explanation 3 below sub-section (9) of section 13 of the Income Tax Act, 1961(hereinafter referred to as the Income Tax Act);

(5-b) “Previous university” means the university from which new university is carved out and established.

(5-c) “Previous Year” means the financial year immediately preceding the assessment year;”

(2) In section 3,-

(a) in sub-section (1F),-

- (i) for the word "Shivajinagar", the words "Shivaji Nagara", shall be substituted;
- (ii) after the words "Home Science, Bengaluru", the words and brackets "and except Government Science College (Autonomous), Nrupathunga Road, Bengaluru" shall be inserted;

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

"(1K) There shall be established the Nrupathunga University, Bengaluru of unitary in nature with headquarters at Bengaluru and territorial jurisdiction extending over the Government Science College (Autonomous), Nrupathunga Road, Bengaluru."

(c) after sub-section(4), the following shall be inserted, namely:-

"(4-a) The establishment of the University shall be a non-profit making institution and the University shall not transfer directly or indirectly of the whole or any part of income or of any movable or immovable property of the university to any person or to give any person any right to assume power directly or indirectly over the whole or any part of the income or of any movable or immovable property of the University".

(3) After section 3, the following shall be inserted, namely.-

"3A. Appointment of special officer.-Whenever principal Act is amended for the establishment of the new university, the Government may by order, appoint an officer not below the rank of group A officer of the senior scale as special officer for taking steps to establish the new university.

3B. Powers of special officer.-The Special officer appointed by the State Government for the purpose of taking steps to establish the new University under the principal Act, after the commencement of the Amendment Act for establishment of new university, shall exercise such powers and perform such functions of the University and the Vice-Chancellors as may be specified by the State Government, until the first Vice-Chancellor is appointed."

(4) In section 4,-

- (a) in clause (i), for the words and brackets "(including instruction by correspondence)", the words and brackets "(excluding instruction by correspondence)" shall be substituted;
- (b) in clause (viii), for the words "to maintain and administer", the words "to establish, maintain and administer constituent" shall be substituted;
- (c) in clause (xxiii), after the second proviso, the following proviso shall be inserted, namely:-

"Provided also that, nothing in clause (xix) and (xxii) shall apply to the Nrupathunga University, Bengaluru.";and

(d) after clause (xxiii), the following shall be inserted, namely:-

"(xxiv) Undertake necessary or expedient action to pursue and promote the objective of the University as a non-profit organization."

(5) In section 5,-

(a) in sub-section(1),-

- (i) for the first proviso, the following shall be substituted, namely:-

“Provided that no University except Karnataka State Open University shall offer the programme in Open and Distance Learning mode within or outside the University area”;

(ii) after fourth proviso, the following shall be inserted, namely:-

“Provided also that, nothing in this sub-section pertaining to affiliation shall be applicable to the Nrupathunga University, Bengaluru.”

(iii) after sub-section (13), the following shall be inserted, namely:-

“(14) Any privilege enjoyed from the Bengaluru Central University by the Government Science College (Autonomous), Nrupathunga Road, Bengaluru, situated in the Karnataka Legislative Assembly Constituency of Shivaji Nagara, before the date of commencement of the Karnataka State Universities and certain other Law (Second Amendment) Act, 2020 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and Government Science College (Autonomous), Nrupathunga Road, Bengaluru previously admitted to the privileges of, or affiliated to, the Bengaluru Central University shall be deemed to be admitted to the privileges of the Nrupathunga University, Bengaluru as constituent college or a schools of the said University.”

(6) after section 5, the following shall be inserted, namely:-

“5A. Savings of certain examination.-Notwithstanding anything contained in the Principal Act or the statutes, ordinances, regulations and rules made there under or any amendment made to the Principal Act, to establish a new university or to discontinue any course of education including distance education of any University, where immediately before the commencement of such Amendment Act,-

(a) any student studying for a degree of the previous University in accordance with the statutes, ordinances, regulations and rules in force he may until such examination is provided by the new University, as the case may be admitted to the examination of the previous University and be conferred with the degrees or diplomas for which he qualifies on the result of such examination; and

(b) the Previous 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 Previous University then such examination shall be deemed to have been held by the previous University.”

(7) In section 11, in clause (m), after first proviso, the following shall be inserted, namely:-

“Provided further that, in the case of the Nrupathunga University, Bengaluru, the officers of the Universities shall, in addition to the officers specified above except clause (f), also consists of the Directors of schools.”

(8) In section 14, in sub-section (4),-

(a) after the eighth proviso, the following shall be inserted, namely:-

“Provided also that, notwithstanding anything contrary contained in this section, first Vice-Chancellors of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya shall be appointed by the

State Government subject to such terms and conditions as may be specified by it.”

(b) after the ninth proviso, the following shall be inserted, namely:-

“Provided also that notwithstanding anything contrary contained in this section, first Vice-Chancellor of any University established under the Principal Act after the commencement of the Karnataka State Universities and certain other law (Second Amendment) Act, 2020 shall be appointed by the State Government subject to such terms and conditions as may be specified by it”

(9) After section 14, the following shall be inserted, namely:-

“14A.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 newly established university, as the case may be within six months from the date of establishment of the University 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.

14B.Transitory provisions on establishment of new university.- (1) Notwithstanding anything contained in the Principal Act, the first Vice-Chancellors may, with the previous approval of the Chancellor, discharge all or any of the functions of the new University, as the case may be, 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.

(2) All statutes, ordinances, regulations and rules made by the Previous University from which new university is carved out applicable to the colleges or other educational institutions which are deemed to be the constituent colleges or schools of the new University as the case may be, under section 5 of the principal Act shall be deemed to be the Statutes, ordinances, regulations and rules made by the new University as the case may be, and shall continue as such till the new University makes its own statutes, ordinances, regulations and rules:

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

(10) In section 17, for sub-section (1), the following shall be substituted namely:-

“(1) The Registrar shall be a whole time officer of the University. The State Government may appoint an Officer belonging to All India Service or an Officer belonging to Karnataka Administrative Service not below the rank of the Group ‘A’ officer of the senior scale and above, to be a Registrar of a University.”

(11) In section 19,-

(i) for sub-section (1), the following shall be substituted namely:-

“(1) The Finance Officer shall be a whole time officer of the University appointed by the State Government from the persons being officers in the cadre of Joint Controller of Karnataka State Audit and Accounts Department or an officer of the rank of Deputy Accountant General having experience in audit, accounting and financial administration. If none of the person is appointed within the time prescribed by the Statutes, the

Chancellor may in consultation with the State Government, appoint such other person as he deems fit to be the Finance Officer'; and

(ii) for sub-section (2), the following shall be substituted, namely:-

"(2) The term of office of the Finance Officer shall be three years and the emoluments of the Finance Officer and other terms and conditions shall be as prescribed by the Statutes."

(12) In section 21, in sub-section (1), after the fourth proviso, the following shall be inserted, namely:-

"Provided also that, in respect of the Nrupathunga University, Bengaluru, the Dean shall be called as Director of schools and faculty shall be called as schools."

(13) In section 28, in sub-section (1), after the third proviso, the following proviso shall be inserted, namely:-

"Provided further that, in the case of the Nrupathunga University, Bengaluru, the Syndicate shall not consist of the members specified in clauses (b), (c), (d), (f), (i), (j) and (k) specified above but shall consists of the Principal Secretary to Government, Higher Education or his nominee not below the rank of Deputy Secretary to Government, two directors of the schools nominated by the Vice-chancellor for a period of one year by rotation according to seniority."

(14) In section 29, in sub-section (2), in clause (w), after the proviso, the following shall be inserted, namely:-

"Provided further that, the provisions of clause (j) shall not be applicable in respect of the Nrupathunga University, Bengaluru."

(15) In section 30, in sub-section (1), after the third proviso, the following proviso shall be inserted, namely:-

"Provided also that, in the case of the Nrupathunga University, Bengaluru, the Academic Council shall not consist of members specified in clauses (vi), (ix) but shall consists of the five directors of the schools nominated by the Vice-chancellor by the rotation in the order of seniority, each for a term of two years."

(16) In section 31, in sub-section (2), in clause (xx), after the first proviso, the following shall be inserted, namely:-

"Provided further that, in respect of the Nrupathunga University, Bengaluru, the provisions pertaining to affiliation shall not be applicable."

(17) In section 34, after sub-section (11), the following shall be inserted, namely:-

"(12) Notwithstanding anything contained in this section, in respect of the Nrupathunga University, Bengaluru, the faculty shall be called as schools and the Deans shall be called as Director of schools."

(18) In section 36, in sub-section (2), after the first proviso, the following shall be inserted, namely:-

"Provided further that, in the case of the Nrupathunga University, Bengaluru, in addition to clauses (i), (ii) and (iv) except clauses (iii), (v) and (vi), specified above also consists of two teachers teaching the subjects within concerned departments of studies in the school nominated by the Vice-chancellor."

(19) In section 40, in sub-section (1),-

(i) in clause (s), for the words "Mandya unitary University, Mandya" the words "Mandya Univerisity, Mandya or Nrupatunga University, Bengaluru," shall be substituted;

(ii) in clause (t), for the words "Mandya unitary University, Mandya" the words "Mandya Univeristy, Mandya or Nrupatunga University, Bengaluru," shall be substituted; and

(iii) in clause (t), after the proviso, the following proviso shall be inserted, namely:-

"Provided further that in the case of the Nrupathunga University, Bengaluru, clause (g), shall not be applicable."

(20) In section 41, after sub-section (7), the following shall be inserted, namely:-

"(8) Notwithstanding anything contained in this section, the Syndicate shall not make or adopt any new statute or amend, modify or repeal any statutes affecting the objectives of the University"

(21) In section 42, in sub-section (1), in clause (n), after the proviso, the following shall be inserted, namely:-

"Provided further that, in the case of the Nrupathunga University, Bengaluru, clause (j), shall not be applicable."

(22) In section 46, after sub-section (3), the following shall be inserted, namely:-

"(4) No part of the income of the University shall be utilised directly or in directly for the benefit of any Officer or Authority of the University or any other person who has made substantial contribution to it or of any relative of such Officer or Authority or person or any relative of such officer or Authority or person has a substantial interest"

(23) in section 47,-

(i) in sub-section (3), for the words "Controller of State Accounts", the words "Principal Director, Karnataka State Audit and Accounts Department" shall be substituted.

(ii) after sub-section (4), the following shall be inserted, namely:-

"(5) The University shall, where its total income as computed under the Income Tax Act, 1961(Central Act 43 of 1961) without giving effect to the provisions of sections 11 and 12 of that Act exceeds the maximum amount which is not chargeable to income-tax in any previous year, get its accounts for that year audited by an accountant as defined in the Explanation to sub-section (2) of section 288 of the Income Tax Act, 1961 and furnish along with its return of income for the relevant assessment year the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed, in accordance with clauses (b) and (ba) of sub-section (1) of section 12A of the Income Tax Act, 1961.

(6) The University shall utilize its income and movable and immovable property only of the furtherance of its objects, shall not invest or deposit any income accumulated or set apart for application to charitable purpose in India in any form or mode other than those specified in sub-section (3) of section 11 of the Income Tax Act, 1961 and shall not distribute its income or property to any person by way of profit, dividend and interest or in any other manner".

(24) After section 58A, the following shall be inserted, namely:-

"58B. Application of provision of sections 59 to 67.- Notwithstanding anything contained in this Act, the provisions of sections 59 to 67 shall not be applicable to the Nrupathunga University, Bengaluru"

(25) After section 84, the following shall be inserted, namely:-

"84A. Dissolution or winding up of the University.- In the event of dissolution or winding up of the University, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the officers of the University or members of the Syndicate or Finance Committee or among any person having substantial interest

(Provisionally admitted)

KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

SEVENTH SESSION

Amendments to the Karnataka State Universities and certain other Law (Second Amendment) Bill, 2020 (L.A.Bill No. 39 of 2020).

By Dr.Ashwath Narayan C.N , Deputy Chief Minister and Minister for Higher Education , I.T and B.T, Science and Technology, Skill Development, Entrepreneurship and Livelihood

I hereby give notice of my intention to move the following amendments to the Karnataka State Universities and certain other Law (Second Amendment) Bill, 2020 (L.A.Bill No.39 of 2020) namely:-

Clause-5

In the said Bill, for clause 5, the following shall be substituted, namely:-

“5.Repeal and Savings.- (1) The Karnataka State Universities and Certain other Law (Second Amendment) Ordinance, 2020 (Karnataka Ordinance 22 of 2020) 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.”

Amendment to the Statement of objects and Reasons

In the said Bill, in the Statement of Objects and Reasons, after the words, brackets and figures “the Karnataka State Universities and Certain other Law (Amendment) Ordinance, 2020 (Karnataka Ordinance 11 of 2020)” the words, brackets and figures “and the Karnataka State Universities and Certain other Law (Second Amendment) Ordinance, 2020 (Karnataka Ordinance 22 of 2020)” shall be inserted.

Addendum for Explanatory statement as required under sub-rule (1) of rule 80 of the Rules of procedure and conduct of Business in the Karnataka Legislative Assembly .

In the said Bill, after the explanatory statement as required under sub-rule (1) of rule 80 of the Rules of procedure and conduct of Business in the Karnataka Legislative Assembly, the following shall be inserted, namely:-

“As the matter was urgent and both Houses of the State Legislature were not in session, therefore the Karnataka State Universities and certain other law (Amendment)

Ordinance, 2020 (Karnataka Ordinance 11 of 2020) was promulgated to achieve the above object.

In order to replace the said Ordinance, the Karnataka State Universities and certain other Law (Second Amendment) Bill, 2020 (LA Bill No. 39 of 2020) was introduced in the Karnataka Legislative Assembly on 23.09.2020 and the same is pending for consideration with the Karnataka Legislative Assembly.

In accordance with sub-clause (a) of clause (2) of Article 213 of the Constitution of India the above said Ordinance shall cease to operate at the expiration of six weeks from the date of re-assembly of the both houses of the State Legislature.

Both houses of the State Legislature were prorogued on 06.10.2020 vide Notification No: DPAL 01 SAMVYAVI 2020, dated 06.10.2020

As the several actions being taken on the said ordinance there is need of continuation by re promulgating the said ordinance in Karnataka Gazette extra ordinary. Therefore as the matter was urgent and the Karnataka Legislative Assembly and the Karnataka Legislative Council were not in session, the Karnataka State Universities and Certain other Law (Second Amendment) Ordinance, 2020 (Karnataka Ordinance 22 of 2020) was promulgated to achieve the above object."

M.K.Vishalakshi
Secretary (I/c)

of their relative, but the same shall be transferred to another University whose objects are similar to that of this University”.

(26) Substitution of expression.- For the words "Bengaluru Central University" wherever they occur, the words "Bengaluru City University" shall be substituted.

3. Amendment of Karnataka Act 11 of 2012.-In the Karnataka Janapada Vishwavidyalaya Act, 2011 (Karnataka Act 11 of 2012), in section 46, in sub-section(3), for the words “Controller of State Accounts”, the words “Principal Director, Karnataka State Audit and Accounts Department” shall be substituted.

4. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of the Karnataka State Universities and certain other Law (Second Amendment) Act, 2020 the State Government may, by order published in the Official Gazette, make such provision not inconsistent with the provisions of the Karnataka State Universities and certain other Law (Second Amendment) Act, 2020 as may appear to it necessary or expedient for the purposes of removing the difficulty:

Provided that no such orders shall be made after the expiry of the period of two years from the date of commencement of the Karnataka State Universities and certain other Law (Second Amendment) Act, 2020

5. Repeal and savings.-(1) The Karnataka State Universities and Certain Other Law (Amendment) Ordinance, 2020 (Karnataka Ordinance 11 of 2020) 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.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 2001) and the Karnataka Janapada University Act, 2011 (Karnataka Act 11 of 2012) to provide for,-

- (1) establishment of the Nrupatunga University of unitary in nature with head quarters at Bangaluru with territorial jurisdiction extending over the Government Science College (Autonomous), Bengaluru by separating that institution from Bangalore Central University;
- (2) registration of the universities governed under the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) to avail benefits of the income tax exemptions under Section 12 A of the Income Tax Act, 1961;
- (3) barring of the Universities governed by the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001), from offering Open and Distance Learning (ODL) owing to the State wide Jurisdiction of the Karnataka State Open University, Mysuru;
- (4) appointment of the first Vice-Chancellors of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya by the state Government;
- (5) appointment of Special Officers for the new University and powers of special officers etc;
- (6) change of nomenclature of the "Bengaluru Central University" as "Bengaluru City University";
- (7) change of nomenclature of "Controller of State Accounts Department" as "the Principal Director, Karnataka State Audit and Accounts Department" in the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) and the Karnataka Janapada University Act, 2011 (Karnataka Act 11 of 2012); and
- (8) certain other consequential amendments are also made.

As the matter was urgent and both Houses of the State Legislature were not in a session, the Karnataka State Universities and certain other law (Amendment) Ordinance, 2020 (Karnataka Ordinance 11 of 2020) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill.

FINANCIAL MEMORANDUM

There will be an approximate expenditure of Rs.22.00 Crores by the proposed legislative measure.

EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 80 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE KARNATAKA LEGISLATIVE ASSEMBLY.

It is considered necessary to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 2001) and the Karnataka Janapada University Act, 2011 (Karnataka Act 11 of 2012) to provide for,-

- (1) establishment of the Nrupatunga University of unitary in nature with head quarters at Bengaluru with territorial jurisdiction extending over the Government Science College (Autonomous), Bengaluru by separating that institution from Bangalore Central University;
- (2) registration of the universities governed under the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) to avail benefits of the income tax exemptions under Section 12 A of the Income Tax Act, 1961;
- (3) barring of the Universities governed by the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001), from offering Open and Distance Learning (ODL) owing to the State wide Jurisdiction of the Karnataka State Open University, Mysuru;
- (4) appointment of the first Vice-Chancellors of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya by the state Government;
- (5) appointment of Special Officers for the new University and powers of special officers etc;
- (6) Change of nomenclature of the "Bengaluru Central University" as "Bengaluru City University";
- (7) change of nomenclature of Controller of State Accounts Department as "the Principal Director, Karnataka State Audit and Accounts Department" in the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) and the Karnataka Janapada University Act, 2011 (Karnataka Act 11 of 2012); and
- (8) Certain other consequential amendments are also made.

As the matter was urgent and both Houses of the State Legislature were not in a session, therefore the Karnataka State Universities and certain other law (Amendment) Ordinance, 2020 (Karnataka Ordinance 11 of 2020) was promulgated to achieve the above object.

DR. ASHWATH NARAYAN C.N
Deputy Chief Minister and
Minister for Higher Education,
IT & BT, Science and Technology,
Skill Development, Entrepreneurship
and livelihood.

M.K. Vishalakshi
Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE KARNATAKA STATE UNIVERSITIES ACT, 2000 (KARNATAKA ACT 29 OF 2001)

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2. Definitions.- In this Act, unless the context otherwise requires,-

(1) "Academic Council" means the Academic Council established under section 30;

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(3) "Department", "Department of Studies", "Post Graduate Department" and "Post Graduate Department of Studies" means the Department, Department of Studies, Post Graduate Department and Post Graduate Department of Studies in the University run and maintained by the University:

Provided that where the University is not running and maintaining any Department; Department of Studies, Post Graduate Department or Post Graduate Department of Studies, such teachers in an affiliated college or colleges or Institutions as the Chancellor may, in consultation with the State Government notify, shall be deemed to be the Department, Department of Studies, Post-Graduate Department or Post Graduate Department of Studies;

(4) "hostel" means a unit of residence for students of the University maintained or recognised by the University in accordance with the provisions of this Act;

(5) "Other Backward Classes" means the communities, castes and tribes notified by the State Government from time to time under Article 15(4) and Article 16(4) of the Constitution;

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3. Establishment and Incorporation of Universities.-

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(1F) There shall be established the "Bengaluru Central University, as an affiliating University with headquarters at Bengaluru Central College Campus with territorial jurisdiction comprising of the Karnataka Legislative Assembly Constituencies of Shanthinagar, Byatarayanapura, Yelahanka, Malleshwaram, Hebbal, Shivajinagar, Gandhinagar, Chamarajpet, Chickpet, Basavangudi, BTM Layout, Jayanagar and Rajajinagar of Bengaluru District 14[except Maharani's Science College for Women, Bengaluru; Maharani's Women Arts, Commerce and Management College, Bengaluru and Smt. V.H.D. Central Institute of Home Science, Bengaluru.

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(1J) There shall be established the Raichur University, as an affiliating University with headquarters at Raichur and territorial jurisdiction extending over the districts of Raichur and Yadagiri.

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(4) The University shall not lease, sell or otherwise transfer any immovable property, which may have become vested in or been acquired by it without obtaining the prior approval of the State Government.

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3. Establishment and Incorporation of Universities.- (1) The Universities established under section 3 of the Karnataka State Universities Act, 1976 shall be deemed to have been established under this Act with their territorial jurisdictions as hereinafter provided namely:-

(a)The Bangalore University with headquarters at Bangalore and territorial jurisdiction extending over [the Karnataka Legislative Assembly Constituencies of Vijayanagara, Padmanabhanagar, Bommanahalli, Anekal, Bengaluru South, Yeshvanthpura, Rajarajeshwarinagar, Dasarahalli, MahalaxmiLayout and Govindarajnagar of Bengaluru District, Nelamangala of Bengaluru Rural District, Magadi, Ramanagara, Kanakapura and Channapatna of Ramanagara District]

(b) The Gulbarga University with headquarters at Gulbarga and territorial jurisdiction extending over [the districts of Bidar, Gulbarga, Raichur and Yadagiri.]

(c) The Karnataka University with headquarters at Dharwad and territorial jurisdiction extending over the districts of [XXX] Dharwad, Gadag, Haveri and Uttara Kannada.

(d)The Kuvempu University with headquarters at Shankaraghatta and territorial jurisdiction extending over the districts of Chikmagalur, [XXX] and Shimoga.

(e) The Mangalore University with headquarters at Konaje, Mangalore Taluk and territorial jurisdiction extending over the districts of Dakshina Kannada, Kodagu and Udupi.

(f) The Mysore University with headquarters at Mysore and territorial jurisdiction extending over the districts of Chamarajanagar, Hassan, [Mandya, except Government College (Autonomous), Mandya] and Mysore.

[(1A) For furthering the advancement of learning and prosecution of higher education and research by women there shall be established in the State a [Akkamahadevi Women University] with Head Quarters at Bijapur and territorial jurisdiction including granting affiliation extending over the women colleges and other women educational institutions in the State, except Maharani Women's Science and Arts College, Bangalore, Government VHD Institute of Home Science, Bangalore, Maharani Science and Arts College, Mysore and Government First Grade College for Women's, Mysore.

Provided that, for the purpose of extending the jurisdiction of the University to the entire state an extension centre shall be established at Mandya.

Provided further that, private aided or unaided women's colleges established prior to the commencement of the Karnataka State Universities (Amendment) Act, 2014 and situated within the districts other than the districts of Bidar, Gulbarga, Yadgir, Raichur, Koppal, Bellary, Dharwad, Gadag, Haveri, Uttara Kannada, Belgaum, Bijapur and Bagalkot shall exercise option of either retaining affiliation to the previously admitted universities or to get transfer of affiliation to the Karnataka State Akkamahadevi Women University within six months from the date of commencement of the said amendment Act.

Provided also that private aided or unaided women colleges which are opted to get transferred to the Karnataka State [Akkamahadevi Women University] shall be deemed to have been transferred to it with effect from the date of completion of six months from the date of the commencement of the said amendment Act and the private aided or unaided women colleges which have not opted to get transfer to the Karnataka State Akkamahadevi Women University shall continue to retain their affiliation in the previous university to which they were affiliated]

[(1B) There shall be established the Tumkur University with headquarters at Tumkur and territorial jurisdiction extending over [the Tumkur district]

[(1C)There shall be established the Davanagere University with headquarters at Davanagere and territorial jurisdiction extending over the districts of Davanagere and Chitradurga]

[(1D) There shall be established the Vijayanagara Sri Krishnadevaraya University with head quarters at Bellary and territorial jurisdiction extending over the districts of Bellary and Koppal.

(1E) There shall be established the Ranichannamma University with headquarters at Belgaum and territorial jurisdiction extending over the districts of Belgaum, Bagalkot and Bijapur districts.]

[(1F) There shall be established the “Bengaluru Central University, as an affiliating University with headquarters at Bengaluru Central College Campus with territorial jurisdiction comprising of the Karnataka Legislative Assembly Constituencies of Shanthinagar, Byatarayanapura, Yelahanka, Malleshwaram, Hebbal, Shivajinagar, Gandhinagar, Chamarajpet, Chickpet, Basavangudi, BTM Layout, Jayanagar and Rajajinagar of Bengaluru District [except Maharani’s Science College for Women, Bengaluru; Maharani’s Women Arts, Commerce and Management College, Bengaluru and Smt. V.H.D. Central Institute of Home Science, Bengaluru].

(1G) There shall be established the “Bengaluru North University, as an affiliating University with headquarters at Jangamakote (Sidalaghatta Taluk) (temporary Camp Office at Kolar P G Centre) with territorial jurisdiction comprising of the Karnataka Legislative Assembly Constituencies of Srinivaspura, Mulbagal, Kolar Gold Field, Bangarapet, Kolar, Malur and Kolar PG centre of Kolar District; K.R.Puram, Pulakeshinagar, Sarvagnanagar, C V Raman Nagar and Mahadevpura of Bengaluru District; Gowribidanur, Bagepalli, Chikkaballapur, Sidalaghatta and Chintamani of Chikkaballapur District; Devanahalli, Doddaballapura and Hoskote of Bengaluru Rural District]

[(1H) There shall be established the Maharani Cluster University, Bengaluru of unitary in nature with head quarters at Bangaluru and territorial jurisdiction extending over Maharani’s Science College for Women, Bengaluru; Maharani’s Women Arts, Commerce and Management College, Bengaluru and Smt. V.H.D. Central Institute of Home Science, Bengaluru.

Explanation.- For the purpose of this sub-section “cluster” means upgraded a single unit of the three colleges as specified in sub-section (1H).

(1I) There shall be established the Mandya University, Mandya of unitary in nature with head quarters at Mandya and territorial jurisdiction extending over the Government College (Autonomous), Mandya.]

(2) (i)The Chancellor, the Pro-Chancellor, the Vice Chancellor and the members of the Academic Council and Syndicate of each University shall constitute a body corporate to be called by the name of that University [specified in this section]

(ii)Each such University shall have perpetual succession and a common seal and may, by its name, sue and be sued.

(3) The University shall be competent to acquire and hold property, both moveable and immovable to lease, sell or otherwise transfer any moveable or immovable property which may have become vested in or been acquired by it for the purpose of the University and to enter into contract and to do all other things necessary for the purposes of this Act.

(4) The University shall not lease, sell or otherwise transfer any immovable property, which may have become vested in or been acquired by it without obtaining the prior approval of the State Government.

(5)In all suits and other legal proceedings by or against the University, the pleading shall be signed and verified by, and all processes in such suits and proceedings shall be issued to and be served on the Registrar.

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4. Powers of the University.- Subject to the provisions of this Act and such conditions as may be prescribed by the Statutes or Ordinances, the University shall have the following powers and shall perform the following duties, namely:-

(i) to provide for instruction (including instruction by correspondence), teaching and training in such branches of learning and course of study as it may think fit and make provisions for dissemination of knowledge and research.

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(viii) to maintain and administer Colleges, Laboratories, Libraries, Museums, Printing Presses, Institutes of Research, Institute of Academic and Administrative training and other institutions necessary to carry out the objects of the University.

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(xxiii) to do such other acts and things, whether incidental to the power aforesaid or not, as may be required in order to further the objects of the University, in particular and generally to cultivate and promote arts, science, commerce and management and other branches of learning and culture excluding agriculture, health science, engineering and technology:

Provided that Universities having constituent colleges in Engineering and Technology on the date of commencement of this Act shall continue to exercise powers under this Act in respect thereof.

Provided further that, nothing in clause (i), pertaining to correspondence courses, clause (xix) and (xxii) shall apply to the Maharani Cluster University, Bengaluru and the Mandya University, Mandya.

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5. Jurisdiction, admission to privileges, etc.- [1] Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall be exercised in the University area and no educational institution beyond the said area shall be associated with or admitted to any privileges of the University:

Provided that the benefit of correspondence courses or external degree courses may be extended by the University to students outside the University area:

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Provided also that, nothing in this sub-section pertaining to affiliation and correspondence courses shall be applicable to the Maharani Cluster University, Bengaluru and the Mandya University, Mandya.

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(13) Any privilege enjoyed from the Gulbarga University by the colleges or educational institutions situated in Raichur and Yadagiri districts before the commencement of the Karnataka State Universities (Amendment) Act, 2020 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 Gulbarga University shall be deemed to be admitted to the privilege of, or affiliated to the Raichur University.

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11. Officers of the University.- The following shall be the officers of the University, namely:-

- (a) the Chancellor;
- (b) the Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) the Registrar;
- (e) the Registrar (Evaluation);

- (f) the Deans;
- (g) librarian;
- (h) the Finance Officer;
- (i) the Director of Planning, Monitoring and Evaluation Board;
- (j) the Director of students welfare;
- (k) the Director, College Development Council;
- (l) the Director of Physical Education;

(m) such other officers of the University as the Chancellor may, on the recommendation of the State Government from time to time, designate.

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Provided that, in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the officers of the Universities shall, in addition to the officers specified above except clause (f), also consists of the Directors of schools.

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14. The Vice-Chancellor.-

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(4) The Search Committee shall submit to the State Government a panel of three persons who are eminent academicians, in the alphabetical order. The State Government shall forward the panel to the Chancellor who shall keeping in view merit, equity and social justice and with the concurrence of the State Government, appoint one person from the panel as the Vice-Chancellor:

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

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17. Registrar.- (1) The Registrar shall be a whole time officer of the University. The State Government may appoint an officer not below the rank of Group-A officer of the super time scale or a member of the faculty of any university working as a Professor for atleast five years, to be a Registrar of a University.

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19. The Finance Officer.- (1) The Finance Officer shall be a whole time officer of the University appointed by the Vice-Chancellor with the approval of the Syndicate from out of a panel of not less than three persons being officers in the cadre of Joint Controller of State Accounts Department or an officer of the Rank of Deputy Accountant General having experience in audit, accounting and financial administration, recommended by the Vice Chancellor to the Syndicate. If none in the panel is approved by the Syndicate within the time prescribed by the Statutes, the Chancellor may in consultation with the Vice-Chancellor, appoint such other person as he deems fit to be the Finance Officer.

(2) The tenure of appointment and the emoluments of the Finance Officer and other terms and conditions shall be as determined by the Chancellor.

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21. Dean.- (1) A Professor in each faculty according to seniority shall by rotation, act as Dean of faculty for a period of two years:

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Provided also that, in respect of the Mandya University, Mandya and the Maharani Cluster University, Bengaluru, the Dean shall be called as Director of schools and faculty shall be called schools;

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28. Syndicate.- (1) The Syndicate shall consist of the following Members, namely:-

(a) the Vice-Chancellor;

(b) the Commissioner for Collegiate Education or his nominee not below the rank of a Joint Director;

(c) the Director of Technical Education or his nominee not below the rank of a Joint Director;

(d) one Dean nominated by the Vice-Chancellor for a period of one year by rotation according to seniority.

(e) two members nominated by the Chancellor from among eminent educationists, or persons from Commerce, Banking, Industry or other professions;

(f) four Principals of affiliated colleges nominated by the Vice-Chancellor for a period of one year by rotation in the order of seniority, of whom one shall be a woman principal.

(g) six persons nominated by the State Government from amongst eminent educationists of whom,-

(i) one shall be a person belonging to the Scheduled Castes or the Scheduled Tribes;

(ii) one a person belonging to the Other Backward Classes;

(iii) one a Woman;

(iv) one a person belonging to Religious Minorities, and

(v) two others:

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Provided further that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the Syndicate shall not consist of the members specified in clauses (b), (c), (d), (f), (i), (j) and (k) specified above but shall consist of the Principal Secretary to Government, Higher Education or his nominee not below the rank of Deputy Secretary to Government, two directors of the schools nominated by the Vice-chancellor for a period of one year by rotation according to seniority

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29. Powers of the Syndicate.-

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(2) Without prejudice to the generality of the foregoing, the Syndicate shall have the following powers, namely:-

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(w) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act, Statutes, Ordinances or Regulations.

Provided that the provisions of clause (j) shall not be applicable in respect of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya.

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30. Academic Council.- (1) The Academic Council shall consist of the following members, namely:-

- (i) the Vice-Chancellor;
- (ii) the Commissioner for Collegiate Education or his nominee not below the rank of Joint Director;
- (iii) the Director of Technical Education or his nominee not below the rank of Joint Director;
- (iv) one Member of the Karnataka Legislative Assembly in respect of each district falling within the University area, nominated by the Speaker Karnataka Legislative Assembly;
- (v) two Members of the Karnataka Legislative Council nominated by the Chairman, Karnataka Legislative Council;
- (vi) ten Principals of affiliated colleges nominated by the Vice-Chancellor for a term of two years by rotation in the order of seniority,
- (vii) three eminent persons representing industry, commerce, banking or any other profession [based within the territorial jurisdiction of the University nominated by the State Government for a term not exceeding three years. (viii) five Professors of the Department of the University nominated by the Vice-Chancellor, by rotation in the order of seniority each for a term of two years.
- (ix) five Deans of the Faculties nominated by the Vice-Chancellor by rotation in the order of seniority each for a term of two years.
- (x) six students to be nominated by the Vice-Chancellor for a period of two years of whom one shall be a student of a degree course, one, a student of a post-graduate course, one, a student of a professional course one, a candidate of National Cadet Corps , one a candidate National Social Service, one 33 sports candidate on the basis of merit and of them atleast one shall be a woman and one a research student:

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

Provided also that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the Academic Council shall not consists of members specified in clauses (vi), (ix) but shall consists of the five directors of the schools nominated by the Vice-chancellor by the rotation in the order of seniority, each for a term of two years.

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31. Powers of the Academic Council.-

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(2) Without prejudice to the generality of the foregoing and subject to such conditions as may be specified by or under the provisions of this Act, the Academic Council shall exercise the following powers, namely:-

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(xx) generally to advise the University in all academic matters.

Provided that in respect of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the provisions pertaining to affiliation shall not be applicable.

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34. Faculties.-

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(11) Notwithstanding anything contained in this section, in respect of the Maharani Cluster University, Bengaluru and Mandya University, Mandya, the faculty shall be called as schools and the Deans shall be called as Director of schools.

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36. Board of Appointment of Examiners.-

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(2) Each Such Board of Appointment of Examiners shall consist of the following members, namely:-

- (i) the Vice-Chancellor who shall be the Chairman;
- (ii) the Registrar (Evaluation);
- (iv) the Dean of the Faculty concerned;
- (iv) the Chairman of the Board of Studies in the particular subject;
- (v) two teachers teaching under-graduate subjects within the concerned Department of Studies in the Faculty nominated by the Vice-Chancellor; and
- (vi) two teachers teaching Post graduate Subjects within concerned Department of Studies in the Faculty nominated by the Vice-Chancellor.

Provided that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, in addition to clauses (i), (ii) and (iv) except clauses (iii), (v) and (vi), specified above also consists of two teachers teaching the subjects within concerned departments of studies in the school nominated by the Vice-chancellor.

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40. Statutes.- (1) Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

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(s) the continuation of Pension or General Provident Fund or Contributory Provident Fund or New Pension Scheme for the benefit and other existing service benefit of the Officers, Teachers and other Servants continued from previous service or employed by the Maharani Cluster University or Mandya Unitary University; and

(t) extending the career advancement service for the Teachers and superannuation benefit as per UGC guide lines for the Teacher who opted Maharani Cluster University or Mandya Unitary University from colleges:

Provided that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, clause (g), shall not be applicable.

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41. Enactment of Statutes and their making.-

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(7) A Statute passed by the Syndicate shall not be given effect to until it is assented to by the Chancellor.

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42. Ordinances.- (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-

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(n) all other matters which by this Act or by the Statutes are to be or may be provided for by the Ordinance.

Provided that, in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, clause (j) shall not be applicable.

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46. University Funds.-

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(3) The said Fund may be employed for any of the purposes of the University in the manner prescribed by the Statutes.

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47. Annual Accounts and Audit.-

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(3) The accounts of the University shall be audited by the Controller of State Accounts once in a year, in the month of April.

(4) The Accounts so audited will be placed before the Academic Council and the Syndicate and thereafter transmitted to the State Government with comments before the end of September each year. The State Government shall lay the same before both Houses of the State Legislature at their next earliest session.

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EXTRACT FROM THE KARNATAKA JANAPADA VISHWAVIDYALAYA ACT, 2011 (KARNATAKA ACT 11 OF 2012)

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46. Annual Accounts and Audit.-

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(3) The accounts of the University shall be audited by the Controller of State Accounts once in a year, in the month of April.

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