

THE KARNATAKA STATE INNOVATIVE UNIVERSITIES BILL, 2011

A Bill to restructure and establish certain universities in the State of Karnataka as Innovative universities.

Whereas it is expedient to provide for restructure and establishment of certain universities in the State of Karnataka as Innovative universities with more autonomy to these universities in the academic sphere through decentralization and separation of the academic and administrative functions. It also seeks to provide for greater flexibility in the academic and research architecture of the universities through facilitation of an inter-disciplinary and multi-disciplinary approach and for the matters connected therewith or incidental thereto;

Be it enacted by the Karnataka State Legislature in the sixty second 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 Innovative Universities Act, 2011.

(2) It shall come into force with effect from such date as the State Government may by notification, appoint.

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

(1) "Academic Council" means Academic Council under the Unitary System of the University;

(2) "Affiliation System" means Affiliation System of the University;

(3) "Audit and Finance Council" means Audit and Finance Council of the University;

(4) "Board for Affiliation and Examination" means Board for Affiliation and Examination under the Affiliation System of the University;

- (5) “Board of Governors” means Board of Governors of the University;
- (6) “Centre” means Centre under the Unitary System of the University;
- (7) “Dean” means Dean under the Unitary System of the University;
- (8) “Employee” means any person appointed in the University as Teacher or other staff of the University;
- (9) “Government” means Government of Karnataka;
- (10) “Management Council” means Management Council under the Affiliation System of the University;
- (11) “Other Backward Classes” means the communities, castes and tribes notified as such by the Government from time to time under Article 15(4) and Article 16(4) of the Constitution;
- (12) “Ombudsman ” means Ombudsman of the University constituted under this Act;
- (13) “President” means President of the University;
- (14) “Pro Vice-Chancellor” means, in relation to the Unitary System of the University, the Pro-Vice-Chancellor of the Unitary System of the University, and, in relation to the Affiliation System of the University, the Pro-Vice-Chancellor of the Affiliation System of the University;
- (15) “Principal” means Head of a College;
- (16) “Recognized Institution” means an Institution of higher learning and / or Research Centre, maintained or recognized by or associated with the University;
- (17) “Registrar” means the Registrar of the University;
- (18) “Religious minority” means persons belonging to religious minority within the meaning of Article 30 of the Constitution;
- (19) “Rules” mean Rules of the University made under this Act;
- (20) “Schedule” means the Schedule appended to this Act;

- (21) “Scheduled Caste” shall have reference in 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;
- (22) “Scheduled Tribe” 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;
- (23) “School” means School under the Unitary System of the University;
- (24) “Statute” and “Regulation” mean respectively the Statute and Regulation of the University made under this Act from time to time;
- (25) “Students” means those persons enrolled for courses of study and research in the University or in its colleges or other recognized institutions;
- (26) “Teachers” means Professors, Associate Professors, Assistant Professors, and such other persons as may be appointed for imparting instructions or conducting research in the University or in any of its colleges or institutions maintained or recognized by the University and designated as teachers by the Statute;
- (27) “Unitary System” means Unitary System of the University;
- (28) “University” means the university established or deemed to have been established and as incorporated under this Act;

CHAPTER- II

THE UNIVERSITIES

3. Establishment and incorporation of Universities.- (1) The Karnataka University and the Mysore University established or deemed

to have been established under section 3 of the Karnataka State Universities Act, 2000, shall be deemed to have been established and incorporated under this Act and shall be called as,-

(a) the Karnataka University with headquarters at Dharwad having territorial jurisdiction extending over the districts of Dharwad, Gadag, Haveri and Uttara Kannada; and

(b) the University of Mysore with headquarters at Mysore having territorial jurisdiction over the districts of Chamarajanagar, Hassan, Mandya and Mysore.

(2) The President, The Vice-Chancellor and other members of the Authorities constituted under this Act shall constitute a body corporate to be called by the name of that University specified in sub-section (1).

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

(4) 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, subject to the provisions of this Act, which may have become vested in or been acquired by it for the purpose of the University and to enter in to contract and do all other things necessary for the purposes of this Act.

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

(6) In all suits and other legal proceedings by or against the university the pleadings and other connected papers 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. Objectives of the University.- The objectives of the University shall be,-

(1) to further the cause of higher learning in the State in the current competitive environment;

(2) to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit and by the example of its corporate life, and in particular, to make special provisions for integrated courses in humanities and sciences in the educational programmes of the University and to make appropriate measures for promoting interdisciplinary studies and research in the University.

(3) to provide an innovative system of University level education, flexible and open, in regard to methods and places of learning, combination of courses, eligibility for enrollment, age of entry, conduct of examination and operation of programmes with a view to promote access and equity in higher learning and to encourage excellence in the new fields of knowledge;

(4) to provide an equal emphasis on both academic and application oriented learning besides decentralization and separation of the academic and administrative functions; and

(5) to promote national integration and the integrated development of human personality through its policies and programmes.

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

(1) to administer and manage the University and such schools, centers and boards for research, education and instruction as are necessary for the furtherance of the objects of the University;

(2) to provide for instruction in such branches of knowledge or learning as the University may think fit and to make provision for research and for the advancement and dissemination of such knowledge including through open and distance education within the territorial jurisdiction of the University as mentioned in section 3 of this Act;

(3) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose;

(4) to organize and undertake extra-mural teaching and extension services;

(5) to hold examinations for the periodic evaluation of students;

(6) to grant diplomas or certificates, and to confer degrees and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(7) to confer honorary degree or other distinctions in the manner laid down in the Statutes and the Regulations;

(8) to fix, demand, collect and revise fees and other charges as may be prescribed by the Statutes;

(9) to institute and maintain halls and hostels for the welfare of the students;

(10) to recognize places of residence for the students of the University and to withdraw such recognition accorded to any such place or residence;

(11) to establish and run the Constituent Colleges and oversee the imparting of education therein;

(12) to establish such campuses, special centers, specialized study centers, specialized laboratories or other units for research

and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(13) to supervise and control the residence and to regulate the discipline of the students of the University and to make arrangements for promoting their health;

(14) to make such requisite arrangements in respect of the residence, discipline and teaching of women students;

(15) to institute, suspend or abolish professorship, associate professorship, assistant professorship, readerships, lectureships, and any other teaching, academic or research posts required by the University;

(16) to appoint or recognize persons as professors, associate professors, assistant professors, readers, lecturers or otherwise as teachers and researchers of the University

(17) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto with prior concurrence of the Government;

(18) to lay down conditions of service of all categories of employees, including their code of conduct and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary;

(19) to institute and award fellowships, scholarships, studentships, assistantships, stipends, tuition waivers, medals and prizes;

(20) to provide for printing, reproduction and publication of research and other works and to organize exhibitions for such purposes;

(21) to either partner or co-operate with any other organization, including public-private partnership, in the matter of education, training and research in subjects the University may

deem fit for such purposes as may be agreed upon on such terms and conditions as the University may, from time to time, determine;

(22) to either partner or co-operate with institutes of higher learning in any part of the world having objects wholly or partially similar to those of the University, by exchange of teachers and scholars and generally in such manner as may be conducive to the common objects;

(23) to invite and/ or to appoint Visiting Professors, Emeritus Professors, Adjunct Professors / Faculty, Guest Faculty, Consultants, Scholars and such other persons who may contribute to the advancement of the objects of the University;

(24) to establish and maintain within the University's premises or elsewhere, such class rooms and study halls as the University may consider necessary and adequately furnish the same and to establish and maintain such libraries and reading rooms as may appear convenient or necessary for the University;

(25) to regulate the expenditure and to manage the accounts of the University;

(26) to receive grants, subventions, subscriptions, donations and gifts for the purposes of the University and consistent with the object for which the University is established;

(27) to purchase, take on lease or accept as gifts or otherwise any land or building or works which may be necessary or convenient for the purpose of the University, on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such building or works;

(28) to sell, exchange, lease or otherwise dispose of any portion or whole of the immoveable properties of the University, on such terms as it may think fit and proper without prejudice to

the interest and activities of the University upon the prior approval of the Government;

(29) to draw and accept, to make and endorse, to discount and negotiate, Government of India and other promissory notes, bills of exchange, cheques or other negotiable instruments;

(30) to appoint in order to execute an instrument or transact any business of the University, any person as it may deem fit;

(31) to give up and cease from carrying on any classes or schools or centres of the University if it so deems fit;

(32) to enter into any agreement with the Central Government, State Governments, the University Grants Commission or other authorities for receiving grants;

(33) to borrow, with the approval of the Government, on the security of the property of the University, money for the purposes of the University and to pay out of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;

(34) to invest the funds of the University or money entrusted to the University in or upon such securities and in such manner as it may deem fit, from time to time transpose any investment;

(35) to make such statutes/regulations as may, from time to time, be considered necessary for regulating the affairs and the management of the University and to alter, modify and to rescind them;

(36) to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed by the regulations, schemes such as pension, insurance, provident fund and gratuity, as it may deem fit, and to make such grants as it may think fit for the benefit of any employees of the University, and to aid in

establishment and support of the associations, institutions, fund, trusts and conveyance calculated to benefit the staff and the students of the University;

(37) to enter into Memoranda of Understanding and partnerships with national and international universities, institutes and research bodies of repute, industry and professional bodies across different spheres of education and to institute programmes such as exchange of faculty, exchange of students, faculty development workshops, sharing of knowledge, resources and publications, etc;

(38) to recognize and to withdraw such recognition of any educational institution situated within or outside the University area other than the college which conducts research or specified studies as a recognized institution for such purpose and in such manner and subject to such conditions as prescribed by the statutes not maintained by the University to the privileges of the University as affiliated colleges

(39) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of the aforesaid objects or anyone of them.

(40) to delegate all or any of its powers to the Vice Chancellor or the Pro-Vice-Chancellors of the University or any committee or any sub-committee or to any one or more members or its body or its officers, including the officers of the Unitary System and the Affiliation System.

(41) to admit colleges to the privilege of the University as affiliated colleges through the Affiliation System of the University.

(42) to provide autonomy to affiliated colleges and recognize them as autonomous colleges according to the Statutes and Regulations made under this Act.

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

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

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 the Statutes:

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 specific sanction of the 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 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.

7. The University Open to all Classes of persons.- (1) The University shall be open to all persons irrespective of gender, caste, creed, disability, ethnicity or socio-economic background and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any office therein or

be admitted as a student in the University or to graduate there at or to enjoy or exercise any privilege thereof.

(2) Subject to the provisions of sub-section (1), the University shall, in accordance with any special or general orders of the Government, reserve seats for the purpose of admission to 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).

8. Visitor.- (1) The Governor of Karnataka shall be the Visitor of the University.

(2) The Visitor shall have the right to offer suggestions for the improvement of the functioning of the University

9. Chief Rector.- (1) The Minister for Higher Education shall be the Chief Rector of the University.

(2) The Chief Rector shall have the right to call for report on any matter pertaining to administrative, financial or other affairs of the University and offer suggestions for its improvement and the Vice-Chancellor shall communicate to the Board of Governors the views of the Chief Rector for consideration .

10. Discipline, Inspection and Control.- (1) The President may suo motu or on the recommendation of the Government or the

Ombudsman or the Board of Governors cause an inspection to be made by any competent authority as he deems fit of the properties and the infrastructure, movable or immovable maintained, administered, recognized or approved by the University and also of the examinations, teaching and other works conducted or done by the University and into any specific allegations against any employee of the University other than the Vice-Chancellor in respect of any matter connected therewith or ancillary there to:

Provided that when such recommendations are made by the Government, the President shall communicate to the Government a report of action taken in compliance with the directions of the Government as specified in the orders of the Government.

(2) The authority 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 authority shall submit a report of the result of the inspection or inquiry to the President.

(4) Soon after receipt of the report, the President shall record his findings thereon and issue directions to the Board of Governors and the Board of Governors shall implement the directions of the President.

(5) The Vice Chancellor shall be responsible for implementation of such directions and report such compliance to the President.

11. Powers to issue directions.- The President may, either *suo – motto* or on the recommendation of the Government or the Ombudsman , 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.

12. Systems of the University.- There shall be two systems in the University, namely:-

(1) Unitary System, having University Schools and Constituent Colleges with single or multiple campuses and focusing more on postgraduate studies and research.

(2) Affiliation System, having a number of colleges with single or multiple campuses united for promoting and enabling exchange of ideas across diverse spheres of learning.

These systems shall divide the functions of the University and have the powers, organs and functions as provided in this Act.

CHAPTER-III

THE OFFICIERS OF THE UNIVERSITY

13. The Officers of the University shall be as follows:-

(1) Officers common to both the Systems:

1. The President.
2. The Vice-Chancellor.
3. The Registrar
4. The Finance Officer.

(2) Officers under the Unitary System:

1. The Pro-Vice-Chancellor (Unitary System),
2. The Deans of Schools,
3. The Director of Knowledge Resources,
4. The Director of Physical Education and Student Welfare,
5. The Director of Innovation, Research and Quality,
6. Such other officers as may be designated by statutes made under this Act.

(3) Officers under the Affiliation System:

1. The Pro-Vice-Chancellor of the Affiliation System,
2. The Director of Board of Affiliation and Examination,
3. The Director of Board of Studies,
4. The Director of Open and Distance Education,
5. Such other officers as may be designated by statutes made under this Act.

14. The President.- (1) The President of the University shall be an eminent person who has attained excellence in educational field, educational research, industry and judiciary or in such other professions. He shall be appointed by a collegium comprising of Chief Minister of Karnataka, Leader of the Opposition of the Karnataka Legislative Assembly, Speaker of the Karnataka Legislative Assembly, the Chief Justice of Karnataka or by his nominee not below a sitting Judge of the High Court of Karnataka, and the Minister for Higher Education.

(2) The Chief Minister shall preside over the collegium.

(3) The Karnataka Higher Education Council shall convene the meeting of the collegium.

(4) The term of the President shall be for five years. He shall not be eligible for re-appointment.

(5) The President shall, by virtue of his office, be the head of the University.

(6) The President shall preside over the Convocation.

(7) The President shall have such powers as may be conferred by or under this Act/Statutes/ Regulations.

15. The Vice-Chancellor.- (1) The Vice-Chancellor shall be an eminent academician with at least ten years of experience as a Professor in a University whose academic and research contributions are noteworthy, or an educationist of eminence. He shall be appointed by the President from among the three member panel recommended by the

Search Committee constituted by the Karnataka State Council for Higher Education.

(A) The Search Committee shall consist of the following members to recommend suitable names to the President for appointment of the Vice-Chancellor, namely:—

(i) a member nominated by the President, who shall be a retired Judge of the Supreme Court or retired Chief Justice of a High Court or an eminent scientist/ educationist of national repute;

(ii) an officer not below the rank of an Additional Chief Secretary to Government nominated by the Government;

(iii) the Director or Head of an institute or organization of national repute, such as, Indian Institute of Technology, Indian Institute of Management, Indian Institute of Science, Indian Space Research Organization or National Research Laboratory, or an eminent educationist nominated by the Board of Governors;

(iv) one member nominated by the University Grants Commission who shall be present or former Vice-Chancellor of a Central University;

(v) the member-secretary of the State Council for Higher Education shall be the Convener of the Search Committee.

(2) Such appointment shall be published in the Official Gazette.

(3) No person shall be appointed or hold office of the Vice-Chancellor if he has attained the age of 67 years.

(4) The Vice-Chancellor shall hold office for a period of five years. He shall not be eligible for re-appointment, for a second term.

(5) The Vice-Chancellor shall not be removed from his office except by an order of the President passed on the ground of willful omission or refusal to carry out the provisions of this Act or Statutes or Rules or Regulations made there under or for abuse of powers vested in him

based on the report of an inquiry ordered by the President, under subsection- (6).

(6) For the purposes of holding an inquiry under this section the President 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 President on the action to be taken including penalty, if any, to be imposed and the President shall act within six months from the date of receipt of the report.

(7) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the President 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 tenure-ship 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.

(8) 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 President. The emoluments shall be reduced by the gross amount of his pension-prior to commutation or the payment of pension shall be held in abeyance until he relinquishes office.

(9) If a Professor in the services 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.

16. Powers of the Vice-Chancellor.- (1)The Vice-Chancellor shall be the Chief Executive and the Academic Head of the University and shall exercise general control over the affairs of both Unitary and

Affiliation Systems of the University as envisaged in the Act. He shall exercise such powers as are necessary for maintenance of discipline in both the systems of the University.

(2) He shall be the Ex-Officio Chairman of the Board of Governors. He shall preside over the Convocation in the absence of the President. In addition, he shall preside over the meetings of the authorities or bodies of the both the systems of the Universities as provided in the Act, and shall be entitled to vote.

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

(4) 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 President 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 President within thirty days from the date on which the decision was communicated to him and the decision of the President on such appeal shall be final:

Provided also that the powers vested under this Sub-Section shall not be exercised to revise the pay scales of University employees or to grant affiliation to a college or a course of instruction and the exercise of powers under this sub-section, Statutes or Regulations

shall be subject to the approval of the President under the relevant provisions of this Act.

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

17. 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 President 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 President, the Vice-Chancellor may designate the senior-most Pro Vice-Chancellor to be in charge of the current duties of the Vice-Chancellor for a period not exceeding one month or till arrangements are made by the President, whichever is earlier.

(2) During the period when a vacancy in the office of the Vice-Chancellor remains unfilled, the senior most Pro Vice-Chancellor in the University, as the President 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 President.

18. The Registrar.- (1) The Registrar shall be a whole time officer of the university.

(2) The Vice-Chancellor shall propose a panel containing three names from amongst Professors with five years experience or Group 'A' officers of the Government, in the super-time scale to be appointed as a Registrar by the Board of Governors.

(3) The Registrar shall be the Secretary or the Member-Secretary of various Authorities constituted under this Act and as specified therein.

(4) 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 Board of Governors shall commit to his charge;

(ii) to issue notices convening the meetings of various authorities of the University as prescribed in the Act/Statutes and to keep minutes of all such meetings and shall perform all such acts as may be necessary to carry out and give effect to the decisions of these authorities;

(iii) to conduct the official correspondence of the authorities of which he shall be the Secretary;

(iv) to submit to the President 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;

(v) to provide necessary administrative systems and support to all the officers and authorities of the University

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

(6) The emoluments of the Registrar and his terms of conditions shall be such as may be prescribed by the Statutes.

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

19. The Finance officer.- (1) Chartered Accountant with at least ten years experience or an officer from the Office of the Accountant General of Karnataka in the cadre of Deputy Accountant General or Controller of State Accounts in the cadre of Joint Controller shall be appointed as The Finance Officer. He shall be a whole time officer of the University appointed by the Board of Governors on the recommendation of the Vice-Chancellor.

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

(3) The Finance Officer shall be the Ex-Officio Member Secretary of the Audit and Finance Council and shall be responsible for its periodical meetings and implementation of the decisions taken thereon.

(4) The Finance Officer, shall subject to the control of the Audit and Finance Council, exercise such powers and perform such functions as may be prescribed by the Statutes and the Regulations.

20. Temporary vacancy in the Office of the Registrar, the Finance Officer.- (1) In the event of death, suspension or temporary absence of the Registrar, or the Finance Officer, the Vice-Chancellor may at his discretion authorize any other suitable officer of the University to perform the duties of the Registrar, or the Finance Officer, as the case may be till regular appointment is made.

(2) The manner of appointments, powers and functions of the other officers of the Unitary System and the Affiliation System of the University shall be as specified in the schedule.

CHAPTER-IV

AUTHORITIES OF THE UNIVERSITY

21. The following are the Authorities of the University.-

(1) General:

- (a) Board of Governors;
- (b) The Ombudsman;
- (c) The Audit and Finance Council;
- (d) Such other authorities as may be notified by statutes made under this Act.

(2) Unitary System:

- (a) The Academic Council;
- (b) Research and Innovation Council;
- (c) The Board of Appointment;
- (d) Faculty Council;
- (e) Such other authorities as may be notified by statutes made under this Act.

(3) Affiliation System:

- (a) The Management Council;
- (b) The Board for Affiliation and Examination;
- (c) The Board for Open and Distance Education;
- (d) Such other authorities as may be notified by statutes made under this Act.

22. Board of Governors.- (1) The Board of Governors shall be constituted by the president in consultation with the Vice-Chancellor which shall consist of the following members, namely:-

- (i) the Vice-Chancellor – Ex-officio Chairman;
- (ii) the Principal Secretary – Department of Higher Education, Ex-officio member;
- (iii) the Executive Director - the State Council for Higher Education, Ex-officio member;
- (iv) the Pro Vice-Chancellor-Unitary System; Ex-officio member;
- (v) the Pro Vice-Chancellor - Affiliation System, Ex-officio member
- (vi) the following five Members belonging to academia of the University to be nominated by the President for a period of two years by rotation:
 - (a) One senior most Dean;

- (b) two senior most Professors from Unitary System,
nominated
by the president
- (c) two Principals from Affiliation System; nominated by
the president;
- (vii) three Members who are eminent educationists nominated
for a period of three years by the Government of whom
one belongs to the Scheduled Castes or Scheduled
Tribes, one belonging to Other Backward Classes;
- (viii) two Members nominated for a period of three years by
the President of whom one shall be leading industrialist,
and another shall be a distinguished personality in
research;
- (ix) the Registrar shall be the Convener- Secretary.

23. Powers of the Board of Governors.- (1) The Board shall have the power to manage the affairs of the university including administration, finance and properties of the university.

(2) Without prejudice to the generality of the above, the Board of Governors shall have the following powers, namely:-

- (i) to manage and regulate the finances and all other administrative matters of the University, for that purpose to appoint such agents / representatives as it may deem necessary and proper;
- (ii) to review from time to time the broad policies and programs of the University and suggest measures for the improvement of merit and development of the University;
- (iii) to enter into, vary, carryout or cancel contracts on behalf of the University by its representative;
- (iv) to fix the fees and emoluments and travelling expenses and other allowances for the Members of the Board of Appointment, Schools of Studies and Departments, Board of Affiliation and Examination and Members of such other authorities;

- (v) to make arrangements for carrying out the process of assessment and for conducting examinations as prescribed by the Statutes, Regulations and Rules;
- (vi) to receive, acquire, hold, control and administer the properties of the University, both moveable and immovable, and to invest the funds of the University judiciously in appropriate schemes;
- (vii) to cause to be maintained the properties and accounts of the funds of the University;
- (viii) to charge and collect fees for,-
 - (a) tuition and research;
 - (b) admission to examination and convocations;
 - (c) such other services as the university may undertake;
 - (d) affiliation and inspection of colleges, autonomous and recognized institutions /centres ;and
 - (e) such other purposes as may be prescribed by the statutes;
- (ix) to consider and pass the resolution on the annual report, financial estimates and audit reports on such accounts;
- (x) to administer and facilitate colleges, hostels, libraries, laboratories, museums and such other institutions established/ maintained by the University;
- (xi) to make recommendations regarding admission of colleges to affiliation;
- (xii) to recognize hostels not administered by the University and to suspend or withdraw such recognition;
- (xiii) 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;
- (xiv) to delegate such of its functions to the Vice-Chancellor or any other person as may be prescribed by the statutes;
- (xv) to select a common seal of the University and to provide for its custody and use;
- (xvi) to arrange for the conduct of litigations by or against the university;

- (xvii) to institute Professorships, Associate Professorships, Asst. Professorships or any other posts of teachers required by the University on the recommendation of the Academic Council/Management Council as the case may be after considering the opinion of the Audit and Finance Council;
- (xviii) to institute technical / ministerial / administrative and such other non-teaching posts as may be required after considering the opinion of the Audit and Finance Council;
- (xix) to institute fellowships, travelling fellowships, assistantships, scholarships, studentships, tuition waivers, exhibitions, medals and prizes on the recommendations of the Academic Council;
- (xx) to enact, amend or repeal Statutes;
- (xxi) to confer the title of Professor Emeritus on the recommendations of the Academic Council;
- (xxii) to lay down conditions of service of all categories of employees, including the emoluments and their code of conduct;
- (xxiii) to regulate and enforce discipline among employees in accordance with the Statutes;
- (xxiv) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act, Statutes, Rules or Regulations;

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

(4) The Board of Governors shall exercise all the powers of the University not otherwise provided for by the Act, Statutes, Rules and the Regulations for the fulfillment of the objects of the University.

24. The Ombudsman.- (1) The Ombudsman shall be responsible for the accountability and transparency of the University Authorities and shall have the power to receive complaints and grievances and

recommend action to the President and also facilitate good governance by evolving best practices at all levels of the University.

(2) The Ombudsman shall have power to investigate grievances, concerns or disputes about alleged acts of maladministration including decisions, omissions, procedural or administrative errors or wider systemic issues that are referred to by the President and submit recommendations for appropriate remedial action and for resolving complaints by an informal and confidential conflict management system based on the key values of integrity, impartiality, transparency, equity and justice.

(3) The Ombudsman shall have access to such official files and information as required to discharge its functions. Any request for information from the Ombudsman must receive the highest priority from every officer of the University.

25. Constitution of the Ombudsman.- (1) The Ombudsman shall be a three member body of whom one shall be a retired scholar, in the field of Education, one shall be a retired professional or officer who has served as Secretary to Government or equivalent post and the other not below the rank of a retired District Judge or equivalent officer of the state with legal backup known for scholarship and integrity, who shall be appointed by the President.

(2) The term of appointment of the Ombudsman shall be three years. The conditions of service shall be as prescribed by Statutes.

(3) The members of the Ombudsman shall hold honorary posts.

(4) The term of any Member of the Ombudsman may be aborted by the President after conducting an inquiry by following the principles of natural justice.

26. The Audit and Finance Council.- (1) There shall be an Audit and Finance Council to supervise and decide upon all matters relating to Finance.

(2) The Audit and Finance Council shall consist of the following members, namely:-

- (i) The Vice-Chancellor (Ex-Officio Chairman);
- (ii) the Principal Secretary to Government of Karnataka, Department of Finance or his nominee, not below the rank of a Deputy Secretary, Ex-officio member;
- (iii) the Principal Secretary to Government of Karnataka, Department of Higher Education or his nominee, not below the rank of a Deputy Secretary, Ex-officio member;
- (iv) the Pro Vice-Chancellor nominated for a period of three years by the Board of Governors;
- (v) one external expert on finance nominated by the Board of Governors for a period of three years;
- (vi) one Member from the Board of Governors nominated by the President;
- (vii) the Registrar;
- (viii) the Finance Officer (Member Secretary).

27. Functions and Duties of the Audit and Finance Council.-

(1) The functions and duties of the Audit and Finance Council shall be as follows:-

- (i) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Board of Governors;
- (ii) to consider all proposals for new expenditure and to make recommendations to the Board of Governors;
- (iii) to consider the periodical statements of the accounts and to review the finances of the University from time to time and to consider re-appropriation statements and audit reports and to make recommendations to the Board of Governors;

- (iv) to give its views and to make recommendations to the Board of Governors on any financial question affecting the University either on its own initiative or on reference from the Board of Governors;
- (v) to approve proposals for expenditure and purchases beyond a certain monetary limit as may be decided by the Board of Governors from time to time;
- (vi) to examine the financial implications in short and long terms with regard to creation of new posts of Professor, Associate Professor, Assistant Professor, ministerial and administrative staff and provide opinion on the same to the Board of Governors.

(2) The Audit and Finance Council shall meet at least twice every year. Four members shall form the quorum.

(3) The Vice-Chancellor shall preside over the meetings of the Audit and Finance Council, and in his absence, the Pro-Vice-Chancellor, nominated to the Council, shall preside. In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

28. The Pro Vice-Chancellor of the Unitary System.- The Pro Vice-Chancellor of the Unitary System shall be a whole time officer supervising the day to day affairs of the Unitary System of the University. He shall have powers delegated by the Board of Governors or the Vice-Chancellor, as the case may be, and perform all duties and functions as provided in the Statutes and the Regulations.

29. Appointment of the Pro Vice-Chancellor of the Unitary System.- (1) The Pro Vice-Chancellor of the Unitary System shall be appointed by the Board of Governors from amongst three names recommended by the Vice-Chancellor, who shall be a distinguished Professor with five years of experience with high reputation.

(2) The term of office of the Pro Vice-Chancellor shall be co-terminus with that of the Vice-Chancellor of the University.

(3) Upon the expiry of his term, he shall continue in office until his successor takes over the charge of the office.

(4) The Pro-Vice-Chancellor of the Unitary System shall perform all such functions necessary and incidental for the proper functioning of the System as may be prescribed by the statutes under this Act.

(5) He shall preside over the Academic Council.

(6) The Pro-Vice-Chancellor of the Unitary System shall be answerable to the Vice-Chancellor of the University.

30. The Pro Vice-Chancellor of the Affiliation System.- (1) The Pro-Vice chancellor shall be appointed by the Board of Governors from amongst three names recommended by the Vice-Chancellor, who shall be a distinguished Professor with five years of experience with high reputation.

(2) The Pro-Vice-Chancellor of the Affiliation System shall be a whole time officer and shall supervise the day-to-day functioning of the Affiliation System and exercise all such powers and perform all such functions necessary and incidental for the proper functioning of the System as may be prescribed by the statutes under this Act.

(3) He shall be the *Ex-Officio* Chairman of the Management Council.

(4) He shall be responsible to the Vice-Chancellor of the University.

(5) The term of office of the Pro Vice-Chancellor shall be co-terminus with that of the Vice-Chancellor of the University.

(6) Upon the expiry of his term, he shall continue in office until his successor takes over the charge of the office.

(7) The provisions of Part –II of the Schedule pertain to Authorities that govern the functioning of Unitary and Affiliation Systems.

31. The Academic Council.- (1) The Academic Council shall be the principal academic body of the Unitary System of the University and shall, subject to the provisions of this Act, the Statutes and Regulations,

co-ordinate policy-making and exercise general supervision over the academic affairs of the Unitary System of the University.

(2) The composition of the Academic Council shall be as follows, namely:-

- (a) the Pro Vice-chancellor, Unitary System, *Ex-officio* Chairman;
- (b) the Pro Vice-chancellor, Affiliation System, *Ex-officio* member;
- (c) two Deans of Schools nominated by the President for a period of three years by rotation on seniority basis;
- (d) two Professors, nominated by the President for a period of three years by rotation on seniority basis;
- (e) five members to be nominated for a period of three years by the President from among distinguished academicians from outside the University of whom at least one shall be a woman, one from NGO working the field of education, one belonging to Scheduled Castes/Scheduled Tribes and one belonging to Other Backward Classes;
- (f) the Director-Innovation, Research and Quality;
- (g) the Director, Knowledge Resources;
- (h) the Director-Student Welfare and Physical Education;
- (i) two students representatives, to be nominated for a period of one year by the Vice-Chancellor on merit basis, one from among the Research Scholars and the other from the post graduate students from the various Schools of the University, on rotation basis.
- (j) the Registrar-Member Secretary;

Provided that the student members shall not be allowed to participate in discussions in respect of matters relating to examinations, selection committees, appointments and conditions of service of the teaching staff.

32. Powers and duties of the Academic Council.- Subject to the provisions of this Act and the regulations, the Academic Council shall, in

addition to all other powers vested in it, have the following powers, namely:-

- (1) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among Colleges and Institutions, evaluation of research or improvements in academic standards;
- (2) to bring about inter-School co-ordination, to establish or appoint Committees or Boards, for taking up projects on an inter-School basis;
- (3) to consider matters of general academic interest either on its own initiative or on a reference by the Board of Governors or the Vice-Chancellor or a School and to take appropriate action thereon;
- (4) to frame regulations regarding courses of studies, scheme of examinations, conditions on which the students shall be admitted to degrees, diplomas, certification and other academic distinctions and for the declaration of the examination results;
- (5) to make recommendations to the Board of Governors with regard to the creation, abolition or classification of teaching posts in the University and the emoluments and the duties attached thereto;
- (6) to formulate and modify or revise schemes for the organization of the Schools/Centres, and to assign to such Schools/Centres their respective subjects and also to report to the Board of Governors as to the expediency of the abolition or sub-division of any School/Centre or the combination of one School/Centre with another;
- (7) to make arrangements through regulations for the instruction and examination of persons other than those enrolled in the University;
- (8) to promote research within the University and to require, from time to time, reports on such research;
- (9) to consider proposals submitted by the Faculty Councils and Centres of the Unitary System of the University;
- (10) to appoint committees for admission to the University;

- (11) to recognize diplomas and degrees of other universities and institutions and to determine their equivalence in relation to the diplomas and degrees of the University;
- (12) to fix, subject to any conditions accepted by the Board of Governors, the time, mode and conditions of competition for fellowships, scholarships and other prizes, and to award the same;
- (13) to make recommendations to the Board of Governors in regard to the appointment of examiners and if necessary their removal and the fixation of their fees, emoluments and travelling and other expenses;
- (14) to make arrangements for the conduct of classes and examinations and to fix dates for holding them;
- (15) to declare the result of the various examinations, or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honors, diplomas, licenses, titles and marks of honor;
- (16) to award stipends, scholarships, assistantships, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards on the recommendation of the Faculty Councils;
- (17) to publish lists of prescribed or recommended text-books and to publish syllabus of the prescribed courses of study;
- (18) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the regulations.

33. Procedure of the meetings of the Academic Council.- (1)

The Academic Council shall meet as often as may be necessary, but not less than three times during an academic year, with the interval between two meetings not exceeding a period of six months.

(2) One half of the total number of members of the Academic Council shall form quorum for a meeting of the Academic Council.

(3) In case of difference of opinion among the members, the opinion of the majority shall prevail.

(4) Each member of the Academic Council, including the Chairman shall have one vote and if there is an equality of votes on any question to be determined by the Academic Council, the Chairman or as the case may be, the member presiding over the meeting, shall, in addition, have a casting vote.

(5) The Chairman of the Academic Council shall preside over every meeting of the Academic Council and in his absence by the senior-most dean present on the day of meeting.

(6) If urgent action by the Academic Council becomes necessary, the Chairman may permit the business to be transacted by circulation of papers to the members. The action proposed to be taken shall not be taken unless agreed to by a majority of members. The action so taken shall be forthwith intimated to all the members and the papers shall be placed before the next meeting of the Academic Council for confirmation.

34. The Management Council.- There shall be a Management Council for Affiliation System of the University responsible for the affiliation, curriculum management, the conduct of examinations, administration of affiliated colleges, autonomous institutions and for planning and executing distance education and correspondence courses.

35. Composition of the Management Council.- The Management Council shall consist of the following Members, namely:-

- (a) the Pro Vice-Chancellor of the Affiliation System – Ex-Officio Chairman;
- (b) the Pro Vice-Chancellor of the Unitary System;
- (c) the Commissioner of Collegiate Education or his nominee not below the rank of a Joint Director;
- (d) the Director, Board for Affiliation and Examination;
- (e) the Director, Board for Open and Distance Education;

- (f) the Director, Board of Studies;
- (g) two Deans from the Unitary System, nominated by the Vice-Chancellor for a term of three years;
- (h) five Principals from Affiliated Colleges, of whom one will be from Autonomous College, nominated by the Vice-Chancellor for a term of two years on rotation basis;
- (i) one representative of the Audit and Finance Council;
- (j) two Members nominated by the Vice-Chancellor of whom one shall be an Industrialist and the other an eminent educationist;
- (k) two students representatives, to be nominated for a period of one year by the Vice-Chancellor on merit basis, one from among the Undergraduate students and the other from the Post Graduate students from various colleges and PG Centres under the Affiliation System of the University;
- (l) The Registrar-Member Secretary;

Provided that the student members shall not be allowed to participate in discussions in respect of matters relating to examinations, selection committees, appointments and related issues.

36. Functions of the Management Council.- Subject to the provisions of this Act, the Rules and the regulations, the Management Council shall, in addition to all other powers vested in it, have the following powers, namely:-

- (1) to decide on the course structure, regulations, course contents, pedagogy system of assessment, panel of examiners and faculty development in respect of affiliated colleges;
- (2) to carry out empirical analysis of the results and make recommendations to the Academic Council on the steps to be initiated for improvisation of standards of education every year;
- (3) to examine and make an assessment of the academic programmes of autonomous colleges and provide feedback to such colleges;

- (4) to decide on the matters of affiliation and dis-affiliation of colleges and institutions to and from the privileges of the University on the recommendations of the Board of Affiliation and Examination;
- (5) any other powers, duties, functions and responsibilities as prescribed by the Statutes.

37. Procedure of the Meetings of the Management

Council.- (1) The Management Council shall meet as often as may be necessary, but not less than two times during an academic year.

(2) One half of the total number of members of the Management Council shall form quorum for a meeting of the Academic Council.

(3) In case of difference of opinion among the members, the opinion of the majority shall prevail.

(4) Each member of the Management Council, including the Chairman shall have one vote and if there shall be an equality of votes on any question to be determined by the Management Council, the Chairman or as the case may be, the member presiding over the meeting, shall, in addition, have a casting vote.

(5) If urgent action by the Management Council becomes necessary, the Chairman may permit the business to be transacted by circulation of papers to the members. The action proposed to be taken shall not be taken unless agreed to by a majority of members. The action so taken shall be forthwith intimated to all the members and the papers shall be placed before the next meeting of the Management Council for confirmation.

38. 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.

39. 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 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-V**STATUTES, 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, function and powers of other authorities of the University and such other bodies as may be constituted to be the authorities of the University from time to time;

(b) the election 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 appointment, powers and duties of the officers of the Systems of the University and their emoluments and other terms and conditions of service;

(d) the appointment of teachers of the University and other academic staff and their emoluments and other terms and conditions of service;

(e) the appointment of teachers and other academic staff working in any other University or organization for a specific period for undertaking a joint project;

(f) the conditions of service including provision of pension, insurance and provident fund, the manner of termination of service and disciplinary action;

(g) the principles governing seniority of service of employees;

(h) the procedure for arbitration in cases of dispute between employees or students and the University;

(i) the procedure for appeal to the Board of Governors by any employee or student against the action of any officer or authority of the University;

(j) the establishment and recognition of Students' Union or associations of teachers, academic staff or other employees;

(k) the participation of the students in the affairs of the University;

(l) the conferment of Honorary Degrees;

(m) holding of convocations for conferring degrees and diplomas; and issue of Degree certificates in case of urgency before convocation;

(n) the withdrawal of Degrees, Diplomas, Certificates and other academic distinctions;

(o) the establishment, maintenance and abolition of Schools, Centres, hostels, colleges and institutions;

(p) the conditions for affiliation of colleges, recognition of centres / institutions of Research and for withdrawal of such affiliation/recognition;

(q) the extent of autonomy which a school, centre, college or an institution may have and the matters in relation to which such autonomy may be exercised;

(r) the institution of fellowships, scholarships, assistantships, studentships, exhibitions, medals and prizes;

(s) creation, re-deployment, suspension or abolition of posts of Professors, Associate Professors, Assistant Professors and such other teaching positions;

(t) creation, re-deployment, suspension or abolition of administrative, technical, ministerial and such other non-teaching posts;

(u) the methods of recruitment of teachers, non-teaching staff in the University subject to reservation policy of the Government;

(v) the acceptance and management of bequests, donations and endowments;

(w) fees to be charged for the services rendered by the University as well as the registration and other fee payable by the recognized institutions;

(x) conditions of residence of students of the University;

(Y) health and discipline of and disciplinary proceedings against students in the University and in the affiliated colleges and other institutions;

(z) the establishment of Centres of Studies, Boards of Studies, Special Centres, Specialised laboratories and other Committees;

(aa) the terms and conditions of the recognition of Institutions of higher learning and its withdrawal;

(ab) the terms and conditions on which persons working in any recognized Institution or in any Institution associated with the University may be recognized as teachers and for withdrawing such recognition;

(ac) the manner of cooperation or collaboration or association with other Universities, authorities or Institutions of higher learning;

(ad) the special arrangements if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

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

41. Enactment of Statutes and their making.- (1) The first Statutes shall be as specified in the Schedule.

(2) The Board of Governors may, from time to time, make new or additional Statutes or may amend or repeal the Statutes including those referred to in the sub-section (1) in the manner hereinafter provided:

Provided that the Board of Governors shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes,

and any opinion so expressed shall be considered by the Board of Governors.

(3) The Board of Governors may take up for consideration the draft of a Statute either on its own motion or on a proposal made by the Academic Council or Management Council in relation to the Unitary System and Affiliation System respectively as the case may be. When the draft is not proposed by the Academic Council or the Management Council, and when the subject involved falls within the scope of the Academic Council or the Management Council as the case may be, the Board of Governors shall seek the opinion of the Council concerned.

(4) The Board of Governors shall obtain the opinion of the Audit and Finance Council in respect of such of the Statutes involving financial implications.

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

(6) Every Statute made or any amendment or repeal of a Statute require the approval by the President..

(7) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the President.

(8) The Statutes shall have effect from such date as the President may direct.

(9) Notwithstanding anything contained in the foregoing subsections, the President may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1), during the period of three years immediately after the commencement of this Act.

42. Regulations.- (1) The Academic Council in relation to the Unitary System and the Management Council in relation to Affiliation System may make the Regulations consistent with this Act and the Statutes providing for exercising all or any of the powers enumerated in this Act and particularly for the following matters, namely:-

- (a) admission of students to the University under enrollment as such;
- (b) courses of study for all degrees, diplomas and certificates of the University;
- (c) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
- (d) 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;
- (e) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (f) conduct of examinations, including the terms of office and the duties of examining bodies, examiners and moderators;
- (g) regulating the giving of religious instructions;
- (h) recognition of examinations and Degrees of other Universities as equivalent to the examinations and degrees of the University;
- (i) 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;
- (j) rules to be observed and enforced by the schools, centres, colleges and recognized institutions in respect of transfer of students;

(k) grant of exemptions.

(2) All Regulations passed by the Academic Council or the Management Council shall be sent to the Board of Governors for their approval. The Board of Governors may within one month of the receipt of Regulations from the Academic Council or Management Council either approve them or refer them to the Academic Council or Management Council for further Consideration.

(3) All regulations shall come into force on the date of their approval by the Board of Governors or on such date as the Board of Governors may direct.

43. Power to give retrospective effect to Statutes and Regulations.-The power to make Statutes or Regulations shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the Statutes or Regulations or any of them but no retrospective effect shall be given to any Statute or Regulation so as to prejudicially affect the interests of any person to whom such Statute or Regulation may be applicable.

44. Rules.- (1) The Board of Governors may make rules consistent with this Act, the Statutes, and the Regulations.

(2) The Rules may provide for,-

- (a) issuing notice of meeting to the members of each Authority or Board, of the dates of the 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 the meetings and the number of members required to form the quorum for the meetings; and
- (c) all matters solely concerning such Authority or Board and not provided for by this Act, the Statutes, or the Regulations.

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

CHAPTER-VI

AFFILIATION OF COLLEGES AND RECOGNITION OF INSTITUTIONS

45. Affiliation.- The process of conducting inspection of colleges, granting Affiliation/ permanent Affiliation, withdrawal of affiliation, granting autonomous status to the colleges and recognition of certain institutions for research studies, and the process for permitting voluntary closure of a college or a course shall be as prescribed by the Statutes made in this behalf.

46. Distance Education.- The process of instituting distance education or correspondence courses, and recognizing institutions, shall be as prescribed by the Statutes made in this behalf.

CHAPTER-VII

FINANCE, ACCOUNTS AND AUDITS

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

(a) Any contribution or grant made by the University Grants Commission or the Central Government;

(b) Any contribution or grant made by the 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 other sources.

(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 Act’ (Acquisition and Transfer of Undertakings) Act, 1970 or may be invested in securities authorized by the Indian Trusts’ Act, 1882, as may be decided by the Board of Governors.

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

48. Annual Accounts and Audit.- (1) The Annual Accounts of the University shall be prepared under the directions of the Audit and Finance Council.

(2) The accounts of the University shall, at least once in a year, be audited by the auditors appointed by the Audit and Finance Council:

Provided that the Government shall have the power to direct, whenever considered necessary, an audit of the account of the University, including the institutions managed by it, by such auditors, as it may specify.

(3) The accounts when audited together with the audit report shall be placed before the Audit and Finance Council, The Board of Governors and also should be submitted to the Government.

(4) The Annual Accounts shall be considered by the Board of Governors at its annual meeting. The Board of Governors may pass resolutions with reference thereto and communicate the same to the Audit and Finance Council which shall consider the suggestions made by the Board of Governors and take such action thereon as it thinks fit. The

Audit and Finance Council shall inform the Board of Governors at its next meeting all actions taken by it or the reasons for not taking action.

49. Financial estimates.- (1) The Audit and Finance Council shall prepare before such date as may be prescribed by the regulations, the financial estimates for the ensuing year and place the same before the Board of Governors.

(2) The Audit and Finance Council may, in case where the 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 regulations. Where no provision has been made in the budget in respect of such excess expenditure a report shall be made to the Board of Governors at its next meeting.

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

Provided that no prior approval is necessary for a scheme or a programme which does not cost any burden on the Government and the entire expenditure in that respect is met out of the University funds.

50. Powers of Government to direct Audit.- (1) The 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 Government.

51. Annual Reports.- (1) The Audit and Finance Council shall prepare the annual report containing such particulars as the Board of Governors may specify, covering each financial year and submit it to the Board of Governors on or before such date as may be prescribed by the regulations. The Board of governors may pass resolutions thereon and the Vice-Chancellor shall take action in accordance therewith. The action taken shall be intimated to the Board of Governors.

(2) Copies of the annual report along with the resolution of the Board of Governors thereon shall be submitted to the Government. The Government shall lay the same before both the Houses of the State Legislature at their next earliest session and thereafter the University shall make the same available to public through electronic media.

52. Execution of Contracts.- All contracts relating to the management and administration of the University approved by the Board of Governors shall be executed by the Registrar or such other officers to whom the power is delegated and in the event the contract being above rupees twenty-five lakhs, such delegation can be only to the Vice-Chancellor.

CHAPTER-VIII

ENROLLMENT AND DEGREES

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

54. Assessment / Examination pattern.- Assessment / Examination pattern and the granting of Diplomas and Degrees shall be as prescribed by the Regulations made in this behalf.

55. Honorary Degrees.- The Board of Governors may unanimously resolve to confer an honorary degree or academic distinction on any person on the ground that he or she is in their opinion by reason of eminence, attainment and position, fit and proper to receive such degree or academic distinction.

56. Withdrawal of Degree or Diploma.- (1) The Board of Governors, may, on the recommendation of the Academic Council or the Management Council as the case may be, withdraw any distinction, degree, diploma or privilege conferred on or granted to any person by a resolution passed by the majority of the total membership of the Board of Governors and by a majority of not less than two thirds of the members of the Board of Governors present and voting at the meeting, if such person has been convicted by a court of law for an offence, which in the opinion of the Board of Governors involve moral turpitude or if he has been guilty of gross misconduct.

(2) No action under this rule 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 Board of Governors shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Board of Governor may appeal to the President, within thirty days from the date of the receipt of such resolution.

(5) The decision of the President in such appeal shall be final.

57. 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 President in consultation with the 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 President 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.

58. 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.

59. 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 cognizance of an offence punishable under this section or the abetment of any such offence save on the complaint made by the Registrar (Evaluation).

60. Punishment for abetment of offences.- Whoever instigates or abets the commission of offence punishable under section 59 shall, on conviction be punished with the same punishment provided for in that section.

61. 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-IX**MISCELLANEOUS AND TRANSITORY PROVISIONS****62. Appointment in accordance with the promotion schemes.-**

Notwithstanding anything contained in the above, but subject to the rules and orders of the 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 Teachers in the Unitary system of the University shall be made by the Board of Governors on the recommendation of the concerned Board of Appointment in accordance with the Schemes governing promotions/ Career Advancements as prescribed by the Statutes adopting the schemes evolved by the University Grants Commission and such other bodies concerned.

63. Sponsored schemes.- Whenever the University receives funds from the Government, the University Grants Commission or other Agencies, including Private Enterprises, sponsoring a scheme, accepted to be executed by the University, notwithstanding anything contained in this Act,–

(a) the Amount received shall be kept by the University separately from the University funds and utilized only for the purpose of the scheme; and

(b) the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization;

(c) in case such scheme involves any matching contribution from the Government or imposes a recurring liability on the Government after the assistance from the sponsoring authority ceases, such staff shall not be entitled to be continued after the assistance from the sponsoring authority ceases, except with the prior approval of the Government.

64. 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, Regulations or Rules made there under.

65. Act and Proceedings not invalidated merely on the ground of defect in Constitution etc.- Notwithstanding that the Board of Governors or any other authority or body of the University is not duly constituted or there is a defect in its constitution or re-constitution 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 / grounds.

66. Powers to remove difficulties.- (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the notified date or otherwise on giving effect to the provisions of this Act, the 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 three years from the date of establishment of the University under section 3 of this Act.

(2) Every notification issued under sub-section (1) or under any other provisions of this Act 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 successive 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. However, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

67. Power to amend the Schedule.- The Board of Governors may from time to time, by Statute add, amend, vary or omit any of the provisions of the Schedule to this Act.

68. Transitory provisions.- Notwithstanding anything contained in this Act, the Vice-Chancellor may, 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.

69. Continuance of Statutes, Regulations, Rules, etc.- (1) Until the Statutes, Regulations and Rules are made under the appropriate provisions of this Act, the Statutes, Regulations and Rules which were made under the provisions of the Karnataka State Universities Act, 2000 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, be deemed to be the Statutes, 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, 2000, 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.

70. Act to prevail over other enactments.- This Act and Statutes or Rules or Regulations made there under 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 of the Constitution of India.

71. Amendment of Karnataka Act 29 of 2001.- In the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001), in section 3, in sub-section (1), clause (c) and (f) shall be omitted.

72. Karnataka Act No.29 of 2001 not to apply.- (1) The provisions of the Karnataka State Universities Act, 2000 shall cease to apply to the Universities constituted under this Act and in respect of matters specifically not covered under this Act shall be governed by Statutes made under this Act:

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 under section 8 and 24 of the said Act shall be applicable as if the said enactment and the provisions have been repealed and re-enacted by this Act.

(2) If any difficulty arises in giving effect to the provisions of this Act the Government may, by order published in the official Gazette do anything which appears to it to be necessary for the purpose of removing the difficulty.

(3) No Order made under sub-section (1), shall be questioned in any court of law on the ground that no difficulty as is referred to in the said sub-section existed or was required to be removed.

(4) Every Order published under this section, shall, as may be after its publication, be laid before both the houses of State Legislature.

SCHEDULE

(See section 2(20) and section 67)

PART – I

The provision of Part –I of the Schedule pertains to officers of the Unitary and Affiliation Systems of the University, their appointment, powers and functions.

A. Officers under the Unitary System:

1. The Dean.- (1) There shall be a Dean for every school who shall be the *Ex-officio* chairman of the Faculty Council and shall be responsible for the academic affairs of the concerned School. He shall exercise all such powers and perform all such functions necessary and incidental for the proper functioning of the School as may be prescribed by the Statutes under this Act.

(2) Deans are appointed by the Vice-Chancellor for a term of three years, as per the Statutes framed for this purpose.

2. The Director, Knowledge Resources.- (1) The Director of the Knowledge Resources shall be a whole time officer of the University and shall be responsible for all knowledge resources including matters connected with library.

(2) He shall be appointed by the Board of Governors on the recommendation of the Board of Appointment as mentioned in this Act.

(3) He shall possess such qualification and shall exercise such powers and shall discharge such duties as may be prescribed by Statutes.

3. The Director of Students Welfare and Physical Education.-
A Professor or an Associate Professor in the University or in the Colleges shall be appointed by the Board of Governors as The Director of

Students Welfare and Physical Education on the recommendation of the Vice-Chancellor. He shall be a whole-time Officer of the University, and shall exercise such powers and perform such functions as may be conferred or imposed on him by the Vice-Chancellor or as may be prescribed by the Statutes. His tenure of office, emoluments and other service conditions shall be as prescribed by the Statutes.

4. The Director, Innovation, Research and Quality.- A Professor with an accomplished record in academy and research, who has an exposure to quality assessment, shall be appointed by the Board of Governors on the recommendation of the Vice-Chancellor as the Director, Innovation, Research and Quality. He shall perform such functions as may be prescribed by the Statutes and Regulations or as may be required from time to time by the Vice-Chancellor. In addition, he shall be the member-secretary of the Research and Innovation Council.

B. Officers under the Affiliation System

5. The Director, Board for Affiliation and Examination.- The Director, Board for Affiliation and Examination shall be appointed by the Board of Governors, on the recommendation of the Vice-Chancellor. The qualifications for his appointment, emoluments and terms and conditions of service shall be as prescribed by the Statutes.

6. The Director, Board for Open and Distance Education.- The Director, Board for Open and Distance Education shall be appointed by the Board of Governors, on the recommendation of the Vice-Chancellor. The qualifications for his appointment, emoluments and terms and conditions of service shall be as prescribed by the Statutes.

7. The Director, Board of Studies.- The Director, Board of Studies shall be appointed by the Board of Governors, on the recommendation of the Vice-Chancellor. The qualifications for his appointment, emoluments and terms and conditions of service shall be as prescribed by the Statutes.

C. Other Officers

The manner of appointment, powers, functions and terms and conditions of service of such other officers shall be as prescribed by the Statutes.

PART – II

A. Authorities and Structures under Unitary System

1. The Research and Innovation Council.- (1) There shall be a Research and Innovation Council to plan all research programmes of the University including,-

- (a) co-ordination inter-disciplinary interaction to undertake joint researches;
- (b) to promote innovation in the University,
- (c) to recommend the formulation/amendment of the policies of the University with respect to intellectual property, consultancy and other extension services;
- (d) to educate, guide and assist teachers and students on issues concerning intellectual property, patent acquisition etc.;
- (e) to maintain a detailed catalogue of all the funding schemes available for various kinds of researches in all possible disciplines at the state, national and international level.
- (f) to facilitate the establishment of Business Incubation Centres, Consultation Centres and similar services;

(g) to advise the Academic Council on all matters pertaining to research.

(2) The Research and Innovation Council shall consist of the following members, namely:-

- (a) two Deans nominated by Pro-Vice-Chancellor of the Unitary System of the University;
- (b) the Director, Innovation, Research and Quality of the Unitary System of the University. He is the *Ex-officio* member-secretary of the said Council;
- (c) one member from the institutes of national repute like Indian Institute of Science, Bangalore, Jawaharlal Nehru Centre for Advanced Studies, Bangalore, National Institute for Advanced Studies, Bangalore etc to be nominated by the Vice-Chancellor;
- (d) one member with distinguished achievement in the field of Industry to be nominated by the Board of Governors;
- (e) the senior-most Dean to be the Chairman of the Council.

(3) The manner of its meeting and decisions shall be as prescribed by Statutes.

2. Board of Appointment.- The Board of Appointment for different categories of posts shall be as set out in Part-III of the Schedule of this Act.

3. The School.- (1) There shall be following schools under the Unitary System of the University. A School shall be a cluster of number of Centres of related disciplines,-

- (a) School of Environment, Earth Science and Technology;
- (b) School of Life Sciences and Technology;

- (c) School of Mathematical, Computational Science and Technology;
- (d) School of Physical and Chemical Sciences and Technology;
- (e) School of Arts and Fine Arts;
- (f) School of Languages and Literature;
- (g) School of Social Sciences;
- (h) School of Business, Commerce and Management Sciences;
- (i) School of Information Science, Journalism and Electronic Media;
- (j) School of Education, Physical Education and Yogic Science;
- (k) School of Law and Jurisprudence;

(2) Additional Schools may be prescribed by Statutes from time to time.

(3) Each School shall consist of various centres of related disciplines as may be prescribed by the Statutes.

(4) Each School shall be headed by a Dean who shall be appointed as prescribed by the Statutes.

4. Faculty Council.- (1) Every School shall have a Faculty Council.

(2) The Faculty Council shall consist of the following members, namely:-

- (i) the Dean of the School;
- (ii) Centre Coordinators of all the Centres under the concerned School;
- (iii) the Professors in the School;
- (iv) senior most Reader in the School by rotation according to seniority;
- (v) two Professors from other Schools to be nominated by the Vice-Chancellor; and
- (vi) two members/ , not in the services of the University to be nominated by the Vice-Chancellor for their special

knowledge or interest in the subjects of the School so that each Centre/ subject may be represented;

- (vii) two students' representatives, to be nominated for a period of one year by the Vice-Chancellor on merit basis, one from among the Research Scholars and the other from the post graduate students from various Schools of the University, on rotation basis.

Provided that the members under clauses (iv) to (vi) shall hold office for a period of three years:

Provided further that the student members shall not be allowed to participate in discussions in respect of matters relating to examinations, selection committees, appointments and conditions of service of the teaching staff.

(3) The members of the first Faculty Council shall be nominated by the Board of Governors and shall hold office for a period of three years.

(4) The Faculty Council shall meet at least once in every three months.

(5) The Faculty Council shall perform within the School the following functions, namely:-

- (i) academic and administrative planning;
- (ii) implementation of the planning;
- (iii) design courses, develop the curriculum, organize teaching, conduct examinations, recommend scholarships, manage admissions, train faculty for competitive excellence.
- (iv) such other duties and functions, as prescribed in Statutes and as directed by the Vice-Chancellor, from time to time.

5. Centres.- (1) There shall be a centre under every school for specific discipline furthering applied knowledge in the respective field of education.

(2) Every School may institute Centre/Centres for inter-disciplinary approaches in accordance with the Statutes made under this Act.

6. Admission of Students under Schools.- All the students under the Unitary System of the University shall be students of the respective Schools and not be restricted by a particular Centre.

B. Authorities under Affiliation System

7. Board for Affiliation and Examination.- (1) There shall be a Board for Affiliation and Examination responsible for recommending the affiliation of colleges, the conduct of examinations and for implementing the affiliation and examination related decisions of the Management Council.

(2) The Board for Affiliation and Examination shall consist of the following members, namely:

- (a) two persons nominated by the Management Council;
- (b) two persons nominated by the Board of Governors;
- (c) one representative of the Audit and Finance Council;
- (d) one nominee of the Academic Council of the Unitary System;
- (e) the Registrar.

(3) The powers, functions and the procedure for transaction of business of the Board of Affiliation and Examination shall be as prescribed by the Statues.

8. Board for Open and Distance Education.- There shall be a Board for Open and Distance Education under the Affiliation System of the University to provide instruction in open and distance modes to the eligible students located within the territorial jurisdictions of the

University. The constitution, composition, powers and functions of such a Board shall be as prescribed by the Statutes made for this purpose under this Act.

9. Board of Studies.- There shall be Board of Studies for cluster of related Under-graduate and Post-graduate programmes offered under the Affiliation System of the University. The constitution, composition, powers and functions of such a Board shall be as prescribed by the Statutes made for this purpose under this Act.

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

(2) The Constitution, function, powers, and duties of the Board established under sub-section (1) shall be as prescribed by the Statutes.

11. Restriction on 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 to the same authority 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 President on the ground of misbehavior, misconduct or otherwise after holding an enquiry:

Provided that a member of any of the authorities under this Act 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 a member of any of the authorities under this Act.

PART – III

1. Appointment of Teaching and Non-teaching Staff of the Unitary System of the University.- There shall be a Board of Appointment for selection of persons for making recommendations to the Board of Governors for appointment of teaching and non-teaching staff in the University.

(1) Every such Board of Appointment,-

(i) to the posts of Professors, Associate Professors and Assistant Professors of the Unitary System, shall consist of, –

- (a) the Vice-chancellor as Ex-officio Chairman;
- (b) the Pro Vice-chancellor of the Unitary System;
- (c) the Dean of the School concerned;
- (d) the Coordinator of the Centre concerned, if he is a Professor but not a dean; and
- (e) three persons, not in the services of the University nominated by the Board of Governors out of a panel of names recommended by the Academic Council and known for their special knowledge or interest in the subject for which the Professor or Associate Professor or Assistant Professor, as the case may be, will have to be recruited;

(ii) to the posts of Director and Associate Director of Knowledge Resources of the Unitary System, shall consist of,-

- (a) the Vice-chancellor as Ex-officio Chairman;

- (b) the Pro Vice-chancellor of the Unitary system;
 - (c) two persons not in the services of the University, who have special knowledge in the subject of Library Science or Library Administration, to be nominated by the Board of Governors; and
 - (d) one person, not in the services of the University, nominated by the Board of Governors.
- (iii) the posts of Director and Associate Director of Student Welfare and Physical Education of the Unitary System, shall consist of,–
- (a) the Vice-chancellor as Ex-officio Chairman;
 - (b) the Pro Vice-chancellor of the Unitary System;
 - (c) two persons not in the services of the University, of whom one is an expert in the field of Psychology and the other with special knowledge in the field of sports or sports administration, to be nominated by the Board of Governors; and
 - (d) one person not in the services of the University, nominated by the Board of Governors.

(2) The Registrar shall be convener of the Board of Appointment .

(3) The quorum for the meeting of the Board of Appointment in respect of Professors, Associate Professors and Assistant Professors shall be four of which two shall be from among persons not in the services of the University nominated by the Board of Governors and in respect of other categories of posts it shall be three of which two persons shall be from out of persons not in the services of the University nominated by the Board of Governors.

(4) The procedure to be followed by the Boards of Appointment for making recommendations shall be as laid down in the Statute made under this Act.

(5) In the event of the Board of Governors not accepting the recommendations made by the Board of Appointment, it shall record its reasons and submit the matter to the President whose decision thereon shall be final.

(6) Notwithstanding anything contained in the preceding sub-sections, the Board of Governors 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/ Fellow, Honorary Professor, Invited Professor/Fellow, Adjunct Faculty at the University. The emoluments and other terms and conditions of appointment, shall be as prescribed by the Statutes.

2. Temporary appointments.- (1) Notwithstanding anything contained in the above sections of the Chapter, the Vice-Chancellor may make temporary appointments to the posts of teachers and such non-teaching staff as may be specified in the statutes for not more than one year.

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

3. 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 Pro Vice-Chancellor-Ex-Officio Chairman;
- (ii) one expert nominated by the Vice-Chancellor;
- (iii) the Director of Social Welfare or his nominee, not below the rank of a Deputy Director;
- (iv) the Director of Backward Classes and minorities, or his nominee not below the rank of a Deputy Director;
- (v) the Registrar - Member Secretary;

(3) The Board shall prepare a select 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 examination and the marks awarded in the interview.

(4) While preparing the select list under Schedule, the Board of Appointment shall follow the rules or reservation of appointments or posts for persons belonging to the Scheduled Castes and the Scheduled Tribes and other Backward Classes under Article 16(4) of the Constitution.

(5) The quorum for the meeting shall be three.

(6) Appointment by promotion to any category of posts shall be made as prescribed by the statutes.

(7) All appointments shall be made by the Board of Governors by operating the select list prepared by the Board of Appointment in the order of merit in which the names have been arranged. If any difference arises between the Board of Appointment and the Board of Governors, the matter shall be referred to the President whose decision thereon shall be final.

STATEMENT OF OBJECTS AND REASONS

It is considered necessary to enact a legislation for establishment of Innovative Universities to provide for,-

- (1) establishment of the Karnataka University, Dharwad and the University of Mysore, as Innovative Universities in the state;
- (2) development of higher education in the State in the current competitive environment;
- (3) control of the declining standard of academic research;
- (4) ensuring necessary autonomy to these Universities in the academic sphere through decentralization and separation of the academic and administrative functions;
- (5) greater flexibility in the academic and research architecture of the Universities through facilitation of an inter disciplinary and multi - disciplinary approach;and
- (6) certain other matters connected therewith or incidental thereto.

Hence the Bill.

FINANCIAL MEMORANDUM

There will be no extra expenditure involved in the proposed legislative measure.

Dr. V.S. ARCHARYA

Minister for Higher Education,
Planning, Statistics, Mujarai,
Information Technology and Bio Technology.