



**KARNATAKA LEGISLATIVE ASSEMBLY
FOURTEENTH LEGISLATIVE ASSEMBLY
FIFTH SESSION**

THE KARNATAKA STATE LAW UNIVERSITY (AMENDMENT) BILL, 2014
(L.A. Bill No. 63 of 2014)

A Bill 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 fifth 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, 2014.

(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),-

(a) for the words "Reader, Lecturer", the words "Associate Professor, Assistant Professor" shall be substituted; and

(b) the words "Senior Lecturer and selection Grade Lecturer" shall be omitted.

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), after the words "Legal Services", the words "Government Officers and Officials", shall be inserted.

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, in section 14,

(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.

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),-

- (i) 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.
- (ii) after clause (i), the following shall be inserted, namely:-
"(j) the Registrar, Registrar (Evaluation) and Finance Officer".

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.
- (ii) after clause (n), the following shall be inserted, namely:-
 - "(o) one Dean nominated by Vice-Chancellor for a period of two years;
 - (p) the Registrar, Registrar (Evaluation) and Finance Officer".

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.- (a) 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.

- (b) The provisions of Section 58 shall mutatis mutandis apply for sanction of permanent affiliation.
- (c) A college permanently affiliated to the University shall be subject to review of its functioning both administratively and academically from time to time by University and atleast once in period of five years by the State Government.
- (d) Notwithstanding anything contained in the preceding subsections, 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 under 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/-".

STATEMENT OF OBJECTS AND REASONS

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

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

T.B.JAYACHANDRA

Minister for Law, Parliamentary Affairs,
Animal Husbandry and Muzarai

P. OMPRAKASHA

Secretary
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM the KARNATAKA STATE LAW UNIVERSITY ACT, 2009 (KARNATAKA ACT 11 OF 2009)

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

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(l) "Teachers" includes a Professor, Reader, Lecturer, Senior Lecturer and Selection Grade Lecturer, whether full time or part time, giving instruction in University, College or other institution as the case may be admitted to privileges under this Act;

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3. Establishment and Incorporation of the University.- XX XX

(3) The headquarters of the University shall be at *Rayapur Village, Hubli* with regional centers established at such other places with the prior approval of the Government within the state as it may deem fit and appropriate.

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4. The objectives.- (1) The objectives of the University shall extend, beyond formal education, to,-

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(f) institute Para-Legal Courses for Judicial Secretaries, Para-legal Counseling, Judgment Writers, Legal Assistants, Advocates' Clerks, Client Servicing and Legal Services.

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5. Powers and functions of the University.- XX XX

(xvi) to create posts of Lecturers, Readers and Professors and other teaching posts required by the University and to appoint persons to such posts with prior concurrence of the State Government subject to reservation policy of the State;

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14. The Vice Chancellor.- (1) The Vice Chancellor shall be a whole time officer of the University and he shall be appointed by the Chancellor from the panel of eminent academician in law drawn by the Search Committee constituted by the State Government which shall consist of the following persons, namely:-

- (i) one person nominated by the Chancellor;
- (ii) Chairman, University Grant Commission or his nominee;
- (iii) one person nominated by the State Government;
- (iv) one person nominated by the Syndicate.

Provided that one of the members shall be nominated by the Chancellor to act as Chairman of the Committee. The Secretary to Government, Department of Law, Justice and Human Rights shall be the convener of the Search Committee.

(2) No person connected with the affairs of the State Government, the University or any college or institution affiliated to the University shall be nominated as the member of the Search Committee.

(3) The Search committee shall submit to the State Government a panel of three persons who are eminent academicians in Law 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:

Provided that the Chancellor may with the concurrence of the State Government call for a second panel if he considers it necessary and the Search Committee shall submit a second panel, which shall be final.

(4) Notwithstanding anything contained in sub-section (3), the first Vice Chancellor of the University shall be appointed by the Chancellor on the recommendation of the State Government.

(5) The Vice-Chancellor shall hold office for a term of four years or until he attains the age of sixty-five years whichever is earlier. He shall not be eligible for reappointment.

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18. Powers and functions of the Registrar.- (1) Save as otherwise provided in this Act, the Registrar shall be ex-officio Member Secretary to

the Syndicate, the Academic Council, the Finance Committee and the Board of Studies.

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29. Syndicate.- XX XX XX

(3) The Syndicate shall, consist of the following other members, namely:-

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(h) two Principals of affiliated or constituent colleges nominated by the Vice Chancellor;

(i) two members nominated by the Chancellor from among eminent educationists or persons from the field of legal education.

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33. Academic Council.- (1) The Academic Council shall be constituted by the Chancellor which shall consist of the following ex-officio and other members, namely:-

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(h) ten Principals of Law Colleges affiliated to the University nominated by the Vice Chancellor in the order of seniority;

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(n) one member nominated by the Bar Council of Karnataka from among its members.

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58. Affiliation of colleges.- XX XX XX

(5) 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 relating thereto to the Government which, after such inquiry as may appear to it to be necessary, shall make their recommendations for the grant of the application or any part thereof or refuse the application or any part thereof and the University shall issue orders accordingly.

(6) Where the application or any part thereof is granted, the order of the University shall specify the courses of instruction in respect of which and the period for which the college is affiliated, and where the application or any part thereof is refused by the Government or the University, the grounds of such refusal shall be stated:

Provided that on the recommendation of the Government, permanent affiliation may be granted to a college, which was affiliated continuously for a period of not less than five years and has fulfilled all the conditions of affiliation and attained the academic and administrative standards prescribed by the University from time to time.

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62. Autonomous College.- XX XX XX

(2) Subject to Statutes made in this behalf an Autonomous College so designated shall be entitled to design the courses of studies, devise appropriate teaching methods, devise methods of evaluation, examination and tests pertaining to the award of the degree or diploma by the University and frame rules of admission of students.

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63. Voluntary closure of College or Course.- (1) The management of any college which intends to close down the college or a course in view of its incapacity or financial viability or breakdown of the management, shall give a notice in writing of not less than three months prior to the intended closure of the college to the University and to the State Government, stating the reasons therefor.

(2) The application for closure of the college or a course shall be considered by the Academic Council and the Syndicate and pass appropriate resolution thereon.

(3) The Registrar shall transmit the application and the resolutions of the Academic Council and the Syndicate to the Government which shall on consideration of the same issue directions either to permit the closure or to reject the closure to the University and the University shall on receipt of such directions pass orders accordingly.

(4) The management shall not close down the college or a course during the currency of the academic year, and until the annual

examinations conducted by the University in respect of the course of study are over and a formal order is issued by the University to do so.

(5) The students of such closed colleges shall on transfer be accommodated in the nearby Colleges by the University by increasing the intake in respect of particular course of study to the extent of such students to be accommodated from such closed college and all documents in respect of each student shall be transmitted to the College in which such students are admitted.

(6) If within ninety days after the expiry of the term of notice under sub-section (1), the State Government does not issue any direction either permitting or rejecting the closure, it shall be deemed subject to the provisions of sub-section (4), that the management is permitted to close the college or the course as the case may be.

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