

# THE KARNATAKA STATE UNIVERSITIES ACT, 2000

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#### STATEMENT OF OBJECTS AND REASONS

**Act 29 of 2001.**- A Commission was constituted to review the working of the Universities and to make recommendations on certain terms of references in relation to making Higher Education oriented towards supply of man-power commensurate with the needs of the society, improvement of the standards, to become self reliant for mobilization of resources, to assess the contribution of the teaching fraternity and so on. In pursuit of enforcing a few of its specific recommendation it became expedient to effect certain structural alterations in the universities, to confer academic freedom and autonomy conducive for adoption of new methods in teaching learning and research for achieving eminence and excellence; and also to tune-up the administration. Added to it, as a sequel to the establishment of Open University, Health University and Technological University, certain provisions contained in the Karnataka State Universities Act, 1976 are rendered superfluous which will have to be omitted. It has therefore become imperative to enact a new legislation for governance of the universities replacing the existing Act.

Hence the Bill.

(Obtained from L.A. Bill No. 37 of 2000)

#### II

**Amending Act 33 of 2003.**- The Hon'ble Chief Minister in his Budget Speech for the year 2003-04 has announced the establishment of a Women's University at Bijapur from the academic year 2003-2004 to promote Higher Education among women in northern Karnataka.

As the matter was urgent and the Karnataka Legislative Council was not in session the Karnataka State Universities (Amendment) Ordinance, 2003 (Karnataka Ordinance 5 of 2003) was promulgated.

This Bill seeks to replace the said Ordinance.

Hence the Bill.

(vide L.A. Bill No. 17 of 2003 File No. SAMVYASHAE 36 SHASANA 2003)

**III**

**Amending Act 10 of 2004.-** It is considered necessary and expedient that the Bangalore University, which has about 400 affiliated colleges with a total student strength of about 4.2 lakhs, is bifurcated and a separate University is established with Headquarters at Tumkur having territorial jurisdiction over the districts of Tumkur, Kolar, Bangalore Rural excluding Kanakapura and Hoskote Taluks to reduce the unwieldy workload of the Bangalore University and to promote convenience of the students.

Hence the Bill.

(Vide file No. SAMVYASHAE 13 SHASANA 2004)

**IV**

**Amending Act 2 of 2005.-** Tumkur University has come into existence as per the Karnataka State Universities (Amendment) Act, 2004, with its head quarters at Tumkur and territorial jurisdiction extending over the districts of Tumkur, Kolar and Bangalore Rural districts excluding Kanakapura and Hosakote taluks.

Subsequently, taking into consideration the requests of students of Kolar and Bangalore Rural districts, Government decided to restrict the jurisdiction of Tumkur University to Tumkur district.

The relevant provisions of the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) are required to be amended.

Hence, the Bill.

[LC Bill No. 2 of 2005]

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**KARNATAKA ACT NO. 29 of 2001**

*(First published in the Karnataka Gazette (Extraordinary) on the Thirteenth day of September, 2001)*

**THE KARNATAKA STATE UNIVERSITIES ACT, 2000**

*(Received the assent of the Governor on the Twelfth day of September, 2001)*

*(As amended by Act 33 of 2003, 10 of 2004 and 2 of 2005)*

An Act to replace the present enactment relating to State Universities by a comprehensive enactment.

Whereas it is expedient to replace the present enactment by a comprehensive enactment to consolidate and amend the law relating to State Universities.

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

**CHAPTER I**

**PRELIMINARY**

**1. Short title and commencement .-** (1) This Act may be called the Karnataka State Universities Act, 2000.

(2) It shall come into force at once.

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

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

(2) "college" means, an Institution maintained by the University as such and includes an Institution admitted to the privileges of the University as an affiliated college of the University in accordance with the provisions of this Act;

(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;

(6) "Principal" means the Head of a college.;

(7) "religious minority" means persons belonging to a religious minority within the meaning of article 30 of the Constitution of India;

(8) "Scheduled Caste" shall have reference to the Scheduled Castes specified in the Constitution (Scheduled Castes) Order, 1950 made under article 341 of the Constitution of India and as amended from time to time;

(9) "Scheduled Tribes" shall have reference to the Scheduled Tribes specified in the Constitution (Scheduled Tribes) Order 1950 made under article 342 of the Constitution of India and as amended from time to time;

(10) "Statutes", "Ordinances", "Regulations" and "Rules" means respectively the Statutes, Ordinances, Regulations and Rules of the University made under this Act;

(11) "Syndicate" means Syndicate established under section 28;

(12) "teachers" means Professors, Assistant Professors, Readers or Lecturers imparting instructions in any University;

(13) "University" means a University established and incorporated under section 3;

(14) "University area" means the area of jurisdiction of a University.

## CHAPTER II

### THE UNIVERSITIES

**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 districts of Bangalore, <sup>1</sup>[Bangalore Rural and Kolar] <sup>1</sup>

*1. Substituted by Act 2 of 2005, w.e.f. 1.10.2004.*

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

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

(d) The Kuvempu University with headquarters at Shankaraghatta and territorial jurisdiction extending over the districts of Chikmagalur, Chitradurga, Davangere 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 and Mysore.

<sup>1</sup>[(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, Dharwad, Gadag, Gulbarga, Haveri, Koppal, Raichur and Uttara Kannada.]<sup>1</sup>

*1. Inserted by Act 33 of 2003, w.e.f. 21.6.2003*

<sup>1</sup>[(1B) There shall be established the Tumkur University with headquarters at Tumkur and territorial jurisdiction extending over <sup>2</sup>[the Tumkur district] <sup>2</sup>]<sup>1</sup>

1. Inserted by Act 10 of 2004 w.e.f. 1.10.2004.

2. Substituted by Act 2 of 2005 w.e.f.1.10.2004

- (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 sub-section (1) <sup>1</sup>[or sub-section (1A)]<sup>1</sup> <sup>2</sup>[or sub-section (1B)]<sup>2</sup>

1. Inserted by Act 33 of 2003, w.e.f. 21.6.2003

2. Inserted by Act 10 of 2004 w.e.f.1.10.2004

- (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 immoveable to lease, sell or otherwise transfer any moveable or immoveable 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.

**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.

(ii) to hold examinations, grant and confer degrees, diplomas or other academic distinctions on persons who,-

(a) have pursued, a course of study in the University or in any college, unless exempted therefrom in the manner prescribed by the Statutes, Ordinances or Regulations and have passed the examinations prescribed by the Statutes, Ordinances and Regulations.

(b) have carried on research under conditions prescribed by the Statutes or Ordinances;

(iii) to confer honorary degrees or other distinctions on persons in the manner laid down by the Statutes;

(iv) to grant diplomas and provide such lectures and instructions for persons who are not enrolled as students of the University, as the University may determine;

(v) to co-operate with other universities and authorities in such manner and for such purposes as the University may from time to time determine;

(vi) to institute, suspend or abolish Professorships, Readerships, Lecturerships, and any other teaching posts required by the University;

(vii) to institute and award fellowships, travelling fellowships, scholarships, studentships, stipends, medals and prizes;

(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.

(ix) to establish, maintain and administer hostels;

(x) to supervise and control the residence and discipline of students of the University;

(xi) to make arrangements for promoting the health and general welfare of the students of the University;

(xii) to fix, collect, demand and revise fees and other charges as may be prescribed by Ordinances;

(xiii) to make special arrangements in respect of residence, discipline and teaching of women students and persons belonging to the Scheduled Castes and Scheduled Tribes and other Backward Classes;

(xiv) to create administrative, ministerial and other necessary non-teaching posts through Statutes.

(xv) to accept, hold and manage any endowments, donations or funds which may become vested in the University for the purpose of the University by grant, testamentary disposition or otherwise and invest such endowments, donations or funds in any manner that may be deemed fit:

Provided that no donations from a foreign country, foreign foundation or from any person in such country shall be accepted by the University save with the approval of the State Government;

(xvi) to undertake publication of works of merit, research and general knowledge;

(xvii) to organise, encourage, regulate and control University Unions and Associations pertaining to the students or the employees;

(xviii) to maintain-such bodies as are by Statutes declared to be the authorities of the Universities;

(xix) to admit educational institutions not maintained by the University to the privileges of the University as affiliated colleges;

(xx) make grants from the funds of the University for,-

(a) physical training;

(b) student's unions; and

(c) sports and athletic clubs

(xxi) to provide through its Professors and other teachers and the Departments and special research Institutes, such teaching and guidance as the affiliated colleges may require;

(xxii) to recognise for any purpose, either in whole or in part, any institutions on such terms and conditions as may, from time to time, be prescribed by Statutes and to withdraw such recognition;

(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.

**5. Jurisdiction, admission to privileges, etc.-** <sup>1</sup>[ 1 ]<sup>1</sup> 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:

1. Re-numbered by Act 33 of 2003 w.e.f. 21.6.2003

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

Provided further that an educational institution situated outside the country may be associated with or admitted to the privilege of the University by sanctioning affiliation and the powers in this behalf shall be exercised by the University in the manner specified in section 59:

Provided also that an educational institution situated within the University area may be associated with, or admitted to, any privileges in any other University or affiliated to a University established and incorporated including foreign Universities with the specific sanction of the State Government and in consultation with the University within whose jurisdiction the institution is situated. The manner and procedure for grant of such sanction shall be as prescribed in the statutes.

**Explanation.-** For the purpose of this section 'foreign university' means a university which is not a university established under an Act of Parliament or of a State Legislature within India.

<sup>1</sup>[(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]<sup>1</sup>

1. Inserted by Act 33 of 2003 with effect from 21.6.2003

<sup>1</sup>[(3) Any privilege enjoyed from the Bangalore University by the colleges or educational institutions situated in <sup>2</sup>[Tumkur District]<sup>2</sup> before the commencement of the Karnataka State Universities (Amendment) Act, 2004 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 Bangalore University shall be deemed to be admitted to the privilege of, or affiliated to, the Tumkur University.]<sup>1</sup>

1. Inserted by Act 10 of 2004 w.e.f. 1.10.2004

2. Substituted by Act 2 of 2005 w.e.f. 1.10.2004

**6. University open to all classes of persons.-** (1) The University shall be open to all persons of either sex and of whatever race, creed, caste or class and it shall not be lawful for the University to impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or a student or to hold any office therein or to graduate thereat or to enjoy or exercise any privilege thereof.

<sup>1</sup>[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]<sup>1</sup>

1. Inserted by Act 33 of 2003 w.e.f. 21.6.2003

(2) Subject to the provisions of sub-section (1), the University shall, in accordance with any special or general orders of the State Government, reserve seats for purpose of admission as students in any college or institution maintained or controlled by the University for the following classes of persons, namely:-

- (i) the Scheduled Castes and the Scheduled Tribes;
- (ii) Other Backward Classes;
- (iii) nominees of the Central or State Government;
- (iv) defence personnel and ex-servicemen and their children;
- (v) Physically handicapped as defined in the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act, 1995 (Central Act No.1 of 1996).

(3) The University may, subject to the orders of the State Government from time to time grant exemption from payment of fees or boarding, lodging or any other charges or provide special scholarships.

**7. Teaching and research in the University.-** (1) Subject to the control of the Academic Council, all recognised teaching in connection with the University courses shall be conducted by the teachers of the University in accordance with the syllabus prescribed by Regulations and shall include lecturing, laboratory work and other teaching methodology.

(2) All such teaching shall be organised by such authorities as may be prescribed by the Ordinances and the Regulations.

(3) The courses and curricula shall be as may be prescribed by the Ordinances and the Regulations.

**8. Discipline, Inspection and Control.-** (1) The Chancellor may *suo motu* or on the recommendation of the State Government cause an inspection to be made by a Commission of Enquiry consisting of one or more persons as he may direct, of the buildings, Laboratories, Libraries, Museums, Workshops and equipments of any institution maintained, administered, recognised or approved, by the University and also of the examinations, teaching and other work conducted or done by the University and into any specific allegations against any employee of the University in like manner in respect of any matter connected with or ancillary thereto.

(2) The Commission directed to make an inspection or inquiry under sub-section (1) shall have access for that purpose to the related institutions, premises and to such accounts or other records as may be necessary.

(3) The Commission shall submit a report of the result of the inspection or inquiry to the Chancellor and shall forward a copy thereof to the State Government.

(4) Soon after receipt of the report, the Chancellor shall record his findings thereon and send the same to the State Government for taking further action, as may be necessary or as directed by him.

(5) The State Government shall direct the Vice-Chancellor to initiate such action as has been directed by the State Government with respect to the findings in the report of enquiry or inspection and the Syndicate shall implement the directions of the Government.

(6) The Vice-Chancellor shall communicate to the State Government a report of action taken in compliance with the directions of the State Government as specified in the orders of the State Government.

(7) If the Vice-Chancellor fails to comply with the directions of the State Government then it shall be reported to the Chancellor whose order shall be final and shall be implemented by the Vice-Chancellor within such time as set out in the orders of the Chancellor.

(8) The Syndicate shall furnish such returns, statements, accounts or other particulars relating to the administration of the University as the State Government may, from time to time, require.

**9. Power to issue directions.-** The Chancellor may either *suo motu* or on the recommendation of the State Government issue such directions as may be necessary or expedient in the interest of both administration and academic functioning of the University and in particular to ensure peace and tranquility and to protect the property and finances.

**10. Power to annul the orders of the University.-** (1) The State Government may by order published in the official Gazette annul any order, notification, resolution or any proceedings of the University which in its opinion is not in conformity with the provisions of this Act, or the Statutes, Regulations, or Ordinances or is otherwise inconsistent with the policy of the State Government:

Provided that before making any such order, the State Government shall afford an opportunity to the University.

(2) Every order passed under sub-section (1) shall as soon as may be after it is passed be laid before both the Houses of the State Legislature.

### CHAPTER III

#### OFFICERS OF THE UNIVERSITY

**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.

**12. The Chancellor.-** (1) The Governor of Karnataka shall by virtue of his office, be the Chancellor of the University.

(2) He shall be the Head of the University and shall when present, preside at any convocation of the University.

(3) He shall have such other powers as may be conferred on him by or under this Act.

**13. The Pro-Chancellor.-** (1) The Minister incharge of Higher Education in Karnataka shall, by virtue of his office be the Pro-Chancellor of the University.

(2) He shall, in the absence of the Chancellor, preside at any Convocation of the University.

**14. The Vice-Chancellor.-** (1) The Vice-Chancellor shall be a whole time officer of the University .

(2) The State Government shall constitute a Search Committee consisting of four persons of whom, one shall be nominated by the Chancellor, one by the University Grants Commission, one by the State Government and one by the Syndicate. The State Government shall appoint one of the members as the Chairman of the Committee. The Secretary to Government incharge of higher education or his nominee not below the rank of the Deputy Secretary to Government shall be the convenor of the Search Committee.

(3) 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.

(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:

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.

<sup>1</sup>[Provided further that the Vice Chancellor of the Women University at Bijapur shall, as far as practicable be a women:

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.]<sup>1</sup>

1. Proviso inserted by Act 33 of 2003 w.e.f.21.6.2003

<sup>1</sup>[Provided also that notwithstanding anything contrary contained in this section, the first Vice Chancellor of the Tumkur University shall be appointed by the State Government subject to such terms and conditions as may be specified by it]<sup>1</sup>

1. Proviso inserted by Act 10 of 2004 w.e.f. 1.10.2004

(5) No person shall be appointed or hold office of the Vice-Chancellor if he has attained the age of sixty five years.

(6) The Vice-Chancellor shall, subject to the pleasure of the Chancellor and the provisions of sub-section (5) hold the office for a period of four years. He shall not be eligible for reappointment, for a second term.

(7) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground of willful omission or refusal to carry out the provisions of this Act or for abuse of the powers vested in him and on the advice tendered by the State Government on consideration of the report of an inquiry ordered by it under sub-section (8).

(8) For the purposes of holding an inquiry under this section the State Government shall appoint a person who is or has been a Judge of the High Court or the Supreme Court. The inquiry authority shall hold the inquiry after giving an opportunity to make representation by the Vice-Chancellor and shall submit a report to the State Government on the action to be taken including penalty, if any, to be imposed, and the State Government shall on consideration of the report advise the Chancellor. The Chancellor shall act in accordance with such advice, as far as may be, within six months.

(9) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the Chancellor and shall not be varied to his disadvantage after his appointment as Vice-Chancellor. In the event of a Vice-Chancellor retiring on superannuation during his tenureship as Vice-Chancellor, his conditions of service already determined shall continue to be in vogue. All his pensionary benefits shall be kept in abeyance which shall be released after his demitting the office of the Vice-Chancellor.

(10) If a retired person is appointed as Vice-Chancellor, the terms and conditions of service upon his appointment as Vice-Chancellor including emoluments shall be determined by the Chancellor. The emoluments shall be reduced by the amount of pension and allowances drawn by him

(11) If a Professor in the service of a University in the State is appointed as Vice-Chancellor, his terms and conditions of service as Professor shall not be revised to his disadvantage during his tenure as Vice-Chancellor and he shall retain his lien in his post.

**15. Powers of the Vice-Chancellor.-** (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general control over the affairs of the University. He shall exercise all powers necessary for maintenance of discipline in the University.

(2) He shall be *ex-officio* Chairman of the Academic Council and the Syndicate and the Finance Committee. He shall preside over in the absence of the Chancellor and Pro-Chancellor, at the convocations. He shall preside over the meetings of the authorities or bodies of the Universities, and shall be entitled to vote.

(3) He shall ensure that all the provisions of this Act, the Statutes, the Ordinances, and the Regulations are observed and shall have all the powers necessary for that purpose.

(4) He may either himself or through any officer of the University authorised in writing by him, convene the meetings of the Academic Council, the Syndicate and the Finance Committee and shall perform all such acts as may be necessary to carry out and give effect to the decisions of these authorities.

(5) In case of emergency which, in his opinion, requires immediate action, the Vice-Chancellor shall take such action as he deems necessary and shall at the earliest opportunity thereafter report the action taken to such authority or body which in the ordinary course would have dealt with the matter:

Provided that if the action taken by the Vice-Chancellor is not approved by the Authority or body concerned, he may refer the matter to the Chancellor whose decision thereon shall be final:

Provided further that any person in the service of the University affected by the decision of the Authority or body based on the report of the Vice-Chancellor under this sub-section may prefer an appeal to the Chancellor within thirty days from the date on which the decision was communicated to him and the decision of the Chancellor on such appeal shall be final:

Provided also that the powers vested under this sub-section shall not be exercised to revise the pay scale of University employees or to grant affiliation to a college or a course of instruction and if in the exercise of the powers under this sub-section Statutes or Regulations are framed, they shall be subject to the approval of the Chancellor under the relevant provisions of this Act and if Ordinances are made they shall be submitted to the Chancellor in accordance with this Act.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

**16. Arrangement of work during vacancy in the office of the Vice-Chancellor.-**

(1) During the temporary absence of the Vice-Chancellor by reason of leave, illness or any other cause, the Chancellor may make such arrangements as he deems fit for carrying on the duties of the Vice-Chancellor:

Provided that pending the making of such arrangements by the Chancellor, the Vice-Chancellor may designate the senior most Dean available in the University to be incharge of the current duties of the Vice-Chancellor for a period not exceeding one month or till arrangements are made by the Chancellor, whichever is earlier.

(2) During the period when a vacancy in the office of the Vice-Chancellor remains unfilled, the senior most Dean available in the University as the Chancellor may appoint shall act as Vice-Chancellor and the person so appointed shall have all the powers and shall be entitled to all the privileges of the Vice-Chancellor and to such emoluments and

allowances as may be determined by the Chancellor in accordance with the Statutes, if any, framed in this behalf.

**17. Registrar.-** (1) The Registrar shall be a whole time officer of the University. The State Government may appoint an officer belonging to the All India Services working in super-time scale to be the Registrar of a University.

(2) The Registrar shall be *ex-officio* Member-Secretary of the Academic Council and the Syndicate and member of the Finance Committee.

(3) It shall be the duty of the Registrar,-

- (i) to be the custodian of the records, the common seal and such other property of the University as the Vice-Chancellor, or the Syndicate shall commit to his charge;
- (ii) to issue notices convening the meetings of the Syndicate Academic Council or the Faculties, the Board of Studies, and of any authority of the University and to keep minutes of all such meetings;
- (iii) to conduct the official correspondence of the authorities of which he shall be the Member-Secretary.
- (iv) to supply to the Chancellor and to the State Government copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the meeting within a month of holding of the meeting.

(4) The Registrar shall exercise such other powers and perform such other duties as may be prescribed by the Statutes, Ordinances or Regulations and as may be allocated to him from time to time by the Vice-Chancellor.

(5) The Registrar may be assisted by one or more Deputy Registrars and Assistant Registrars.

**18. The Registrar (Evaluation).-** (1) The Registrar (Evaluation) shall be a whole time officer of the University. The State Government may appoint an officer of the Karnataka Administrative Service, not below the rank of Group-A Senior Scale or a senior member of Faculty of any University to be the Registrar (Evaluation) of a University:

Provided that where no such person is available then the Registrar (Evaluation) shall be appointed by the Vice Chancellor with the approval of the Syndicate from out of a panel of not less than three persons recommended by the Vice Chancellor. If none of the persons 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 Registrar (Evaluation). The terms and conditions of service and emoluments of the Registrar (Evaluation) so appointed shall be such as may be determined by the Chancellor.

(2) The Registrar (Evaluation) shall be a Member of the Syndicate, the Academic Council, Finance Committee and all the Faculties.

(3) The Registrar (Evaluation) shall be incharge of the conduct of examinations and all other matters incidental thereto and ancillary therewith and shall perform such other duties as may be prescribed by the Statutes or Ordinances, or as may be allocated to him by the Vice-Chancellor.

(4) The Registrar (Evaluation) may be assisted by one or more Deputy Registrars (Evaluation) and Assistant Registrars (Evaluation).

**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.

(3) The Finance Officer shall, subject to the control of the Finance Committee, exercise such powers and perform such functions as may be prescribed by the Statutes, the Ordinances and the Regulations or as may be required from time to time by the Vice-Chancellor or the Registrar. He shall be *ex-officio* Member of the Academic Council, and the *ex-officio* Member-Secretary of the Finance Committee.

**20. Temporary vacancy in the office of the Registrar, the Registrar (Evaluation), the Finance Officer.-** (1) In the event of death, suspension or temporary absence of the Registrar, the Registrar (Evaluation) or the Finance Officer the Chancellor may authorise any other suitable officer of the University to perform the duties of the Registrar, Registrar (Evaluation) or the Finance Officer, as the case may be.

(2) Pending appointment of a suitable officer to fill the vacancy in the office of the Registrar, Registrar (Evaluation) or the Finance Officer, the Vice-Chancellor may in his discretion authorise any officer to perform the duties of such vacant post till appointment is made. The Vice-Chancellor shall immediately report the action taken by him under this sub-section to the Chancellor.

**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:

Provided that if there is no Professor the senior most Reader shall act as Dean:

Provided further that if in any Faculty there is no Professor or Reader, then the Vice-Chancellor may in his discretion designate any other suitable Teacher to act as Dean:

Provided also that where no person is available in a Faculty to act as Dean of the Faculty or where the University does not have such a Department of Studies for any Faculty, then such teacher in a Department of Studies in any affiliated college may be nominated by the Vice-Chancellor on the basis of seniority to act as the Dean of Faculty.

(2) The Dean of each faculty shall be the Executive Officer of the Faculty and shall preside over the meetings of the Faculty.

(3) The Dean shall exercise such other powers and discharge such other functions as may be prescribed by the Statutes or Ordinances.

**22. Director of Student Welfare.-** The Director of Student Welfare shall be a whole-time officer of the University and shall be appointed by the Chancellor on the recommendation of the Syndicate. He shall exercise such powers and perform such functions as may be conferred or imposed on him by the Chancellor or as may be prescribed by the Statutes. His term of office, emoluments and other conditions of service shall be such as may be prescribed by the Statutes.

**23. The Librarian.-** The Librarian shall be a whole time officer of the University and shall be appointed by the Syndicate on the recommendation of the Board of Appointment constituted under sub-section (1) of section 53. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of service shall be such as may be prescribed by the Statutes.

**24. The Director of Planning, Monitoring and Evaluation Board.-** The Director of Planning, Monitoring and Evaluation Board shall be a whole time officer of the University and shall be appointed by the Syndicate. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of service shall be such as may be prescribed by the Statutes.

**25. The Director, College Development Council,-** The Director, College Development Council shall be a whole time officer of the University and shall be appointed by the Syndicate. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of service shall be such as may be prescribed by the Statutes.

**26. The Director of Physical Education,-** The Director of Physical Education shall be a whole time officer of the University and shall be appointed by the Syndicate on the recommendation of the Board of Appointment constituted under section 57. He shall possess such qualifications and exercise such powers and discharge such duties as prescribed by the Statutes. His emoluments and terms and conditions of service shall be as prescribed by the Statutes.

## CHAPTER IV

### AUTHORITIES OF THE UNIVERSITIES

**27. Authorities of the University.-** The following shall be the Authorities of the University, namely:-

- (a) the Syndicate;
- (b) the Academic Council;
- (c) the Finance Committee;
- (d) the Board of Studies;
- (e) the Faculties;
- (f) the Planning, Monitoring and Evaluation Board; and
- (g) such other bodies as may by Statutes be declared to be the authorities of the University.

**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:

Provided that no person who is in the employment of an affiliated college or in the University in whatever capacity shall be eligible for nomination.

- (h) One person who is a Professor of Post-Graduate Studies nominated by the Vice Chancellor with approval of State Government for a period of one year by rotation in the order of seniority.
- (i) the Director of Medical Education or his nominee not below the rank of Joint Director;
- (j) the Commissioner for Public Instruction or his nominee not below the rank of Joint Director; and
- (k) the Director of Pre-University Education or his nominee not below the rank of Joint Director;

<sup>1</sup>[Provided that in the case of Women University the Syndicate shall in addition to the members specified above also consist of the Secretary incharge of Women and Child Development Department or his nominee not below the rank of a Deputy Secretary]<sup>1</sup>

**1. Proviso inserted by Act 33 of 2003 w.e.f. 21.6.2003**

(2) The Syndicate shall hold atleast eight meetings, during a year. The duration between two consecutive meetings shall not exceed eight weeks. The Vice-Chancellor may in case of urgency convene special meetings.

(3) The Chancellor or the State Government, may by order direct to hold the meetings to discuss such terms of reference as may be specified by them and the Vice-Chancellor shall comply with such directions.

**29. Powers of the Syndicate.-** (1) The Syndicate shall have the power to manage the affairs of the University, in particular, to administer the funds and properties of the University.

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

- (a) to manage and regulate the finances and all other administrative matters of the University and for that purpose to appoint such agents as it may deem necessary and proper.
- (b) to enter into, vary, carryout and cancel contracts on behalf of the University;
- (c) to appoint, subject to the provisions of section 34 examiners and moderators and if necessary to change or to remove them and also to fix their fees, emoluments and travelling and other allowances;
- (d) to make arrangements for the conduct of examinations prescribed by the Statutes, Ordinances or Regulations;
- (e) to receive, acquire, hold, control and administer the properties of the University, both movable and immovable and to invest the funds of the University judiciously in appropriate schemes;
- (f) to cause to be maintained proper accounts of the properties and funds of the University;
- (g) to charge and collect fees for,-
  - (i)tuition and research;
  - (ii) admission to examinations and convocations;
  - (iii)such other services as the University may undertake;
  - (iv)affiliation and inspection of colleges; and
  - (v) such other purposes as may be prescribed by the Statutes;
- (h) to prepare the financial estimate of the University and to submit the same to the Academic Council.
- (i) to administer and control the colleges, hostels, libraries, laboratories, museums and other Institutions established or maintained by the University;
- (j) to make recommendations regarding admission of colleges to affiliation;
- (k) to recognise hostels not administered by the University and to suspend or withdraw such recognition;
- (l)to regulate, supervise and control the residence and discipline of the students of the University within the campus and its annexes and to promote their health and well being;
- (m) to constitute and regulate the working of the Employment Bureau and the Bureau of Information.
- (n) to delegate such of its functions to the Vice-Chancellor as may be prescribed by the Statutes.
- (o) to select a common seal for the University and to provide for its custody and use.
- (p) to arrange for the conduct of litigation by or against the University.

- (q) to Institute Professorship, Lecturership or any other posts of teachers required by the University on the recommendation of the Academic Council.
- (r) to Institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes on the recommendation of the Academic Council.
- (s) to confer honorary degrees, titles or other academic distinctions; on the recommendations of the Academic Council.
- (t) to enact, amend or repeal Statutes,
- (u) to confer the title of Professor Emeritus on the recommendation of the Academic Council.
- (v) to make Statutes for creation of posts.
- (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.

(3) Nothing contained in sub-section (2) shall be deemed to confer on the Syndicate, the power to revise the pay scales of any of the employees or to grant any allowances or emoluments to them.

**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 sports candidate on the basis of merit and of them atleast one shall be a woman and one a research student:

Provided that no student shall be eligible for nomination,-

- (a) unless his name appears on the rolls of the University or a college affiliated to the University;
- (b) unless he is following a course in the University or a college affiliated to the University leading to a degree or a post-graduate degree or post-graduate diploma of the University;
- (c) if he is studying in a morning college or an evening college or having examination as an external candidate or through correspondence courses;
- (d) if he has failed to complete a course in six years:
- (xi) six persons nominated by the State Government for a term of three years from amongst eminent educationists of whom one belonging to the Scheduled Castes or the Scheduled Tribes; one belonging the Other Backward Classes, one representing the women, one representing the religious minority and two representing others;
- (xii) the Librarian;
- (xiii) the Director of Students Welfare;
- (xiv) the Director of Planning, Monitoring and Evaluation Board;
- (xv) the Director of the College Development Council;
- (xvi) the Director of Physical Education;
- (xvii) the Registrar (Evaluation); and
- (xviii) the Registrar - Member-Secretary:

Provided that no person who is in the employment of an affiliated college or in the University in whatever capacity shall be eligible for nomination:

<sup>1</sup>[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]<sup>1</sup>

1. Proviso inserted by Act 33 of 2003 w.e.f. 21.6.2003

(2)The Academic Council shall meet atleast four times during an academic year, so however that the duration between two consecutive meetings shall not exceed three months.

**31. Powers of the Academic Council.-** (1) The Academic Council shall be the academic body of the University and shall subject to the provisions of this Act, the Statutes, Ordinances and Regulations, have the control and general regulation of, and be responsible for the maintenance of, the standards of instruction, education and examination of the University;

(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:-

- (i) to make proposal for issue of Ordinances, relating to academic matters;
- (ii) to make Regulations regarding the courses of study in so far as they are not covered by the Ordinances;

- (iii) to make Regulations regarding the scheme of examinations and conditions on which the students shall be admitted to the examinations, degrees, diplomas, certificates or other academic distinctions;
- (iv) to make Regulation for declaration of the results of the various University examinations;
- (v) to arrange for co-ordination of studies and of teaching in colleges and in recognised institutions;
- (vi) to formulate schemes for promoting research within the University or for promoting other specialised studies;
- (vii) to make proposals for allocating subjects to the Faculties and to assign its own members to the Faculties;
- (viii) to determine the criteria for grant of exemptions relating to the admission of students to examinations;
- (ix) to make proposals for the institution of posts of Professorships, Readerships, Lecturerships and other posts of teachers required by the University and for prescribing the duties of such posts;
- (x) to make proposals for the institution and award of fellowships, travelling fellowships, scholarships, studentships, or exhibitions;
- (xi) to make Regulations prescribing equivalence of examinations;
- (xii) to make Regulations for granting exemptions from approved courses of study in the University or in affiliated colleges to qualify for degrees, diplomas and other academic distinctions;
- (xiii) to provide for instruction, teaching and training in such branches of learning and courses of study as may be appropriate for research and for the advancement and dissemination of learning;
- (xiv) to make such provision as will enable the affiliated colleges and recognised institutions to undertake specialisation of studies;
- (xv) to consider the annual financial estimates;
- (xvi) to amend or repeal any regulation;
- (xvii) to nominate members to the various authorities of the University;
- (xviii) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by this Act or the Statutes, Ordinances or Regulations, made thereunder;
- (xix) to establish and maintain departments of research and specialised studies; and
- (xx) generally to advise the University in all academic matters.

**32. The Finance Committee.-** (1) There shall be a Finance Committee consisting of the following members, namely:-

- (i) the Vice - Chancellor;
- (ii) the Secretary to Government in charge of Finance Department or his nominee not below the rank of a Deputy Secretary;
- (iii) the Secretary to Government incharge of Higher Education or his nominee not below the rank of a Deputy Secretary;

- (iv) the Secretary to Government incharge of Planning Department or his nominee not below the rank of a Deputy Secretary;
- (v) one Member nominated by the Syndicate
- (vi) one Member nominated by the Academic Council;
- (vii) the Registrar;
- (viii) the Registrar (Evaluation); and
- (ix) the Finance Officer, Member – Secretary

<sup>1</sup>[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] <sup>1</sup>

1. Proviso inserted by Act 33 of 2003 w.e.f. 21.6.2003

- (2) The Finance Committee shall meet atleast once in three months.
- (3) The Finance Committee shall perform the following functions, namely:-
  - (i) to conduct the general scrutiny of accounts of the University, review the yearly audit reports and make recommendations thereon;
  - (ii) to scrutinise the annual budget estimates and make recommendations to the Academic Council and Syndicate;
  - (iii) to scrutinise all proposals of the University involving expenditure for which no provision is made in the budget or involving the expenditure in excess of the amount provided for in the budget including creation, upgradation and abolition of posts in the University;
  - (iv) Such other functions as may be prescribed by the Statutes;

(4) Notwithstanding anything contained in sub-section (3), the Vice-Chancellor may in case of urgency and for reasons to be recorded in writing, incur without the approval of the Finance Committee, any expenditure not exceeding fifty thousand rupees in any one case for which no provision is made in the budget or which is in excess of the provisions made in the budget:

Provided that such expenditure shall be placed before the Finance Committee for ratification at its immediate next quarterly meeting:

Provided further that if the incurring of expenditure by the Vice-Chancellor is not satisfactory, the Finance Committee may refer it to the Chancellor, whose decision in the matter shall be final.

(5) Where the votes on any subject considered by the Finance Committee are equally divided, the Vice-Chancellor shall have the casting vote.

**33. Board of Studies.-** (1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Ordinances:

Provided that the Syndicate may constitute a separate Board of Studies for Under-graduate Studies and for Post - graduate studies.

(2) Without prejudice to the provisions of sub-section (1) the constitution, functions and powers of the Board of Studies shall be as prescribed by the Statutes.

**34. Faculties.-** (1) The University shall have the Faculties of Arts Commerce, Education, Engineering, Law, Science and Technology and such other subjects as may be prescribed by the Statutes from time to time.

(2) Each Faculty shall consist of such number of Departments of Studies as may be assigned to it by the Ordinance.

(3) The Department of Studies in each Faculty shall consist of the following members, namely:-

- (i) the Dean of Faculty;
- (ii) the Registrar (Evaluation);
- (iii) the teachers of the Department;
- (iv) honorary Professors, if any, attached to the Department;
- (v) persons appointed to conduct Research in the Department; and
- (vi) such other persons who are members of the Department as may be prescribed in the Ordinance.

(4) Any Department of Studies may be established or abolished by the Statutes.

(5) Each Department of Studies shall have a Chairman who shall also be the Chairman of the Departmental Council.

(6) Each Department of Studies shall have a Departmental Council consisting of,-

- (a) all the Professors and Readers;
- (b) the Registrar (Evaluation);
- (c) two senior most Lectures in the Department.

(7) The Chairman shall be appointed by the Syndicate for a term of two years, or for such other term as the Syndicate may determine from time to time.

(8) The Chairman shall be incharge of the administration of the Department. The powers, duties and functions of the Departmental Council and of the Chairman shall be as prescribed by the Statutes.

(9) Each Faculty shall consist of the following members, namely:-

- (i) the Dean of the Faculty;
- (ii) the Registrar (Evaluation);
- (iii) the Chairman of the Department of Studies in the Faculty;
- (iv) all the Professors and in the absence of Professors, Readers in the Faculty from each Department in the Faculty;
- (v) one Reader and one Lecturer in each Department of Studies nominated by the Vice-Chancellor by rotation in the order of seniority for a term of two years;
- (vi) five Teachers of colleges and two experts from other Universities in the State nominated by the Vice-Chancellor for a term of two years; and
- (vii) such other persons as may be specified by the Statutes.

(10) The Faculties shall exercise such powers and perform such functions as may be prescribed by the Statutes.

**35. Planning, Monitoring and Evaluation Board.-** (1) There shall be a Planning, Monitoring and Evaluation Board to plan the academic courses, research programmes,

interdisciplinary activities, interaction with outside agencies for training, extension and research, and to monitor from time to time the implementation of the programmes and activities formulated by it.

(2) The Planning, Monitoring and Evaluation Board shall consist of the following members, namely:-

- (a) the Vice-Chancellor, who shall be the Chairman;
- (b) the Registrar;
- (c) the Registrar (Evaluation);
- (d) two senior most Deans of the Faculties by rotation for a period of one year as recommended by the Vice-Chancellor;
- (e) two senior most Professors of whom one shall be from science and technology and the other from humanities and social sciences nominated by the Vice-Chancellor, for a term of two years;
- (f) one expert who is an educationist with rich experience of teaching and Research and educational administration nominated by the State Government for a term of two years;
- (g) one officer of the State Government in the Planning Department not below the rank of a Deputy Secretary or a Joint Director of Planning, nominated by the State Government;
- (h) two representatives from industry and trade ordinarily residing within the University area nominated by the State Government for a term of two years;

(3) The Planning, Monitoring and Evaluation Board shall meet atleast once in three months. Every resolution of the Planning, Monitoring and Evaluation Board shall be placed before the Academic Council and Syndicate for consideration and taking action thereon.

**36. Board of Appointment of Examiners.-** (1) There shall be a Board of Appointment of Examiners constituted for each Faculty for the purpose of preparing a list of examiners for each year.

(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);
- (iii) 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.

(3) The Board of Appointment of Examiners shall prepare the list of examiners from amongst the persons included in the panels to be prepared by the Board of Studies and submit it for approval to the Syndicate.

(4) The Syndicate shall not make any change in the list except after passing a resolution specifically indicating the grounds on which such a change is suggested or made.

(5) If for any reason any examiner appointed by the Syndicate is unable to accept the examinership and a fresh appointment cannot be made in time by the Syndicate, the Vice-Chancellor shall appoint another examiner and report such appointment to the Syndicate.

(6) A Member of the Board shall not be appointed as examiner except by the resolution passed by the Syndicate with a two-thirds majority of the members present.

**37. Other Boards.-** (1) The University may establish such other Boards as may be prescribed by Statutes from time to time

(2) The constitution, functions, powers and duties of the Boards established under sub-section (1) shall be as prescribed by the Statutes.

**38. The term of office of the members of the Academic Council and Syndicate.-** (1) Save as otherwise provided the term of the office of the members other than the *ex-officio* members of the Academic Council and the Syndicate shall be three years, or till reconstitution whichever is earlier.

(2) Notwithstanding anything contained in this Act, the Academic Council and the Syndicate shall be reconstituted once in three years simultaneously.

**39. Restriction of holding the membership of the authorities.-** (1) Any member nominated to any of the authorities under this Act shall hold office during the pleasure of the nominating authority concerned.

(2) Any person nominated to any of the authorities under this Act shall not be eligible for being nominated or elected for a second term.

(3) Any member nominated to any of the authorities shall be liable to be removed from such membership at any time by the Chancellor on the ground of mis-behaviour, misconduct or otherwise after holding an enquiry;

Provided that any member of the Academic Council or Syndicate shall cease to hold the membership on attainment of superannuation.

(4) Save as otherwise provided in this Act, no person who is not a graduate of any University established by law shall be eligible for nomination as a member of any of the authorities under this Act.

(5) Notwithstanding anything contained in this Act but save as otherwise provided, any employee of the University, both teaching and non-teaching or ministerial or any person in the management of an affiliated college in whatever capacity shall not be eligible for nomination as member of any of the authorities under this Act.

## CHAPTER V

### STATUTES, ORDINANCES, REGULATIONS AND RULES

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

- (a) the constitution, functions and powers of the authorities of the University and such other bodies as may be declared to be authorities of the University from time to time;

- (b) the appointment and continuance in office of members of the said authorities or bodies, including the continuance in office of the first members and the filling of vacancies of members and all other matters relating to those authorities or bodies of which it may be necessary or desirable to provide;
- (c) the conferment of honorary degrees;
- (d) holding of convocations for conferring degrees and diplomas; and issue of degree certificates in case of urgency before convocation.
- (e) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (f) the establishment, maintenance and abolition of faculties, departments, hostels, colleges and institutions;
- (g) the conditions under which colleges may be affiliated and such affiliation may be withdrawn.
- (h) the institution, of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (i) the institution, suspension or abolition of posts of Professors, Readers, Lecturers, ministerial and non-teaching posts;
- (j) creation of posts;
- (k) the method of recruitment of teachers in the universities and affiliated colleges:

Provided that the scales of pay of the employees excluding those who are drawing University Grant Commission scales of pay shall be commensurate with the scales of pay applicable to State Government employees.

- (l) the acceptance and management of bequests, donations and endowments.
- (m) fees to be charged for the courses of study in the University and in the affiliated colleges and for admissions to the examinations, degrees and diplomas of the University.
- (n) fees to be charged for the services rendered by the University;
- (o) the conditions of service of the employees including the emoluments; and
- (p) all other matters which by this Act are to be or may be provided for by the Statutes.

(2) The Statutes shall come into force only from the date of the assent of the Chancellor or on such other date as the Chancellor may direct.

(3) The Statutes governing conditions of service of employees including the emoluments shall be in conformity with the policy of the State Government.

**41. Enactment of Statutes and their making.-** (1) The Statutes shall be made, amended or repealed by the Syndicate in the manner hereinafter provided.

(2) The Syndicate may take up for consideration the draft of a Statute either on its own motion or on a proposal made by the Academic Council. When the draft is not proposed by the Academic Council, the Syndicate shall obtain the opinion of the Academic Council thereon before considering the same.

(3) The Syndicate shall obtain the opinion of the Finance Committee in respect of such of the Statutes involving financial implications.

(4) The Syndicate if it thinks necessary may also obtain the opinion of any officer, authority or body of the University in regard to draft of the Statute before taking it up for consideration.

(5) Every Statute passed by the Syndicate shall be transmitted to the State Government for submission to the Chancellor for assent with its specific recommendations.

(6) The State Government shall on receipt of the draft Statute submit such draft Statutes along with its comments and specific recommendation to the Chancellor within two months from the date of its receipt and the Chancellor may within two months of the date of receipt of the draft Statute from the State Government assent or withhold his assent thereto or refer it to the Syndicate for further consideration.

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

**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:-

- (a) admission of students to the University and their enrolment as such;
- (b) courses of study for all degrees, diplomas and certificates of the University;
- (c) degrees, diplomas and certificates and other requirements for the same and the measures to be taken relating to the granting and obtaining the same;
- (d) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (e) conduct of examinations, including the terms of office and the duties of examining bodies, examiners and moderators;
- (f) conditions of residence of the students of the University;
- (g) special arrangements, if any which may be made for the residence, discipline and teaching of women students and prescribing for them special course of study where necessary.
- (h) regulating the giving of religious instruction;
- (i) management of colleges and other institutions founded or maintained by the University;
- (j) supervision and inspection of colleges and other institutions affiliated to the University;
- (k) conditions for recognition of hostels not maintained by the University;
- (l) health and discipline of, and disciplinary proceedings against, students in the University and in the affiliated colleges and other institutions;
- (m) rules to be observed and enforced by the colleges and recognised institutions in respect of transfer of students; and
- (n) all other matters which by this Act or by the Statutes are to be or may be provided for by the Ordinance.

(2) No Ordinance shall be made for amending any of the Regulations or the Statutes in force.

**43. Procedure for making of Ordinances.-** (1) The Ordinances may be made by the Syndicate in the manner hereinafter provided.

(2) In making the Ordinances, the Syndicate shall consult,-

- (a) the Board or the Boards of Studies concerned when such Ordinances affect the duties of examiners; and
- (b) the Academic Council when such Ordinances affect the courses of study, conduct or the standard of examinations or the conditions of residence of students.

(3) The Syndicate shall not have power to amend the draft of any Ordinance proposed by the Academic Council but it may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part together with such amendments as the Syndicate may suggest.

(4) All Ordinances made by the Syndicate shall have effect from such date as it may direct. But every Ordinance shall be submitted to the Chancellor within two weeks of making thereof for his approval. The Chancellor, may, within four weeks of the receipt of the Ordinance, by order, direct, that the operation of any Ordinance be suspended and shall as soon as possible inform the Syndicate of his objection to it. He may after receiving the comments of the Syndicate either withdraw the order of suspension or disallow the Ordinance. His decision shall be final:

Provided that in case of an ordinance containing a proposal which involves expenditure from the Consolidated Fund of the State, the Chancellor shall consult the State Government before according his approval.

(5) Where the Syndicate has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Chancellor.

(6) The Chancellor may, after obtaining the comments of the Syndicate, either reject the appeal or approve the Ordinance as proposed by the Academic Council. Thereupon the Ordinance shall have effect as if made by the Syndicate.

**44. Regulations.-** (1) The Academic Council may make the Regulations consistent with this Act, the Statutes and Ordinances providing for exercising all or any of the powers enumerated in section 31 and particularly for the following matters, namely:-

- (a) admission of students to the University;
- (b) recognition of examinations and degrees of other Universities as equivalent to the examinations and degrees of the University;
- (c) the University courses and examinations and conditions on which students of the University or the affiliated colleges or other university institutions shall be admitted to examinations or degrees, diplomas and other certificates of the University;
- (d) grant of exemptions.

(2) All Regulations passed by the Academic Council shall be sent to the State Government for submission to the Chancellor for approval. The State Government shall transmit the Regulations within two months from the date of receipt thereof from the University to the Chancellor with its comments. The Chancellor may within one month of

the date of receipt of the Regulations from the State Government either approve them or refer them to the Academic Council for further consideration.

(3) Every Regulations shall come into force on the date of their approval by the Chancellor or on such other date as the Chancellor may direct.

**45. Rules.-** (1) The Syndicate may make Rules consistent with this Act, the Statutes, the Ordinances and the Regulations.

(2) The Rules may provide for,-

- (a) giving of notice of meeting to the members of each authority or Board, of the dates of meeting and of the business to be transacted at the meetings and also for keeping a record of the proceedings of meetings;
- (b) the procedure to be followed at meetings and the number of members required to form the quorum for meetings; and
- (c) all matters solely concerning such authority or Board and not provided for by this Act, the Statutes, the Ordinances or the Regulations.

(3) Every rule made under this section shall come into force on the date it is approved by the Syndicate.

## **CHAPTER VI**

### **FINANCE AND ACCOUNTS**

**46. University Funds.-** (1) The amounts received from any of the following sources shall form part of the University Fund,-

- (a) any contribution or grant made by the University Grants Commission or the Central Government;
- (b) any contribution or grant made by the State Government;
- (c) any bequests, donations, endowments or other grants made by private individuals or institutions;
- (d) the income received by the University from fees and charges;
- (e) any contribution or bequests from the Industries, traders or entrepreneurs;
- (f) any contribution or endowments from foreign Governments or any foreign Institutions or companies subject to any law for the time being in force;
- (g) the amounts received from any other source.

(2) The said fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or may be invested in securities authorised by the Indian Trusts Act, 1882, as may be decided by the Syndicate.

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

**47. Annual Accounts and Audit.-** (1) The annual accounts of the University shall be prepared under the direction of the Syndicate.

(2) the Annual Accounts so prepared shall be considered by the Academic Council at its next earliest meeting. The Academic Council may pass a resolution with reference thereto and communicate the same to the Syndicate. The Syndicate shall consider the suggestions made by the Academic Council and take such action thereon as it thinks fit

and shall inform the Academic Council at its next meeting the action taken by it or the reasons for not taking action.

(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.

**48. Financial Estimates.-** (1) The Syndicate shall prepare with the assistance of the Finance Officer before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year and get them scrutinised by the Finance Committee and place the same before the Academic Council.

(2) The Syndicate may, in cases where expenditure in excess of the amount provided in the budget is to be incurred or in cases of urgency, for reasons to be recorded in writing incur expenditure subject to such restrictions and conditions specified in the Statutes. Where no provision has been made in the Budget in respect of such excess expenditure, a report shall be made to the Academic Council at its next meeting.

(3) The budget estimates of the University shall be prepared keeping in view the anticipated grants from the State Government and all other sources including mobilisation of its resources. However, supplementary budget estimates may be placed before the Syndicate in October every year in anticipation of any additional grants, but, no expenditure on this part should be incurred unless such additional grants are received.

(4) The University shall, without the prior approval of the State Government not divert for other purposes earmarked funds or revise scales of pay of its staff or implement any scheme which involves any matching contribution from the State Government or a scheme which imposes a recurring liability on the State Government after the assistance from the sponsoring authorities ceases:

Provided that no prior approval is necessary where a scheme or a programme which imposes a recurring liability on the University, but funded by the University Grants Commission, the Central Government or met out of the interest derivable from a corpus or contribution or donation or endowment instituted by a private sector or individual or institutions and such a recurring liability does not cast any burden on the State Government and the entire expenditure in that respect is met out of the university funds.

**49. Powers of Government to direct Audit.-** (1) The State Government shall have the power to direct, whenever deemed necessary, an audit of the accounts of the University, including those of the institutions managed by it, by such auditors as it may specify.

(2) Whenever the accounts of the University are audited by the Accountant General and the report thereof with observations or in respect of the items held for want of clarifications are made available to the University for further comments or remarks the University shall within thirty days from the date of receipt of such report, furnish its comments or remarks to the Accountant General through the State Government.

**50. Annual Report.-** (1) The Syndicate shall prepare the annual report containing all the particulars highlighting the activities of the University, target and achievements concerning each financial year and submit it to the Academic Council before 30th June. The Academic Council may pass resolutions thereon and refer back the annual report to the Syndicate for compliance. The Syndicate shall take action in accordance therewith. The action taken thereon shall be intimated to the Academic Council at its earliest next meeting.

(2) Copies of the annual report incorporating the resolutions of the Academic Council shall be submitted to the State Government before 30th of September every year. The State Government shall lay the same before both the houses of the State legislature at their next earliest sessions.

## **CHAPTER VII**

### **VACANCIES ON THE AUTHORITIES**

**51. Vacating of Office.-** (1) Any member other than the *ex-officio* member of any authority or body of the University may resign his office. The letter of resignation written in hand by the member shall be sent to the Vice-Chancellor. Such resignation shall take effect immediately on its acceptance and communication to the concerned.

(2) No member of the authority or body of the University who is nominated in his capacity as a member of a particular body or as a teacher or where expressly stated so, as the holder of a particular appointment shall continue to be a member of a particular body or teacher or the holder of that particular appointment:

Provided that such of the teachers who are continued on attaining superannuation till the end of the academic year on re-employment basis, shall cease to be members of such authority or body on attainment of superannuation.

(3) A member of any authority or body of the University shall cease to be member on his being convicted by a Court of law for any offence involving moral turpitude.

**52. Filling of vacancies.-** All vacancies among the members, other than the *ex-officio* members of any authority or other body of the University arising by reason of death, resignation, removal or otherwise shall be filled as soon as conveniently may be, by the person or body that nominated, the member whose place has become vacant and the person so nominated shall be a member of such authority or body for the un-expired portion of term for which the member in whose place the person is nominated would otherwise have continued in office:

Provided that pending the nomination of any person to fill any such vacancy in the manner aforesaid the vacancy may be filled by the person or body that nominated, by nominating a person qualified to fill such vacancy under the provisions of this Act and any person so nominated shall hold office as a member of such authority or body until another person is nominated thereto in accordance with the provisions of this Act.

## **CHAPTER VIII**

### **APPOINTMENT OF TEACHERS AND OTHER EMPLOYEES OF THE UNIVERSITY**

**53. Appointment of Teachers, Librarians.-** (1) There shall be a Board of Appointment for selection of persons for appointment as teachers and librarians in the University,

(2) Every such Board for selection,-

(a) to the post of Professors, Readers and Assistant Professors and Librarian shall consist of,

- (i) The Vice-Chancellor-*ex-officio* Chairman.
- (ii) The Chairman of the Departmental Council concerned, if he is a Professor and if he is not a Professor, a Professor from the same Department, and if there is no Professor, a Professor in the concerned Department from any other University in the State nominated by the Chancellor, on the recommendation of the State Government:

Provided that if no such Professor is available in any of the universities in the State, such Professor in the concerned Department from a Central Institute within the State or from a university in any other State shall be nominated.

- (iii) Four experts to be nominated by the Chancellor on the recommendation of the State Government from among the persons serving in any University of the State or any other institutions recognised by the State Government of whom one shall be a person belonging to Scheduled Castes or Scheduled Tribes and another to Other Backward Classes:

Provided that if such persons are not available in any of the Universities in the State, such persons serving in any other University in India shall be nominated.

(b) to the post of Lecturers shall consist of,-

- (i) Vice-Chancellor-*ex-officio* Chairman.
- (ii) three experts to be nominated by the State Government of whom one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and another to Other Backward Classes from out of the panel of the University Grant Commission
- (iii) the Chairman of the Departmental Council concerned, if he is a Professor and if he is not a Professor, a Professor in the same Department and in case there is no Professor in the Department, a Professor in any other university in the State in the same Department to be nominated by the State Government and where no such Professor is available in any university in the State, such Professor in the concerned Department from a Central Institute within the State or from a University in any other State to be nominated by the State Government.
- (iv) One Professor from any other university in the State to be nominated by the Chancellor on the recommendation of the State Government

(3) The Registrar shall be the Member-Secretary of the Board.

(4) Every post of Professor, Librarian, Reader, Assistant Professor or Lecturer to be filled by selection shall be widely advertised together with the minimum and other qualifications, experience, the scale of pay, the number of posts, the last date for receipt of applications and classification of vacancies among Scheduled Castes, Scheduled Tribes and Other Backward Classes:

Provided that such of the teachers who are already in the services of the University who possess minimum qualification and fulfill other requirements specified in the advertisement shall also be called for interview and their cases shall be considered on par with the other applicants.

(5) The quorum for a meeting of the Board shall be four of whom in the case of selections to the post of Professors, Assistant Professor Librarian and Readers, atleast two shall be experts and in the case of selection to the other posts, atleast one shall be an expert;

(6) The Board shall interview and adjudge the merit of each candidate by awarding the marks in accordance with the qualifications advertised, possessed and the performance in the interview. The manner of interview shall be as prescribed by the statute.

(7) The Board shall prepare a list of persons selected and arranged in the order of merit, the merit being determined on the basis of percentage of marks obtained in the qualifying examinations, weightage awarded for the higher qualification and the marks secured in the interview. The select list shall be forwarded to the Syndicate which shall consider and approve the same. Thereafter the Syndicate shall make appointments by operating the select list form among the candidates selected and arranged in the order of merit:

Provided that in case of difference of opinion between the Syndicate and the Board of Appointment and , where it is of the opinion that the list does not satisfy the provisions of the Act or the Statutes or the guidelines issued from time to time by the University Grants Commission or the All India Council for Technical Education or National Council for Teacher Education or similar statutory authorities, it shall refer the matter back to the Board for fresh interview and selection:

Provided further that the State Government may *suo motu* take cognisance of the difference between the Board and the Syndicate and shall decide, the matter which shall be final.

(8) In preparing the list under sub-section (7), the Board of Appointment shall follow the orders issued by the State Government from time to time in the matter of reservation of appointments and posts, for the persons belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes.

(9) Whenever any new subject is introduced in the University or any new Department is established, the appointment of Professors, Readers, Assistant Professors and Lecturers in such a subject or Department, as the case may be, shall be made under the provisions of this section.

(10) Notwithstanding anything contained in the preceding sub-sections, the Syndicate shall be competent to invite on the recommendation of the Vice-Chancellor a person of high academic distinction and professional attainments to accept the post of visiting Professor in the University on such terms and conditions as may be mutually agreed upon, which shall not be more than ten such visiting Professors at any given time.

**54. Appointment in accordance with the promotion schemes.-** (1) Notwithstanding anything contained in section 53 but subject to the rules and orders of the State Government issued from time to time for reservation of appointment and posts for the persons belonging to Scheduled Castes and Scheduled Tribes under Article 16(4) and 16(4A) of the Constitution, the appointment to the post of Professors and Readers, Principals and Assistant Professors in the constituent Engineering Colleges and to the post of Principal Grade-I, Principal Grade-II, Lecturer (Selection Grade),

Lecturer (Senior Scale) in the constituent Engineering Colleges shall be made by the Syndicate in accordance with the scheme governing promotions as prescribed by the Statutes adopting the schemes evolved by the University Grants Commission or All India Council for Technical Education.

(2) The selection shall be as prescribed by the Statutes and supplemented by the norms and guidelines of the University Grants Commission or All India Council for Technical Education.

**55. Appointment to part-time posts.-** (1) There shall be a Board of Appointment for selecting persons for appointment as part-time Lecturers, Assistant Professors, Readers and Professors in the University. The Board shall consist of,-

- (i) the Vice-Chancellor- *ex-officio* Chairman;
- (ii) two experts nominated by the Chancellor;
- (iii) the Head of the Department concerned;
- (iv) the Secretary to the Government of Karnataka in charge of Higher Education or his nominee not below the rank of a Deputy Secretary;
- (v) the Registrar- who shall be the Member-Secretary;
- (vi) The Director of Social Welfare or his nominee not below the rank of a Deputy Director;
- (vii) The Director of Backward Classes and minorities, or his nominee not below the rank of a Deputy Director.
- (viii) The Director of Women and Child Development or her nominee not below the rank of a Deputy Director:

Provided that for appointment to any post in the Law Colleges the two experts on the Board shall be the Advocate General in Karnataka and the Secretary to Government of Karnataka, Department of Parliamentary Affairs and Legislation.

(2) Every part-time post shall be widely advertised with all necessary particulars and shall be filled by selection after interviewing the candidates.

(3) The quorum for a meeting of the Board shall be three.

(4) The Board shall prepare a list of persons selected and forward the list to the Syndicate which shall make the appointment.

(5) No part time appointment shall be made for any period exceeding one year.

**56. Temporary appointment.-** (1) Notwithstanding anything in sections 53, 54, 55 and 57 the Vice-Chancellor may make temporary appointments of not more than one year duration to posts of Lecturers and such non-teaching staff as may be specified in the Statutes where such posts are either temporary or appointments to such posts cannot be made in accordance with sections 53, 54, 55 and 57 without delay.

(2) The appointments under sub-section (1) shall be made only against sanctioned posts, and in the manner prescribed by the Statutes.

**57. Appointment of Non-teaching, Ministerial and other Staff.-** (1) There shall be constituted a Board of Appointment to select the candidates for appointment to non-teaching, ministerial and other posts in the University.

(2) The Board shall consist of,-

- (i) the Vice-Chancellor-ex-officio Chairman;

- (ii) the Secretary to Government incharge of Higher Education or his nominee not below the rank of a Deputy Secretary to Government;
- (iii) the Chairman of the Departmental Council;
- (iv) one expert nominated by the Vice-Chancellor;
- (v) the Registrar;
- (vi) the Director of Social Welfare or his nominee not below the rank of a Deputy Director;
- (vii) the Director of Backward Classes and minorities, or his nominee not below the rank of a Deputy Director; and
- (viii) the Director of Women and Child Development or her nominee not below the rank of a Deputy Director.

(3) The Board shall prepare a list of candidates for appointment to the direct recruitment vacancies arranging the names in the order of merit being determined on the basis of the percentage of marks obtained by them in the qualifying examinations and the marks awarded in the interview.

(4) While preparing the select list under sub-section (3), the Board shall follow the rules or orders issued by the State Government from time to time in the matter of reservation of appointments or posts for persons belonging to Scheduled Castes and Scheduled Tribes and Other Backward Classes, under Article 16(4) of the Constitution.

(5) All appointments shall be made by the Syndicate by operating the select list prepared by the Board in the order of merit in which the names have been arranged. If any difference arises between the Board and the Syndicate, the matter shall be referred to the Chancellor, through the State Government in the Department of Education. The decision of the Chancellor upon such reference shall be final.

(6) The quorum for the meeting shall be four.

## **CHAPTER IX**

### **INTER-UNIVERSITY TRANSFER OF EMPLOYEES**

**58. Transfer of employees.-** (1) Notwithstanding anything contained in any contract, agreement or in any other law for the time being in force and the conditions of service applicable to the employees of the University, the Chancellor in consultation with the State Government may for administrative reasons transfer any employee holding any post in a University to any other University established under this Act or under any law made by the State Legislature for the time being in force and the employee so transferred shall carry with him such conditions of service as may be specified in the order of transfer. Such employee shall on transfer be deemed to have been appointed by the competent authority of the University to which he is transferred:

Provided that an employee so transferred shall have an option to retain his lien in the University in which he was initially appointed or for absorption in the University to which he is transferred.

(2) For the purpose of ordering such transfer of employees under sub-section (1) the Chancellor shall be deemed to be the appointing authority in respect of posts held by the employees so transferred.

(3) The employee so transferred shall be eligible to travelling allowance, transfer grants and cost of transportation of personal effects as admissible to the employees of the State Civil Services at the scales applicable to the corresponding posts.

(4) The seniority of an employee so transferred in public interest and who has not opted to retain his lien in the University in which he was appointed shall be determined with reference to the date of his initial appointment in the respective cadre or post.

## **CHAPTER X**

### **AFFILIATION OF COLLEGES AND RECOGNITION OF INSTITUTIONS**

**59. Affiliation of colleges.-** (1) Colleges within the University area shall on satisfying the conditions specified in this section be affiliated to the University as affiliated colleges of the University on the recommendations made by the State Government.

(2) The Registrar shall notify atleast in two leading newspapers one in English and one in Kannada, inviting applications for affiliation of new colleges, new courses in the existing affiliated colleges, new subjects in the affiliated colleges and also variation in the sanctioned intake fixing the last date for receipt of applications. The advertisement shall also contain such other particulars as may be required by the University and also specify the amount of fee for affiliation with a specific indication where the college requires to obtain the approval or recognition of the All India Council for Technical Education, the Bar Council of India, the National Council for Teachers Education or such other authorities to that effect.

(3) A college applying for affiliation to the University shall send an application to the Registrar within the time limit stipulated in the advertisement furnishing the information with respect to the following:-

- (a) that it will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood and the suitability of the locality where the college is to be established;
- (b) that it is to be under the management of a regularly constituted governing body;
- (c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;
- (d) that the buildings in which the college is to be located are suitable and that provision shall be made in conformity with the Ordinances for the residence in the college or in lodgings approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students.
- (e) that due provision has been made or will be made for a library;
- (f) that where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in the branch of science in a properly equipped laboratory or museum;

- (g) that as far as circumstances may permit due provision shall be made for the residence of the principal and members of the teaching staff in or near the college or the place provided for the residence of students;
- (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and
- (i) that rules fixing the fees if any to be paid by the students have been framed or will be framed.

(4) Applications for affiliation of new colleges shall not be entertained from individuals, but only from the registered society or registered public trust, financially viable to run the colleges without the aid of the State Government.

(5) The application shall further contain an undertaking that after the college is affiliated there shall not be any transfer of management or change of name and style of the college, without prior approval of the State Government and the University.

(6) On receipt of application under sub-section (2), it shall be placed before the Syndicate for consideration. The Syndicate on consideration of each of the applications for affiliation shall direct a local inquiry to be made by a Local Inquiry Committee:

Provided that the local inquiry committee shall consist of at least one person belonging to the Scheduled Castes or the Scheduled Tribes.

(7) The Local Inquiry Committee shall within thirty days from the date of constitution thereof submit a report to the Academic Council.

(8) The Academic Council shall soon after the receipt of the report of the Local Inquiry Committee consider the findings of the Committee envisaged in the report and make such further enquiry as may appear it to be necessary and record its opinion on such request and transmit it to the Syndicate.

(9) The Syndicate shall consider the report of the Committee and the resolution of the Academic Council and shall further record its opinion on the question whether the request shall be granted either in whole or in part or rejected, after making such further enquiry as may be deemed necessary.

(10) The Registrar shall submit the application and its enclosures, annexures, the report of the Local Inquiry Committee, and the proceedings of the Academic Council and Syndicate to the State Government for taking a decision thereon before 31st March of ensuing year.

(11) The State Government shall consider such applications in the light of the recommendations of the Local Inquiry Committee, the Academic Council and the Syndicate and after such enquiry as may appear it to be necessary make their recommendation to the University to affiliate or reject affiliation as the case may be, or any part thereof, including the variation in the intake.

(12) The University shall on receipt of the directions of the State Government, issue formal orders accordingly.

(13) Sanction of affiliation however, be subject to obtaining the prior approval of the All India Council for Technical Education, the Bar Council of India, the National Council for Teachers Education, or such other authorities or bodies concerned and the intake determined shall not exceed the intake if any specified by such authorities or bodies.

(14) Where the application for affiliation or fixation of intake or any part thereof is granted by the University on the recommendation of the State Government, the University shall specify in the order the courses of study in respect of which and the period for which the college or course is affiliated with the specified intake with or without specific conditions.

(15) Where such an application or any part thereof is rejected by the State Government or the University, the grounds of such rejection shall be stated.

(16) Any application made under sub-section (1) may be withdrawn by the applicant at any time before an order is made under sub-section (12).

(17) Renewal of affiliation or continuation of affiliation for each academic year for the existing courses of study and extension of affiliation for follow on courses, excluding new courses, may be granted by the Syndicate in consultation with the Academic Council in the same manner as applicable for grant of fresh affiliation.

(18) The intake in respect of each of the courses of study shall be determined on an yearly basis by the University well before the commencement of each academic year in the order granting affiliation or continuation of affiliation, as the case may be:

Provided that in case of professional courses like Law, Engineering, Architecture and Management including Post-Graduate Programmes in the affiliated colleges the intake shall be fixed by the State Government.

**60. Restriction on admission of students in a new college.-** (1) The admission of students shall not be made by a new college seeking affiliation to any University or by an existing college seeking affiliation to a new course of study or in excess of the stipulated intake, unless, as the case may be affiliation has been granted by the University to a new college or to a new course in the existing affiliated college in respect of such a course of study or for variation of the stipulated intake.

(2) Action shall be taken against any Institution contravening the provisions of sub-section (1) in accordance with the provisions of the Karnataka Prohibition of Admissions of Students to Un-recognised and Un-Affiliated Educational Institutions Act, 1992 (Karnataka Act 7 of 1993)

**61. Restriction for appearance in the examinations.-**A student whose admission has become invalid or whose admission has not been approved by the University or who has been admitted to a college or course of study in excess of the prescribed intake shall not be eligible to appear for the examination conducted by either the college or the University.

**62. 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 59 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 the State Government, atleast once in a period of five years.

(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 revoked:

Provided that permanent affiliation shall not be revoked unless an opportunity is afforded by the University, to the college concerned:

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

**63. Withdrawal of affiliation.-** (1) The rights conferred on a college by affiliation, either temporary or permanent, may be withdrawn in whole or in part or modified, if the college has failed to comply with any of the provisions of this Act or the college has failed to comply with any of the conditions of the affiliation or the college is conducted in a manner prejudicial to the interest of the education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. Any member of the Syndicate, including *ex-officio* member who intends to move such a motion shall give a notice of it in writing setting out the grounds on which such a motion is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the said notice to the principal of the college concerned specifically intimating that any representation in writing on the motion shall be submitted by the college within a period to be specified in such intimation and the same will be considered by the Syndicate.

(4) The period so specified in sub-section (3) may if so expedient be extended by the Syndicate upto a reasonable time.

(5) On receipt of the representation or on the expiry of the period referred to in the preceding sub-sections, the Syndicate after considering the notice of motion, the grounds set out therein and the representation received thereon and after such inspection by a Committee constituted and authorised by it in this behalf and after such further enquiry as may appear to it to be necessary pass a resolution regarding the reasons therefor and shall transmit it to the Academic Council.

(6) On receipt of the report under sub-section (5), the Academic Council shall, after such further enquiry, if any, as may appear to it to be necessary, record its opinion and refer back to the Syndicate.

(7) The Syndicate after considering the resolution of the Academic Council, shall pass a final resolution recommending the withdrawal of affiliation. Such a resolution shall not be deemed to have been passed by the Syndicate unless it has obtained the support of two thirds of the members present at a meeting.

(8) The Registrar shall submit the proposal with all the documents including the notice of motion, the reply of the college, resolutions of the Syndicate and the Academic Council to the State Government for taking decision.

(9) The State Government after such further enquiry, as may appear to it to be necessary may direct the University to withdraw the affiliation in whole or in part or as modified and as applicable from a particular academic year or to reject the proposal.

(10) The University shall on receipt of such direction pass formal order in accordance with such direction.

(11) The students of a college, the affiliation of which has been withdrawn in whole or in part shall 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. All the documents in respect of such students shall be transferred from the college in respect of which the affiliation has been withdrawn to the college to which they are transferred by the University.

**64. Autonomous College.-** (1) Notwithstanding anything contained in this Act or the Statutes, Ordinances and Regulations made thereunder, the University may, with the prior concurrence of the State Government designate for such period as may be specified, an affiliated college, department or units as an Autonomous College for any course of study, after following the procedure and subject to such conditions as may be specified in the Statutes made in this behalf and with a view to improve the quality of education and to introduce new and relevant courses of study.

(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.

(3) Subject to such periodic review as may be prescribed in the Statutes, the University may, with the prior concurrence of the State Government, continue the designation of the Autonomous College for such further period as may be specified or cancel such designation.

(4) The Statutes for this purpose shall be made in consultation with the Academic Council of the University and shall provide for,-

- (a) the manner in which and the conditions subject to which an affiliated college, department or unit may be designated as Autonomous College or the designation of such college may be cancelled;
- (b) matters incidental to the administration of an Autonomous College including the constitution or reconstitution, functions, powers and duties of the governing body, Academic Council, Board of Studies and Board of Examiners of the Autonomous College;
- (c) matters relating to admission of students;
- (d) periodic review for continuance or cancellation of designation of Autonomous College;
- (e) such other matters as may be relevant to the working of an Autonomous College including the matters mentioned in sub-section (2).

**65. 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 resolutions 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 has been 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.

**66. Recognition of certain Institutions.-** (1) Any institution situated within or outside the University area other than a college which conducts research or specified studies or specialised studies may be recognised by the Syndicate as a recognised institution for such purpose and in such manner and subject to such conditions as may be prescribed in the Statute.

(2) Such recognition may be withdrawn either in whole or in part or modified in such manner and for such reasons as may be prescribed by the Statutes.

**67. Inspection of Colleges.-** (1) Every affiliated college including permanently affiliated college shall furnish to the Registrar such reports, returns and other information as the Syndicate in consultation with Academic Council may require to judge the efficiency of the college and the academic quality achieved.

(2) The Syndicate shall cause every such college to be inspected from time to time by a committee constituted for the purpose.

(3) The Syndicate may call upon any college so inspected to take within a specified period such action as may appear to it to be necessary in respect of any matters.

(4) Every college shall comply with the directions of the University issued from time to time in respect of all matters relating to academic and administrative and matters ancillary thereto.

## CHAPTER XI

### ENROLMENT AND DEGREES

**68. Eligibility for admission of students.-** No student shall be eligible for admission to a course of study, a degree or diploma unless he possesses such qualifications as may be prescribed by Statutes from time to time.

**69. Honorary degrees .-** (1) If not less than two thirds of the members of the Syndicate recommend that an honorary degree or other academic distinction be conferred on any person on the ground that he is in its opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the Syndicate may recommend the same for the approval of the Chancellor for conferment of such degree on the person concerned.

(2) The honorary degree or distinction may be conferred only in exceptional cases. It shall not be conferred as a matter of course. Only such of the persons who have contributed substantially to the advancement of Literature, Philosophy, Arts, Music, Painting or any other subject assigned to the Faculty of Arts, Science or Technology or conspicuous service rendered by them to the cause of education shall be identified for the purpose of grant of such honorary degrees.

(3) A degree of Doctor of Science (D.Sc) Honoris Causa may be conferred upon such persons in the branch of Science or Technology, Planning, Organising or Developing Scientific and Technological Institutions.

(4) A degree of Doctor of Laws (LL.D) Honoris Causa may be conferred upon persons who are distinguished Lawyers, Judges or Jurists, Statesmen or have made noteworthy contribution to the cause of the public.

**70. Withdrawal of degree or diploma.-** (1) The Syndicate may on the recommendation of the Academic Council withdraw any distinction, degree, diploma or privilege conferred on or granted to, any person by a resolution passed by a majority of the total members of the Syndicate and by a majority of not less than two-thirds of the members present and voting at the meeting, if such a person has been found to have obtained such a degree or diploma or certificate-fraudulently or has obtained admission through a false caste certificate.

(2) No action under this section shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) A copy of the resolution passed by the Syndicate shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Syndicate may appeal to the Chancellor within thirty days from the date of receipt of such resolution.

(5) The decision of the Chancellor on such appeal shall be final.

## **CHAPTER XII**

### **UNIVERSITY REVIEW COMMISSION**

**71. Appointment of University Review Commission.-** (1) The Chancellor shall once in every five years constitute a Commission to review the working of the University and make recommendations.

(2) The Commission shall consist of not less than three eminent educationists, one of whom shall be the Chairman, appointed by the Chancellor on the recommendation of the State Government.

(3) The terms and conditions of appointment of the members shall be such as the Chancellor may, determine.

(4) The commission shall, after holding such enquiry as it deems fit, make its recommendations to the Chancellor and to the State Government.

(5) The Chancellor may, in consultation with the State Government, take such action on the recommendations as he deems fit.

(6) The State Government shall lay a copy of the recommendations together with a memorandum indicating the action taken before both Houses of the State Legislature.

**72. Karnataka State Inter-University Board.-** (1) Notwithstanding anything contained in any other law for the time being in force, there shall be an Inter University

Board for the State of Karnataka called “the Karnataka State Inter-University Board” consisting of the following members:-

- (a) the Minister incharge of Higher Education -Chairman;
- (b) the Vice-Chancellors of all the Universities in the State;
- (c) the Secretary to Government incharge of Higher Education-Member-Secretary;
- (d) the Secretary to Government, in charge of Finance Department;
- (e) the Secretary to Government, in charge of Agriculture and Horticulture Department;
- (f) the Secretary to Government, Planning Department;
- (g) the Secretary to Government, Health and Family Welfare Department in-charge of Medical Education;
- (h) the Secretary to Government, Social Welfare Department;
- (i) the commissioner for Collegiate Education;
- (j) the Director of Technical Education;
- (k) the Commissioner for Public Instruction;
- (l) the Director of Medical Education;
- (m) The Director of Pre-University Education.

(2) The Board shall meet as often as necessary, but atleast once in three months. It may invite such other persons as may be required to assist its deliberations.

(3) The quorum for the meetings of the Board shall be eight.

(4) The functions of the Board shall include,-

- (a) co-ordinating development of academic facilities, specialisations and standards;
- (b) co-ordinating matters affecting students such as eligibility for admissions, mobility, examinations and the like.
- (c) studying the finances of Universities as well as the administrative problems of universities; and
- (d) acting as a co-ordinating agency for the financial programme of the universities funded by the University Grants Commission, and by the State Government respectively.

(5) The recommendations, the resolutions or the decisions of the Board shall subject to the approval of the State Government be binding on the Universities in the State and shall be implemented forthwith, and a compliance report thereof shall be sent to the Member-Secretary within two months.

(6) The Board shall review from time to time whether the orders issued by the State Government for reservation of posts in appointments or for Scheduled Castes and Scheduled Tribes and Other Backward Classes have been followed in the direct recruitment and promotion in respect of persons belonging to the Scheduled Castes or the Scheduled Tribes and make such specific recommendations if any, for compliance by the Universities in the State.

## CHAPTER XIII

### FUNCTIONS AND THE RESPONSIBILITIES OF THE PERSONS INVOLVED IN THE EXAMINATION WORK

**73. Duties of a teacher.-** (1) Every teacher of an University or an affiliated college shall carry out the work relating to teaching, research, examination or academic work assigned to them by the University from time to time.

(2) For the purpose of sub-section (1) both the teaching and non-teaching employees in the services of the University and also in the colleges affiliated to the University shall be administratively controlled by the University and shall abide by the instructions or orders issued by the University from time to time.

**74. Obligation to perform the examination work.-** (1) Any person who is entrusted with the examination work relating to paper setting, invigilation, supervision, evaluation, conduct of practical examinations, printing of question papers and answer books, tabulation and preparation of marks cards and all such activities incidental thereto and connected therewith shall discharge such duties prudently and with utmost integrity for attainment of the academic standards.

(2) If any person who has been allotted the examination work under sub-section (1) is found guilty of breach of duties or involves in any misbehavior shall on conviction be punished with imprisonment for a period which may extend to three years or with a fine up to two thousand rupees or with both;

(3) No court shall take cognisance of an offence punishable under this section or the abetment of any such offence save on the complaint made by the Registrar (Evaluation).

**75. Punishment for abetment of offences.-** Whoever instigates or abets the commission of offence punishable under section 74 shall, on conviction be punished with the same punishment provided for in that section.

**76. Prohibition of private tuition .-** No Teacher of the University or affiliated college shall engage himself in private tuition or in any other employment or job in any manner without the permission of the University or the authority which appointed him.

## CHAPTER XIV

### MISCELLANEOUS AND TRANSITORY PROVISIONS

**77. Discipline.-** (1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the heads of colleges, hostels and other institutions.

(2) Notwithstanding anything contained in sub-section (1),-

- (a) the punishment of debarring a student from examinations shall, on the report of Vice-Chancellor be considered and imposed by the Syndicate: and
- (b) the punishment of rustication from a college or a hostel or an institution shall be, imposed by the head of the college or hostel or institution concerned.

(3) No resolution of any Authority or body of the University shall be deemed invalid on account of any irregularity in the service of notice upon any member:

Provided that the proceedings of such authority or body were not prejudicially affected by such irregularity.

**78. Act to prevail over other enactments.-** This Act and Statute or Regulation or Rules or Ordinance made thereunder shall in respect of any college in the University Area have effect notwithstanding anything inconsistent therewith contained in any other enactment with respect to matters enumerated in List II of the Seventh Schedule to the Constitution of India.

**79. Protection of act done in good faith.-**No suit or other legal proceeding shall lie against and no damages shall be claimed from, the University or its authorities, bodies or officers for anything which is in good faith done or intended to be done in pursuance of this Act, the Statutes, Ordinances, Regulations or Rules made thereunder.

**80. Act and proceedings not invalidated merely on the ground of defect in constitution, vacancy, etc.-** Notwithstanding that the Syndicate or the Academic Council or any other authority or body of the University is not duly constituted or there is a defect in its constitution or reconstitution at any time and notwithstanding that there is a vacancy in the membership of any such authority or body, no act or proceeding of such authority or body shall be invalidated merely on any such ground or grounds.

**81. Relations of affiliated colleges with the University.-** The relation of the affiliated colleges with the University shall be governed by the Statutes to be made in that behalf and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the college affiliated to the University to co-ordinate and regulate the facilities provided and expenditure incurred by such colleges in regard to libraries, laboratories and other equipment for teaching and research.

**82. Transfer of Government colleges to the University.-** (1) The State Government may, by order, published in the official Gazette, transfer to the University with effect from such date and subject to such conditions as may be specified in the order, any of its colleges, any hostel or other building of such colleges and the articles of furniture, library, books, laboratory, stores, instruments, apparatus, appliances and equipments of such college. Upon the publication of such order, the college shall become a college maintained and administered by the University as its college and the properties mentioned in the order shall become the properties of the University;

(2) Nothing in this Act shall be deemed to authorise the University to sell, lease, exchange or otherwise dispose of any land or building transferred to the University under sub-section (1).

(3) Where any college has been transferred to the maintenance and control of the University by an order made under sub-section (1) then, notwithstanding anything contained in this Act all members of the teaching staff and other employees of the State Government who, immediately before the date of the publication of the said order, were serving in or were attached to the college shall stand transferred to the appropriate cadre or category of posts in the University:

Provided that in the event of transfer of college to the University, an opportunity shall be afforded to the employees serving in such a college to exercise their option either to continue in the services under the State or to be absorbed in the services of the University.

**83. Continuance of Statutes, Regulations, Ordinances, etc.-** (1) Until the Statutes, Ordinances Regulations and Rules are made under the appropriate provisions of this Act, the Statutes, Ordinances, Regulations and Rules which were made under

provisions of the Karnataka State Universities Act, 1976 and in force immediately before the commencement of this Act, shall subject to such adaptations or modifications as may be made therein by the Vice-Chancellor with the approval of Chancellor obtained through the State Government and in so far as they are not inconsistent with the provisions of this Act be deemed to be Statutes, Ordinances, Regulations and Rules made under the appropriate provisions of this Act.

(2) The person holding the office of the Vice-Chancellor of the University established under the Karnataka State Universities Act, 1976, on the date of the commencement of this Act shall continue to hold office till such date he would have held that office, if this Act had not been passed.

**84. Transitory Provisions.-** Notwithstanding anything contained in this Act, the Vice-Chancellor may, with the previous approval of the Chancellor discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act, and for that purpose may exercise any powers or perform any duties which by this Act are to be exercised or performed by any Authority of the University until such authority comes into existence as provided by this Act.

**85. Power to remove difficulties.-** (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University or giving effect to the provisions of this Act, the State Government may by notification, make such provision not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of five years from the date of commencement of this Act.

(2) Every notification issued under sub-section (1) shall be laid as soon as may be after it is issued, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions, and if before the expiry of the said period, either House of the State Legislature makes any modification in any notification or directs that any notification shall not have effect, and if the modification or direction is agreed to by the other House, such notification shall thereafter have effect only in such modified form or be of no effect, as the case may be so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

**86. Repeal and Savings.-** The Karnataka State Universities Act, 1976 (Karnataka Act 28 of 1976) is hereby repealed:

Provided that the provisions of section 6 of the Karnataka General Clauses Act, 1899 shall be applicable in respect of the repeal of the said enactment and the provisions of the said law and sections 8 and 24 of the said Act shall be applicable as if the said enactment and provisions had been repealed and re-enacted by this Act.

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**Extract of sections 9 to 14 of the Karnataka Act 33 of 2003.-**

**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.

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#### **Extract of sections 5 to 9 of the Karnataka Acts 10 of 2004**

**5. Powers of special officer.-** The Special Officer appointed by the State Government for the purpose of taking steps to establish the Tumkur 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.

**6. 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 Tumkur University within six months of the commencement of the Karnataka State Universities (Amendment) Act, 2004 (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.

**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 Tumkur 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 Bangalore University applicable to the affiliated colleges or other educational institutions which are deemed to be affiliated to Tumkur University under section 5 of the principal Act shall be deemed to be statutes, ordinances, regulations and rules made by the Tumkur University and shall continue as such till the Tumkur 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 Bangalore University in accordance with the statutes, ordinances, regulations or rules in force he may until such examination is provided by the Tumkur University be admitted to the examination of the Bangalore University and be conferred with the degrees or diplomas for which he qualifies on the result of such examination.

(b) the Bangalore 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 Bangalore University then such examination shall be deemed to have been held by the Bangalore 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 the Amendment Act.

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The above translation of the ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನಸಭೆಯು (ತಿದ್ದುಪಡಿ) ೨೦೦೪ (೨೦೦೪ರ ಕರ್ನಾಟಕ ಸಂಖ್ಯೆ ೧೦) be published in the Official Gazette under clause (3) of Article 348 of the constitution of India.

\* \* \* \* \*

#### NOTIFICATION

In exercise of the powers conferred by Sub-section(2) of section 1 of the Karnataka State Universities (Amendment) Act, 2004 (Karnataka Act No.10 of 2004) read with Sub-section (2) of Section 1 of the Karnataka State Universities (Amendment) Ordinance, 2004 (Karnataka Ordinance No. 1 of 2004), the Government of Karnataka hereby appoints the first day of October 2004 to be the date on which the said Act and the Ordinance shall come into force.

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

**Sundara raja guptha**

Under Secretary to Government,  
Educatin Department (University)