

## **Karnataka State Law University Act, 2009**

**11 of 2009**

**[03 April 2009]**

### CONTENTS

#### **CHAPTER 1 :- PRELIMINARY**

1. Short Title And Commencement
2. Definitions

#### **CHAPTER 2 :- THE UNIVERSITY**

3. Establishment And Incorporation Of The University
4. The Objectives
5. Powers And Functions Of The University
6. Jurisdiction And Admission To Privileges
7. Admission To The University
8. Discipline, Inspection And Control
9. Power To Issue Directions
10. Power To Annul The Orders Of The University

#### **CHAPTER 3 :- OFFICERS OF THE UNIVERSITY**

11. Officers Of The University
12. The Chancellor
13. The Pro-Chancellor
14. The Vice Chancellor
15. Powers Of The Vice Chancellor
16. Arrangement Of Work During Vacancy In The Office Of The Vice-Chancellor
17. The Registrar
18. Powers And Functions Of The Registrar
19. The Registrar (Evaluation)
20. The Finance Officer
21. Temporary Vacancy In The Office Of The Registrar, The Registrar (Evaluation), The Finance Officer
22. Dean
23. Director Of Student Welfare
24. The Librarian
25. The Director Of Planning, Monitoring And Evaluation Board
26. The Director, College Development Council
27. The Director Of Physical Education

## **CHAPTER 4 :- AUTHORITIES OF THE UNIVERSITY**

- 28. Authorities Of The University
- 29. Syndicate
- 30. Powers Of Syndicate
- 31. Meetings Of The Syndicate
- 32. Members Not Entitled To Remuneration
- 33. Academic Council
- 34. Powers Of The Academic Council
- 35. Meeting Of Academic Council
- 36. Disqualification For Membership
- 37. The Term Of Office Of The Members Of The Academic Council And Syndicate
- 38. Restriction Of Holding The Membership Of The Authorities
- 39. The Finance Committee
- 40. Planning, Monitoring And Evaluation Board
- 41. The Board Of Studies
- 42. Other Authorities
- 43. Committees
- 44. Faculties
- 45. Vice Chancellor And Other Officers, Etc., To Be Public Servants

## **CHAPTER 5 :- STATUTES, ORDINANCES AND REGULATIONS**

- 46. The Statutes
- 47. The Statutes How Made
- 48. The Ordinances
- 49. The Regulations

## **CHAPTER 6 :- FINANCE AND ACCOUNTS**

- 50. General Funds
- 51. Other Funds
- 52. Power To Borrow
- 53. Management Of Funds
- 54. Power Of Government To Direct Audit
- 55. Financial Estimates
- 56. Annual Accounts And Audit
- 57. Annual Report

## **CHAPTER 7 :-AFFILIATIONOF COLLEGES AND RECOGNITION OF INSTITUTIONS**

- 58. Affiliation Of Colleges
- 59. Recognition Of Certain Institutions
- 60. Inspection Of Colleges And Reports
- 61. Withdrawal Of Affiliation
- 62. Autonomous College
- 63. Voluntary Closure Of College Or Course

## **CHAPTER 8 :-APPOINTMENTOF TEACHERS AND OTHER**

## EMPLOYEES OF THE UNIVERSITY

- 64. Appointments Of Teachers, Etc
- 65. Appointment In Accordance With Promotion Schemes
- 66. Appointment To Part-Time Post
- 67. Temporary Appointment
- 68. Appointment Of Other Non-Teaching And Ministerial Staff
- 69. Reservation Of Promotional Vacancies For Scheduled Castes, Etc
- 70. Method Of Recruitment And Conditions Of Service
- 71. Pension, Gratuity, Etc

## **CHAPTER 9 :-** INTERUNIVERSITY TRANSFER OF NON-TEACHING EMPLOYEES

- 72. Transfer Of Non-Teaching Employees

## **CHAPTER 10 :-** ENROLMENT AND DEGREES

- 73. Eligibility For Admission Of Students
- 74. Honorary Degrees
- 75. Withdrawal Of Degree Or Diploma

## **CHAPTER 11 :-** UNIVERSITY REVIEW COMMISSION

- 76. Appointment Of University Review Commission

## **CHAPTER 12 :-** FUNCTIONS AND THE RESPONSIBILITIES OF THE PERSONS INVOLVED IN THE EXAMINATION WORK

- 77. Duties Of A Teacher
- 78. Obligation To Perform The Examination Work
- 79. Punishment For Abetment Of Offences
- 80. Prohibition Of Private Tuition

## **CHAPTER 13 :-** GENERAL

- 81. Vacating Of Office
- 82. Filling Of Casual Vacancies
- 83. Protection Of Action Taken In Good Faith
- 84. Proceedings Of The University Authorities Not Invalidated By Vacancies
- 85. Disputes As To Constitution Of University Authorities And Bodies
- 86. Transitory Powers Of The First Vice Chancellor
- 87. Continuance Of Statutes, Ordinances, Etc
- 88. Saving As To Certain Examinations
- 89. Act To Prevail Over The Enactments
- 90. Properties And Employees Of University Colleges
- 91. Transfer Of Accumulations In Provident Fund And Other Like Funds
- 92. Removal Of Difficulty
- 93. Repeal And Savings

# **Karnataka State Law University Act, 2009**

**11 of 2009**

**[03 April 2009]**

An Act to establish and incorporate a Law University dedicated for study and research in Law in the State of Karnataka. Whereas it is expedient to establish and incorporate a University dedicated to Study and Research of Law through systematic instruction, teaching and training in law and to inculcate among citizens a sense of meaningful concern for the law in a system of parliamentary democracy in the State of Karnataka. Be it enacted by the Karnataka State Legislature in the fifty-ninth year of the Republic of India as follows:-

## CHAPTER 1 PRELIMINARY

### **1. Short Title And Commencement :-**

- (1) This Act may be called the Karnataka State Law University Act, 2009.
- (2) It shall be deemed to have come into force with effect from 1st January, 2009.

### **2. Definitions :-**

In this Act unless the context otherwise requires,-

- (a) "Academic Council" means, the Academic Council of the University established under section 33;
- (b) "Affiliated College" means, a college or institution situated within the University area and affiliated to the University in accordance with the Statutes prescribed and includes all colleges and institutions, which impart education in law, deemed to be affiliated to the University under this Act;
- (c) "Commission of Inquiry" means, Commission of Inquiry constituted under Section 8;
- (d) "College" means, a college or an institution recognized by the State Government and affiliated to the University and providing any course of study and training in law for admission to the examinations leading to award of degrees, diplomas or other academic distinctions of the University;
- (e) "Department", "Department of Studies", "Post Graduate Department" and "Post Graduate Department of Studies" shall

respectively mean the Department, Department of Studies, Post-Graduate Department and Post-Graduate Department of Studies in the University established and maintained by the University under this Act;

(f) "Government" means the State Government;

(g) "Hostel" means a unit of residence for students of the University maintained or recognized by the University in accordance with the provisions of this Act;

(h) "Prescribed" means prescribed by Statutes, Ordinances or Regulations made under this Act;

(i) "Principal" means the Head of a College or Institution;

(j) "Statutes" "Ordinances", "Regulations" means respectively the Statutes, Ordinances and Regulations made under this Act;

(k) "Syndicate" means the syndicate of the university constituted under section 29;

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

(m) "University" means the Karnataka State Law University established and incorporated under section 3;

(n) "University Area" means the area of jurisdiction of the University;

(o) "University College" means a college established, maintained and affiliated to the University.

## CHAPTER 2

### THE UNIVERSITY

### **3. Establishment And Incorporation Of The University :-**

(1) There shall be established a University called "The Karnataka State Law University" for furthering objectives set out in section 4.

(2) The University shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and shall sue and be sued by the said name.

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

(4) The University shall be both a teaching and an affiliating University.

#### **4. The Objectives :-**

- (1) The objectives of the University shall extend, beyond formal education, to,-
- (a) bring about a general awareness of Law in its content, context, meaning and purpose;
  - (b) institute Applied Branches of Law such as Legislative Drafting, Statutory Interpretation, Conveyancing and Judicial Process;
  - (c) train Law Practitioners in aspects of Investigation and methods of Analytical Evidence and Integral Proof;
  - (d) promote Alternate Dispute Resolution Methods;
  - (e) inform the dynamics of Law by setting up Law Clinics, Nyaya Panchayaths and promoting Litigation Free Societies;
  - (f) institute Para-Legal Courses for Judicial Secretaries, Para-legal Counseling, Judgment Writers, Legal Assistants, Advocates Clerks, Client Servicing and Legal Services.
- (2) The University shall achieve the objectives set forth above through the Syndicate and the Academic Council in accordance with the provisions of this Act.

#### **5. Powers And Functions Of The University :-**

Subject to the provisions of this Act and such conditions as may be prescribed by the Statutes, Regulations and Ordinances, the University shall have the following powers, namely:-

- (i) to provide for instruction and training in such branches of learning pertaining to law, as the University may deem fit;
- (ii) to administer and manage the University and such centers for research, legal education or for advancement of knowledge in the field of law;
- (iii) to provide for research and for the advancement or dissemination of knowledge in legal education;
- (iv) to organize and undertake extra-mural teaching and extension services;
- (v) to institute degrees, titles, diplomas and other academic distinctions;
- (vi) to hold examinations for grant of diplomas or certificates and to confer degrees and other academic distinctions and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
- (vii) to confer honorary degrees or other distinctions on persons in the manner laid down by statutes;

- (viii) to affiliate colleges to the University and to withdraw such affiliation;
- (ix) to demand and receive fees and other charges;
- (x) to determine the fees and other charges payable for affiliation of new colleges or institution and new courses or increase of intake etc.;
- (xi) to set-up such special centers, specialized study centers or other units for research and instructions as are, in the opinion of the University, necessary for the furtherance of its objects;
- (xii) to establish, maintain and administer hostels for residence of students;
- (xiii) to enforce discipline among the students of the University and to make arrangement for promoting their health;
- (xiv) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto with prior approval of the State Government;
- (xv) to regulate and enforce discipline among all categories of employees of the University and to lay down the terms of employment and conditions of service of such employees;
- (xvi) to create posts of Lecturers, Readers and Professors and other teaching posts required by the University and to appoint persons to such posts with prior concurrence of the State Government subject to reservation policy of the State;
- (xvii) to institute and award fellowships, scholarships, prizes and medals;
- (xviii) to lay down policy for printing, reproduction and publication of research and other works and to organise exhibitions;
- (xix) to sponsor and undertake research in all aspects of law, justice and social development;
- (xx) to explore areas of co-ordination with other universities or organisations in the matter of education, training and research in law, justice, social development, and allied subjects on such terms and conditions as the University may, from time to time, determine;
- (xxi) to explore areas of co-ordination with other Universities or institutions of higher learning in any part of the world having objects wholly or partial similar to those of the University, for exchange of teachers and scholars and generally in such manner as may be conducive to the common objects;
- (xxii) to regulate the expenditure and to manage the accounts of the University;
- (xxiii) to establish and maintain within the University or elsewhere,

such class rooms, study halls and auditoriums as the University may consider necessary and adequately furnish the same;

(xxiv) to establish and maintain libraries and reading rooms necessary for study and research at the University;

(xxv) to receive grants, subventions, subscriptions, donations and gifts in favour of the University, consistent with the objects for which the University is established;

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

(xxvii) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, whether movable or immovable, on such terms as it may think fit and proper without prejudice to the interest and activities of the university, except immovable property granted by the Government;

(xxviii) to draw and accept, to make and endorse, to discount and negotiate, Government securities and other promissory notes, bills of exchange, cheque or other negotiable instruments;

(xxix) to execute conveyances, transfers, reconveyances, mortgages, leases, licenses and agreements in respect of property, movable or immovable including Government securities belonging to the University or to be acquired for the University with previous concurrence of the State Government;

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

(xxxi) to give up and cease from carrying on any class or Department of the University;

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

(xxxiii) to accept grants of money, securities or property of any kind on such terms as it may deem proper;

(xxxiv) to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities upon all or any of the properties and assets of the University with or without any securities and upon such terms and conditions as it may deem fit and to pay out of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any sum borrowed;

(xxxv) to invest the funds of the University or moneys entrusted to



the University in or upon such securities and in such manner as it may deem beneficial and from time to time transpose any investment;

(xxxvi) to make such statutes 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;

(xxxvii) 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 statutes, such as pensions, insurance, provident fund and gratuity as it may deem fit and to make such grants as it may deem fit for the benefit of any employee of the University and to aid in the establishment and support of the associations, institutions, funds, trust and conveyances calculated to benefit the staff and the students of the University;

(xxxviii) to provide for campus recruitment and establishment of an Employment Bureau;

(xxxix) to delegate all or any of its powers and functions to any authority of the University or any committee or any sub-committee or to any one or more members of its body or its offices; and

(xl) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of its objects, powers and functions or any one of them.

## **6. Jurisdiction And Admission To Privileges :-**

Notwithstanding anything contained in the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001),-

(i) the jurisdiction of the University shall extend to the whole of the State of Karnataka;

(ii) no college in the State of Karnataka imparting education in law shall, save with the consent of the University and the sanction of the Government, be associated in any way with or seek admission to any privileges of any other University in India or abroad excluding National Law School of India University.

(iii) any such privilege enjoyed from other University before the appointed date by any law college or institution of legal education situated in the State shall be deemed to be withdrawn with effect from such date;

(iv) on and from the date of commencement of this Act, all colleges

and autonomous institutions including post-graduate departments imparting education in law previously admitted to the privileges of or affiliated to the Universities of Karnataka, Mysore, Bangalore, Tumkur, Gulbarga, Mangalore, Women and Kuvempu shall be deemed to be admitted to the privileges of or affiliated to the University:

## **7. Admission To The University :-**

(1) Subject to the provisions of this Act and the Statutes, admission to the University shall be open to all persons.

(2) Nothing contained in sub-section (1) shall require the University,-

(a) to admit to any course of study any person who does not possess the prescribed academic qualifications or standard;

(b) retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of degree, diploma or other academic distinction; or

(c) to admit any person or retain any student whose conduct is prejudicial to the interests of the University or the rights and privileges of other students and teachers.

(3) Subject to the provisions of sub-section (2), the Government may, by order, direct that the University shall reserve such percentage of seats therein for the students belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes as may be specified in such order and where such direction has been given the University shall make the reservation accordingly.

## **8. Discipline, Inspection And Control :-**

(1) The Chancellor may suo motu or on the recommendation of the State Government cause an inspection to be made by a Commission of Enquiry consisting of one or more persons as he may direct the University, its buildings, museums, workshops, and equipments and of any institution maintained, recognised or approved by the University and also of the examination, teaching and other works conducted or done by the University and into any specific allegations against any employee of the University in like manner in respect of any matter connected with or ancillary thereto.

(2) The Commission directed to make an inspection or inquiry under sub-section (1) shall have access for that purpose to the

related institutions, premises and to such accounts or other records as may be necessary.

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

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

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

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

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

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

## **9. Power To Issue Directions :-**

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

## **10. Power To Annul The Orders Of The University :-**

(1) The State Government may by order published in the Official Gazette annul any order, notification, resolution or any proceedings of the University which in its opinion is not in conformity with the provisions of this Act, or the Statutes, Regulations, or Ordinances or is otherwise inconsistent with the policy of the State Government: Provided that before making such order, the State Government shall afford an opportunity to the University.

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

**11. Officers Of The University :-**

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

- (i) The Chancellor;
- (ii) The Pro-Chancellor;
- (iii) The Vice Chancellor;
- (iv) The Registrar;
- (v) The Registrar (Evaluation);
- (vi) The Finance Officer;
- (vii) Such other officers of the University as may be declared by the Statutes to be the officers of the University.

**12. The Chancellor :-**

- (1) The Governor of Karnataka shall by virtue of his office be the Chancellor of the University.
- (2) The Chancellor shall be the Head of the University and shall preside over the convocations of the University.
- (3) No Honorary degree shall be conferred by the University on any person except with the previous approval of the Chancellor.
- (4) The Chancellor shall exercise such other powers and perform such functions as may be conferred upon him by or under this Act.

**13. The Pro-Chancellor :-**

- (1) The Minister in charge of Law, Justice and Human Rights in Karnataka shall be the Pro-Chancellor by virtue of his office.
- (2) The Pro-Chancellor shall preside over the convocation of the university in the absence of the Chancellor.
- (3) The Pro-Chancellor shall exercise such powers and functions of the Chancellor as may be conferred on him by or under this Act or under the Statutes. He shall also exercise such other powers and perform such other duties of the Chancellor as the Chancellor may by order in writing delegate to the Pro-Chancellor, and such delegation may be subject to such restrictions and conditions as may be specified in such order.

**14. The Vice Chancellor :-**

- (1) The Vice Chancellor shall be a whole time officer of the University and he shall be appointed by the Chancellor from the

panel of eminent academicians in law drawn by the Search Committee constituted by the State Government which shall consist of the following persons, namely:-

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

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

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

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

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

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

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

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

(7) For the purposes of holding an inquiry under this section the State Government shall appoint a person who is or has been a Judge of the High Court or the Supreme Court. The inquiry authority shall hold the inquiry after giving an opportunity to make representation by the Vice-Chancellor and shall submit a report to

the State Government on the action to be taken including penalty if any to be imposed, and the State Government shall on consideration of the report advise the Chancellor. The Chancellor shall act in accordance with such advice, as far as may be within six months.

(8) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the Chancellor and shall not be varied to the disadvantage after his appointment as Vice-Chancellor. In the event of a Vice-Chancellor retiring on superannuation during his tenure 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.

(9) The Vice-Chancellor may relinquish his office by resignation in writing under his hand addressed to the Chancellor which shall be delivered to the Chancellor normally sixty days prior to the date on which the Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier.

(10) In the event of a temporary vacancy of the post of Vice-Chancellor or in his absence on leave or for any other reason, senior most Professor with the approval of the Chancellor, may perform the duties of the Vice-Chancellor for a period not exceeding six months.

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

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

### **15. Powers Of The Vice Chancellor :-**

(1) The Vice Chancellor shall be the principal executive and academic head of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the Authorities of the University. He shall have full powers for maintaining discipline in the University.

(2) The Vice Chancellor shall be ex-officio Chairman of the Syndicate, Academic Council and the Finance Committee.

(3) The Vice Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and Ordinances.

(4) The Vice Chancellor shall ensure observance of the provisions of this Act and the Statutes, Ordinances and Regulations.

(5) The Vice Chancellor shall convene meetings of the Syndicate and the Academic Council and may, by order in writing, delegate the power of convening any of the said meetings to any other officer of the University.

(6) The Vice Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority, the action taken by him on such matter:

Provided that, if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor, whose decision thereon shall be final.

(7) The Vice Chancellor shall be responsible for,-

(a) the proper administration of the University and for close co-ordination and integration of teaching, research and dissemination of knowledge;

(b) presenting of the Annual Financial Estimates and the Annual Accounts and Balance Sheet to the Syndicate.

## **16. Arrangement Of Work During Vacancy In The Office Of The Vice-Chancellor :-**

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

Provided that pending making of such arrangements by the Chancellor, the Vice-Chancellor may designate the senior most Dean available in the University 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 Chancellor, whichever is earlier.

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

Chancellor in accordance with the Statutes, if any, framed in this behalf.

### **17. The Registrar :-**

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

(2) The State Government may appoint an Officer not below the rank of a Secretary to Government in the Department of Law, Justice and Human Rights or Department of Parliamentary Affairs and Legislation or by appointing an Officer belonging to the All India Services working in supertime scale to be the Registrar of the University.

(3) Whenever the office of the Registrar is vacant or the Registrar is, by reasons of illness, absence or for any other cause, unable to perform the duties of his office, the duties of the office of the Registrar shall be performed by such person as the Vice Chancellor may appoint for the purpose.

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

### **18. Powers And Functions Of The Registrar :-**

(1) Save as otherwise provided in this Act, the Registrar shall be ex-officio Member Secretary to the Syndicate, the Academic Council, the Finance Committee and the Board of Studies.

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

(a) to be the custodian of the records, the common seal and such other property of the University as the Vice-Chancellor or the Syndicate may commit to his charge;

(b) to issue all notices convening meeting of the Syndicate, the Academic Council, the Board of Studies, the Boards of Examinations and of any committee appointed by the authorities of the University;

(c) to keep the minutes of all the proceedings of the meeting of the Syndicate, the Academic Council, the Board of Studies, the Boards of Examiners and of any committee appointed by the authorities of the University;

(d) to conduct the official correspondence of the Syndicate and Academic Council;

(e) to supply to the Chancellor, copies of the agenda of the meeting of the authorities of the University as soon as they are issued and the minutes of the proceedings of such meeting; and

(f) to exercise such other powers and perform such other duties as



may be specified in the Statutes, Ordinances or Regulations or as may be required, from time to time, by the Syndicate or the Vice Chancellor.

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

### **19. The Registrar (Evaluation) :-**

(1) The holder of the Post of the Registrar (Evaluation) shall be an academician in the field of law not below the rank of a Reader in the University.

(2) The Registrar (Evaluation) shall be a whole-time officer of the University appointed by the Vice-Chancellor with the approval of the Syndicate for such period and on such terms and conditions as may be prescribed.

(3) The Registrar (Evaluation) shall exercise such powers and perform such duties as may be prescribed.

### **20. The Finance Officer :-**

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

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

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

## **21. Temporary Vacancy In The Office Of The Registrar, The Registrar (Evaluation), The Finance Officer :-**

(1) In the event of death, suspension or temporary absence due to illness or other reasons of the Registrar, the Registrar (Evaluation) or the Finance Officer, the Chancellor may authorize any other suitable officer of the University to perform the duties of the Registrar, Registrar (Evaluation) or the Finance Officer, as the case may be.

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

## **22. Dean :-**

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

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

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

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

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

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

## **23. Director Of Student Welfare :-**

The Director of Student Welfare shall be a whole-time officer of the University and shall be appointed by the Chancellor on the recommendation of the Syndicate. He shall exercise such powers and perform such functions as may be conferred or imposed on him

by the Chancellor or as may be prescribed by the Statutes. His term of office, emoluments and other conditions of service shall be such as may be prescribed by the Statutes.

#### **24. The Librarian :-**

The Librarian shall be a whole time officer of the University and shall be appointed by the Syndicate on the recommendation of the Board of Appointment constituted under sub-section (1) of section 68. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of service shall be such as may be prescribed by the Statutes.

#### **25. The Director Of Planning, Monitoring And Evaluation Board :-**

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

#### **26. The Director, College Development Council :-**

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

#### **27. The Director Of Physical Education :-**

The Director of Physical Education shall be a whole time officer of the University and shall be appointed by the Syndicate on the recommendation of the Board of Appointment constituted under section 68. He shall possess such qualifications and exercise such powers and discharge such duties as prescribed by the Statutes. His emoluments and terms and conditions of service shall be as prescribed by the Statutes.

**28. Authorities Of The University :-**

The authorities of the University shall be,-

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

**29. Syndicate :-**

- (1) The Chancellor shall, as soon as may be, after the first Vice-Chancellor is appointed under section 14 constitute a Syndicate.
- (2) The Vice Chancellor shall be the ex-officio Chairman of the Syndicate.
- (3) The Syndicate shall, consist of the following other members, namely:-
  - (a) the Secretary to Government, Department of Law, Justice and Human Rights or his nominee not below the rank of Additional Secretary to Government – Ex-officio Member;
  - (b) the Secretary to Government, Department of Parliamentary Affairs and Legislation or his nominee not below the rank of Joint Secretary to Government – Ex-officio Member;
  - (c) the Principal Secretary to Government, Higher Education; - Ex-officio Member;
  - (d) the Commissioner or Additional Commissioner for Collegiate Education or his nominee not below the rank of Joint Director of Collegiate Education nominated by the State Government;
  - (e) one Dean nominated by the Vice Chancellor for a period of one year by rotation according to seniority;
  - (f) two University Professors from among the Heads of Departments of Study and Research, School of Excellence or Centers of Advanced Studies nominated by the Government on the recommendation of the Vice Chancellor by rotation according to seniority;
  - (g) five members nominated by the Government of whom one shall be a person belonging to the Scheduled Castes or the Scheduled Tribes, one to Other Backward Classes and three others of whom one shall be a woman from among the members of the legal

- profession or from the members of the law teaching faculty;
- (h) two Principals of affiliated or constituent colleges nominated by the Vice Chancellor;
- (i) two members nominated by the Chancellor from among eminent educationists or persons from the field of legal education.
- (4) When a person ceases to be a member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate.

### **30. Powers Of Syndicate :-**

The Syndicate shall have the following powers, namely:-

- (i) to make Statutes and Ordinances and to amend or repeal the same;
- (ii) to hold, control and administer the properties and funds of the University;
- (iii) to provide for instruction and training in such branches of learning or fields of law as it may deem fit;
- (iv) to establish Departments of Study in the University in such disciplines of learning in various fields of law as it may deem fit with the prior approval of the State Government;
- (v) to provide for research and advancement and dissemination of knowledge in various fields of law;
- (vi) to create posts of Lecturers, Readers, Professors and other teaching and non-teaching posts required by the University with the prior approval of the State Government;
- (vii) to prescribe, in consultation with expert committees, to be appointed for the purpose, the conditions for affiliating colleges to the University;
- (viii) to institute, degrees, diplomas and other academic distinctions;
- (ix) to confer degrees, diplomas and other academic distinctions on persons who,-
- (a) have completed an internship course consisting of a practical training of six months duration in various subordinate courts and tribunals;
- (b) have pursued an approved course of study or training in a college or in an approved institution, unless exempted there from in the manner prescribed by the Statutes and have passed the examinations prescribed by the University; or
- (c) have carried on research under conditions prescribed by the

Statutes;

(x) to confer honorary degrees or other honorary distinctions on the recommendations of not less than two thirds of the members of the Syndicate;

(xi) to consider and take such action as it may deem fit on the annual report, the annual accounts and the financial estimates;

(xii) to prescribe the qualifications of teachers in the University Departments and University Colleges and the affiliated colleges in the Statutes;

(xiii) to appoint, on the recommendation of the selection committee of experts appointed for the purpose, University Lecturers, Readers, Professors and teachers, fix their emoluments, define their duties and the conditions of their service and provide for filling up of temporary vacancies;

(xiv) to make Statutes specifying the mode of appointment of persons to administrative and other posts, provide for filling up of temporary vacancies and define their duties and their terms and conditions of service;

(xv) to take disciplinary proceedings against the University Professors, Readers, Lecturers, teachers and other employees of the University in the manner prescribed by the Statutes and to impose such penalties as may be specified in the Statutes and to place them under suspension pending enquiry;

(xvi) to cause an inspection of all colleges, and other institutions affiliated or to be affiliated to the University and to take such action as may be deemed necessary;

(xvii) to prescribe, the manner in which and the conditions subject to which a college or institution may be designated as an autonomous college or institution and to cancel such designation;

(xviii) with the concurrence of the Government, to designate any college as an autonomous college and to cancel such designation;

(xix) to recognize, on the report of inspection commission, any college or institution outside the University area;

(xx) to raise on behalf of the University loans from the Central or any State Government or any corporation owned or controlled by the Central or any State Government or from the public;

(xxi) to borrow money for the purposes of the University with the approval of the Government on the security of the property of the University;

(xxii) to appoint examiners on the recommendations of the Board of Studies and to fix their remuneration;

(xxiii) to charge and collect such fees as may be prescribed by the

Statutes;

(xxiv) to conduct the University examination and approve and publish the results thereon;

(xxv) to appoint members to the Board of Studies;

(xxvi) to make Ordinances, regarding to the admission of students to the University or prescribing examinations to be recognized as equivalent to University examinations;

(xxvii) to establish and maintain hostels;

(xxviii) to recognise hostels not maintained by the University; and to suspend or withdraw recognition of any hostel which is not conducted in accordance with the conditions subject to which such hostel was recognised;

(xxix) to supervise the residence of the students of the University and to make arrangements for securing their health and well-being;

(xxx) to award fellowships, traveling fellowships, studentships, medals and prizes in accordance with the Statutes;

(xxxi) to manage any publication bureau, employment bureau and University sports or athletic clubs instituted by the University;

(xxxii) to review the instruction and teaching of the University;

(xxxiii) to promote research within the University and to require reports from time to time of such research;

(xxxiv) to administer all properties and funds placed at the disposal of the University for specific purposes;

(xxxv) to accept, on behalf of the University, endowments, bequests, donations, grants and transfer of any movable and immovable property of the University made to it; and

(xxxvi) to delegate any of its powers to the Vice Chancellor or to a Committee constituted from among its own members appointed in accordance with the Statutes.

### **31. Meetings Of The Syndicate :-**

(1) The Syndicate shall meet at least once in every two months at such times and places and shall, subject to the provisions of sub-section (2) and (3), observe such rules of procedure in regard to transaction of business at its meetings including the quorum at meeting as may be prescribed by the Statutes.

(2) The Vice Chancellor, or in his absence, any member chosen by the members present shall preside at a meeting of the Syndicate.

(3) All questions at any meeting of the Syndicate shall be decided by a majority of the votes of the members present and voting and, in the case of equality of votes, the Vice Chancellor or the member

presiding as the case may be, shall have and exercise a second or casting vote.

(4) (a) The Syndicate may, for the purpose of consultation invite any person having special knowledge or practical experience in any subject under consideration to attend any meeting and such person may speak in and otherwise take part in the proceedings of such meeting but shall not be entitled to vote.

(b) The persons so invited shall be entitled to such daily and traveling allowances as are admissible to a member of the Syndicate.

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

### **32. Members Not Entitled To Remuneration :-**

The members of the Syndicate shall not be entitled to receive any remuneration from the University except such traveling and daily allowance as may be prescribed by the Statutes:

Provided that nothing contained in this section shall preclude any member from drawing his emoluments to which he is entitled by virtue of the office he holds.

### **33. Academic Council :-**

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

(a) The Vice Chancellor; shall be the Ex-officio Chairman of the Academic Council;

(b) The Registrar General, High Court of Karnataka;

(c) The Principal Secretary/Secretary to Government, Education Department in charge of Higher Education;

(d) The Secretary to Government, Department of Law, Justice and Human Rights or his nominee not below the rank of Additional Secretary to Government - Ex-officio Member;

(e) The Secretary to Government, Department of Parliamentary Affairs and Legislation or his nominee not below the rank of Joint Secretary to Government - Ex-officio member;

(f) The Commissioner for Collegiate Education, Bangalore or his nominee not below the rank of Additional Commissioner of Collegiate Education;

(g) The Director, National Law School of India University,



Bangalore;

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

(i) Chairmen of University Departments of Studies and Research;

(j) Librarian of the University Library;

(k) five members nominated by the Government of whom one shall be a person belonging to the Scheduled Castes and the Scheduled Tribes one to Other Backward Classes and three others of whom one shall be a woman from among the members of the legal profession or from the members of the law teaching faculty;

(l) three members of the Karnataka Legislature nominated by the Government of whom two shall be a member of the Legislative Assembly and another from the Legislative Council;

(m) two members nominated by the Government from among eminent Senior Advocates of whom one shall be a woman advocate;

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

(2) When a person ceases to be a member of the Academic Council, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Academic Council.

(3) The members of the Academic Council shall not be entitled to receive any remuneration from the University except such daily / traveling allowances as may be prescribed:

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of office he holds.

(4) A member of the Academic Council, other than an ex-officio member, may tender resignation of his membership at any time before the term of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the members, and the resignation shall take effect from the date of his acceptance by the Chancellor.

### **34. Powers Of The Academic Council :-**

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

University.

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

(i) to make proposal for issue of Ordinances, relating to academic matters;

(ii) to make Regulations regarding the courses of study in so far as they are not covered by the Ordinances;

(iii) to make Regulations regarding the scheme of examinations and conditions on which the students shall be admitted to the examinations, degrees, diplomas, certificates or other academic distinctions;

(iv) to make Regulations for declaration of the results of the various University examinations;

(v) to make Regulations for coordinating study and teaching in colleges and in recognised institutions;

(vi) to formulate schemes for promoting research within the University and for promoting other specialized studies;

(vii) to make proposals for allocating subjects to the Faculties and to assign its own members to the Faculties;

(viii) to determine the criteria for grant of exemptions relating to the admission of students to examinations;

(ix) to make proposals for the institution of Professorships, Readerships, Lectureships and other posts of teachers required by the University and for prescribing the duties for such posts;

(x) to make proposals for institution and award of fellowships, travelling fellowships, scholarships, studentships, or exhibitions;

(xi) to make Regulations prescribing equivalence of examinations;

(xii) to make Regulations for granting exemptions from approved courses of study in the University or in affiliated colleges to qualify for degrees, diplomas and other academic distinctions;

(xiii) to provide for instruction, teaching and training in such branches of learning and courses of study as may be appropriate for research and for the advancement and dissemination of learning;

(xiv) to make provisions to enable affiliated colleges and recognized institutions to undertake specialization of studies;

(xv) to consider the annual financial estimates;

(xvi) to amend or repeal any Regulations;

(xvii) to nominate members to the various authorities of the University;

(xviii) to exercise such other powers and to perform such other functions as may be conferred or imposed on it by or under this Act;

(xix) to establish and maintain departments of research and specialized studies; and

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

### **35. Meeting Of Academic Council :-**

(1) The Academic Council shall meet at least once in every three months on the dates to be fixed by the Vice Chancellor. One of such meeting shall be called the annual meeting.

(2) One third of the total strength of the members shall be the quorum required for a meeting of the Academic Council;

Provided that such quorum shall not be required at a convocation of the University or at the meeting of the Academic Council held for the purpose of conferring degrees, titles, diplomas or other academic distinctions.

(3) The Vice Chancellor may whenever he thinks fit, and shall upon a requisition in writing signed by not less than fifty percent of the total members of the Academic Council, convene a special meeting of the Academic Council.

### **36. Disqualification For Membership :-**

(1) No person shall be qualified for nomination or to continue as a member of any of the authorities of the University, if on the date of such nomination he is,-

(a) of unsound mind or a deaf, mute; or

(b) adjudicated as an un-discharged insolvent;

(c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt as to whether a person is disqualified under subsection (1), the decision of the Academic Council shall be final.

### **37. The Term Of Office Of The Members Of The Academic Council And Syndicate :-**

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

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

### **38. Restriction Of Holding The Membership Of The Authorities :-**

(1) Any member nominated to any of the authorities under this Act shall hold office during the pleasure of the nominating authority concerned.

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

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

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

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

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

### **39. The Finance Committee :-**

(1) The Finance Committee shall consist of the following members, namely:-

(a) the Vice Chancellor; Chairman Ex-officio;

(b) a representative of the Secretary to Government in-charge of law not below the rank of Additional Secretary;

(c) A representative of the Secretary to Government in-charge of finance not below the rank of Deputy Secretary;

(d) two members nominated by the Syndicate from among its members of whom one shall be a University Professor and one shall be a person nominated to the Syndicate by the Government;

(e) one member nominated by the Academic Council; and

(f) the Registrar shall be a member.

- (2) The Finance Officer shall be ex-officio Secretary to the Finance Committee.
- (3) Members nominated to the Finance Committee under clause (d) and (e) of sub-section(1) shall hold office for a period of three years.
- (4) The annual accounts and financial estimates prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments.
- (5) The Finance Committee shall recommend the limits of recurring expenditure and the total non-recurring expenditure for the year based on the income and resources of the University which in the case of productive works may include the proceeds of loans.
- (6) The Finance Committee shall, –
- (i) meet at least once in three months to examine the accounts and to scrutinize proposals for expenditure;
  - (ii) review the financial position of the University from time to time;
  - (iii) make recommendations to the Syndicate on every proposal involving investment or expenditure for which no provision has been made in the annual financial estimates and which involves expenditure in excess of the amount provided for in the annual financial estimates;
  - (iv) prescribe the methods and procedure and forms for maintaining the accounts of the University;
  - (v) make recommendations to the Syndicate on all matters relating to the finances of the University; and
  - (vi) perform such other functions as may be prescribed by the Statutes.

#### **40. Planning, Monitoring And Evaluation Board :-**

- (1) There shall be constituted by the Syndicate a Planning, Monitoring and Evaluation Board which shall advice generally on the planning and development of the University and review the standards of education and research in the University.
- (2) The Planning, Monitoring and Evaluation Board shall consist of the following members, namely:-
- (a) The Vice Chancellor who shall be the ex-officio Chairman; and
  - (b) not more than eight persons of high academic standing nominated by the Syndicate.
- (3) The Planning, Monitoring and Evaluation Board shall, in addition to all other powers vested in it by this Act, have the right to advise the Syndicate and the Academic Council on any academic matter.

(4) The term of office of the nominated members of the Planning, Monitoring and Evaluation Board shall be three years and shall be eligible for re-nomination for another term.

#### **41. The Board Of Studies :-**

(1) There shall be a Board of Studies attached to each Department of teaching or research.

(2) The constitution and powers of the Board of Studies shall be such as may be prescribed by the Syndicate.

#### **42. Other Authorities :-**

The Syndicate may constitute such other authorities of the University as may deem necessary and the manner of their constitution and functioning shall be prescribed by the Statutes.

#### **43. Committees :-**

Every Authority of the University shall have power to constitute or re-constitute committees to assist in its functions and delegate to them such of its powers as it deem fit; such committees shall, save as otherwise provided, consist of members of the Authority concerned and such other persons as the authority may in each case direct.

#### **44. Faculties :-**

(1) Having regard to the objectives and its functions for each subject of study and research, the university shall have such of the faculties as may be prescribed by Statutes.

(2) Each faculty shall comprise such departments of teaching as may be prescribed in the Statutes.

#### **45. Vice Chancellor And Other Officers, Etc., To Be Public Servants :-**

The Vice Chancellor, the Registrar, the Finance Officer, the Registrar (Evaluation) and other employees of the University shall be deemed when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

#### **CHAPTER 5**

#### **STATUTES, ORDINANCES AND REGULATIONS**

#### **46. The Statutes :-**

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

- (1) the holding of convocation to confer degrees, diplomas and other academic distinctions;
- (2) the conferment of honorary degrees and other distinctions;
- (3) the constitution, powers and functions of the authorities of the University;
- (4) the manner of filling of vacancies among members of the authorities of the University;
- (5) the allowances to be paid to the members of the authorities of the University and committees thereto;
- (6) the procedures at the meetings of the authorities of the University including the quorum for the transactions of business at such meetings;
- (7) the authentication of the orders of decisions of the authorities of the university;
- (8) the formation of departments of research at the University;
- (9) the term of office and methods of appointment and conditions of service of the officers of the University other than the Chancellor and the Pro-Chancellor;
- (10) the qualifications of the teachers and other persons employed by the University and affiliated colleges or institutions.;
- (11) the classification, the method of appointment and determination of the terms and conditions of service of the teachers and other persons employed by the University;
- (12) the institution of pension, gratuity, insurance or provident fund for the benefit of the officers, teachers and other persons employed by the University;
- (13) the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes and the conditions of award thereof;
- (14) the conditions of affiliation of colleges to the University;
- (15) the manner in which and the conditions subject to which a college may be designated as an autonomous college and the conditions subject to which such designation may be cancelled and matters incidental to the administration of autonomous colleges including the constitution or reconstitution power and duties of Board of Studies and Boards of Examiners;
- (16) the establishment and maintenance of halls and hostels;
- (17) the conditions for regulation of hostels other than those

maintained by the University;

(18) the conditions for residence of students of the University in the halls and the hostels and the levy of fees and other charges for such residence;

(19) the conditions of registration of graduates and the maintenance of register thereof;

(20) the delegation of powers vested in the authorities or officers of the University; and

(21) any other matter which is required to be or may be prescribed by the Statutes.

#### **47. The Statutes How Made :-**

(1) The Syndicate may, from time to time, make Statutes and amend or repeal them in the manner here after provided in this section.

(2) The Academic Council or the Vice Chancellor may propose to the Syndicate the draft of any Statutes or of any amendments to or of repeal of a Statutes to be passed by the Syndicate and such draft shall be considered by the Syndicate at its next meeting:

Provided that the Vice Chancellor shall not propose any amendment to any Statutes affecting the powers and constitution of any authority of the University, until such authority has been given an opportunity of expressing its opinion, and the opinion, so expressed shall be considered by the Syndicate.

( 3 ) The Syndicate may consider the draft proposed by the Academic Council or the Vice Chancellor under sub-section (2) and may either pass the draft or reject or return it with or without amendments to the Academic Council or the Vice Chancellor, as the case may be, for reconsideration.

(4) (a) Any member of the Syndicate may propose to the Syndicate the draft Statutes or amendment to, or repeal of a Statutes and the Syndicate, may either accept or reject the draft if it relates to matter not falling within the purview of the Academic Council.

(b) In case such draft relates to a matter within the purview of the Academic Council, the Syndicate shall refer it for consideration to the Academic Council which may either report to the Syndicate that it does not approve the draft or submit the draft to the Syndicate in such form as the Academic Council may approve and the Syndicate may either pass with or without amendment or reject the draft.

(5) The syndicate shall obtain the opinion of the Finance Committee



in respect of such of the statutes involving financial implications.

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

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

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

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

#### **48. The Ordinances :-**

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

(a) the admission of the students to the University and its affiliated colleges and the levy of fees for admission to the University and colleges;

(b) the courses of study leading to degrees, diplomas and other academic distinctions of the University;

(c) the conditions under which the students shall be admitted to the courses of study leading to degrees, diploma and other academic distinctions of the University;

(d) the conduct of examination of the University and the conditions subject to which students shall be admitted to such examinations;

(e) the manner in which exemption relating to the admission of students to examinations may be given;

(f) the conditions and mode of appointment and duties of examining bodies and examiners;

(g) the maintenance of discipline among the students of the University;

(h) the fees to be charged for courses of study, research, experiment and practice training and for admission to the examinations for degrees, diplomas and other academic distinctions of the University;

(i) any other matter which by this Act or the Statutes is required to be, or may be prescribed by Ordinances.

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

(3) All Ordinances made by the Syndicate shall have effect from such date as it may direct. Every Ordinance shall be made with the prior approval of Chancellor;

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

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

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

#### **49. The Regulations :-**

(1) The Academic Council may make Regulations consistent with this Act, the Statutes and Ordinances providing for exercising all or any of the powers enumerated in section 34 and particularly for the following matters, namely:-

(a) admission of students to the University;

(b) recognition of examinations and degrees of other Universities as equivalent to the examinations and degrees of the University;

(c) the University courses and examinations and conditions on which students of the University or the affiliated colleges or other university institutions shall be admitted to examinations or degrees, diplomas and other certificates of the University;

(d) grant of exemptions.

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

State Government either approve them or refer them to the Academic Council for further consideration.

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

#### CHAPTER 6

#### FINANCE AND ACCOUNTS

### **50. General Funds :-**

The University shall have a general fund to which shall be credited,-

- (a) its income from fees, endowments and grants, if any;
- (b) contributions or grants from the Government on such conditions as may be imposed;
- (c) grants from the Central Government, the University Grants Commission, International Donor Agencies like the World Health Organisation, UNICEF, etc.

### **51. Other Funds :-**

The University may have such other funds as may be prescribed by the Statutes.

### **52. Power To Borrow :-**

The University may, for any of the purposes prescribed by the Statutes, borrow money from a bank or a corporation. Where the total amount borrowed exceeds rupees five lakhs, prior approval of the Government shall be obtained for such borrowing.

### **53. Management Of Funds :-**

All the funds of the University shall be managed in such manner as may be prescribed by the Statutes.

### **54. Power Of Government To Direct Audit :-**

The Government shall have power whenever deemed necessary to order the audit of the accounts of the University by such auditors as it may direct.

### **55. Financial Estimates :-**

(1) The Vice Chancellor shall cause to be prepared on or before such date as may be prescribed the financial estimates of the University for the ensuing year and submit the same to the Syndicate for approval.

(2) The Syndicate may approve the financial estimates with such modifications as it may deem fit, and no expenditure shall be incurred except in accordance with the financial estimates as approved by the Syndicate.

#### **56. Annual Accounts And Audit :-**

(1) The annual accounts of the University shall be prepared by the Finance Officer under the direction of the Vice Chancellor and a copy shall be sent to the Government.

(2) The accounts of the University shall, once at least in a year at intervals of not more than fifteen months be audited by the Controller of State Accounts.

(3) The audited accounts of the University together with the auditors report shall be published by the Syndicate in the Official Gazette and copies thereof shall be placed before the Legislature of the State.

(4) The annual accounts shall be considered by the Academic Council at its annual meeting. The Council may pass resolutions with reference thereto and communicate the same to the Syndicate. The Syndicate shall take the suggestions made by the Council into consideration and take any action thereon as it thinks fit. The Syndicate shall inform the Academic Council at its next meeting of the action taken by it or of the reasons for not taking action.

#### **57. Annual Report :-**

(1) The Syndicate shall prepare the annual report containing such particulars as the Government may specify, covering each financial year and submit it to the Academic Council on or before such dates as may be prescribed by the Statutes. The Academic Council may pass resolutions thereon and the Syndicate shall take action in accordance therewith. The action taken shall be intimated to the Academic Council.

(2) Copies of the annual report along with the resolution of the Syndicate thereon shall be sent to the Government and shall be laid before both the Houses of the State Legislature.

**58. Affiliation Of Colleges :-**

(1) Colleges within the University Area may, on satisfying the conditions specified in this section, be affiliated to the University as affiliated colleges by the University on the recommendations made by the State Government.

(2) A college applying for affiliation to the University shall send an application to the Registrar within the time limit fixed by Ordinances and shall satisfy the Syndicate and the Academic Council,-

(a) that it will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision in the neighbourhood and the suitability of the locality where the college is to be established;

(b) that it is to be under the management of a regularly constituted governing body;

(c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;

(d) that the building in which the college is to be located is suitable and that provision will be made in conformity with the Ordinances for the residence in the college or in lodging approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students;

(e) that due provision has been made or will be made for a library;

(f) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and members of the teaching staff in or near the college or the place provided for the residence of students;

(g) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and

(h) that Ordinances fixing the fees, if any, to be paid by the students have been framed or will be framed.

(3) The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements, not being fulfilled or continued to be fulfilled, shall be forthwith reported to the Syndicate and to

the State Government or such authority as the Government may specify.

(4) On receipt of a letter of application under sub-section (2), the Syndicate shall,-

(a) direct a local inquiry to be made by a competent person or persons authorized by the Syndicate in this behalf in respect of such matters as may be deemed necessary and relevant;

(b) make such further inquiry as may appear to it to be necessary; and

(c) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the result of any inquiry under clauses (a) and (b).

(5) The Registrar shall within such time as the Government may from time to time specify submit application and all proceedings, if any, of the Academic Council and of the Syndicate relating thereto to the Government which, after such inquiry as may appear to it to be necessary, shall make their recommendations for the grant of the application or any part thereof or refuse the application or any part thereof and the University shall issue orders accordingly.

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

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

(7) As soon as possible after the Government or the University makes its order, the Registrar shall submit to the Academic Council a full report regarding the application, the action taken thereon under sub-sections (4) and (6) and of all proceedings connected therewith.

(8) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (5).

(9) Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by sub-sections (2) to (8) shall, so far as may be, followed.

(10) (a) No admission of students shall be made by any new college seeking affiliation to the University or by an existing college seeking affiliation to a new course of study to such course, unless, as the case may be, affiliation has been granted to such new college or to the existing college in respect of such courses of study.

(b) The maximum number of students to be admitted to a course of study shall not exceed the intake fixed by the University or the Government, as the case may be, and any admission made in excess of the intake shall be invalid;

(c) No student whose admission has become invalid under clause (b) shall be eligible to appear nor shall be presented by the college to appear at any examination conducted by the University.

### **59. Recognition Of Certain Institutions :-**

(1) Any institution situated within or outside the University Area other than a college which conduct research or specified studies, may be recognized by the Syndicate as the recognized institution for such purpose and in such manner and subject to such conditions as may be prescribed by the Statutes.

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

### **60. Inspection Of Colleges And Reports :-**

(1) Every affiliated college shall furnish to the Registrar such reports, returns and other information, as the Syndicate after consulting the Academic Council may require enabling it to judge the efficiency of the college or institution.

(2) The Syndicate shall cause every such college to be inspected from time to time by one or more competent persons authorized by it in this behalf.

(3) The Syndicate may call upon any college so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (2) of section 58.

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

### **61. Withdrawal Of Affiliation :-**

(1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to comply with any of the provisions of sub-section (2) of section 58 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interest of education.

(2) A motion for the withdrawal or the modifications of such rights shall be initiated only in the Syndicate. Any member of the Syndicate who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (2) to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college shall be considered by the Syndicate:

Provided that the period so specified may, if necessary be extended by the Syndicate.

(4) On receipt of the representation or on the expiry of the period referred to in subsection (3), the Syndicate after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorized by it in this behalf and such further inquiry as may appear to it to be necessary pass a resolution regarding the reasons thereof and shall transmit it to the Academic Council.

(5) On receipt of the report under sub-section (4) the Academic Council shall, after such further inquiry, if any, as may appear to it to be necessary record its opinion in the matter and refer back to the Syndicate.

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

(7) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council and the Syndicate to the Government which after such inquiry, if any, as may appear to it to be necessary, shall make, their recommendations to the University which shall thereafter make an order accordingly.

(8) Where by an order made under sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or



modified, the grounds for such withdrawal or modification shall be stated in the order.

## **62. Autonomous College :-**

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

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

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

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

(a) the manner in which and the conditions subject to which an affiliated college, department or unit may be designated as Autonomous College or the designation of such college may be cancelled;

(b) matters incidental to the administration of an Autonomous College including the constitution or reconstitution, functions, powers and duties of the Governing Body, the Academic Council, Board of Studies and Board of Examiners of the Autonomous College;

(c) matters relating to admission of students;

(d) periodic review for continuance or cancellation of designation of Autonomous College;

(e) such other matters as may be relevant to the working of an Autonomous College including the matters mentioned in sub-section (2).

### **63. Voluntary Closure Of College Or Course :-**

- (1) The management of any college which intends to close down the college or a course in view of its incapacity or financial viability or breakdown of the management, shall give a notice in writing of not less than three months prior to the intended closure of the college to the University and to the State Government, stating the reasons therefor.
- (2) The application for closure of the college or a course shall be considered by the Academic Council and the Syndicate and pass appropriate resolution thereon.
- (3) The Registrar shall transmit the application and the resolutions of the Academic Council and the Syndicate to the Government which shall on consideration of the same issue directions either to permit the closure or to reject the closure to the University and the University shall on receipt of such directions pass orders accordingly.
- (4) The management shall not close down the college or a course during the currency of the academic year, and until the annual examinations conducted by the University in respect of the course of study are over and a formal order is issued by the University to do so.
- (5) The students of such closed colleges shall on transfer be accommodated in the nearby Colleges by the University by increasing the intake in respect of particular course of study to the extent of such students to be accommodated from such closed college and all documents in respect of each student shall be transmitted to the College in which such students are admitted.
- (6) If within ninety days after the expiry of the term of notice under sub-section (1), the State Government does not issue any direction either permitting or rejecting the closure, it shall be deemed subject to the provisions of sub-section (4), that the management is permitted to close the college or the course as the case may be.

#### **CHAPTER 8**

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

### **64. Appointments Of Teachers, Etc :-**

- (1) There shall be a Board of Appointment for selecting persons for appointment as Professors, Librarian, Readers and Lecturers in the University.

(2) Every such Board shall consist of,-

(a) for selection to the posts of Professors and Readers and the post of Librarian,-

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

(ii) the Chairman of the Department concerned, if he is a Professor and if he is not a Professor, a Professor from any other university in the State, nominated by the Chancellor in consultation with the Government and where no such Professor is available in any University within the State, such Professor in the concerned department from a Central Institute within the State or from a University of any other State, nominated by the Chancellor;

(iii) four subject experts nominated by the Chancellor in consultation with the State Government, from amongst persons serving in any University or any other institution recognized by the State Government.

(b) for selections to the post of Lecturers,-

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

(ii) two subject experts nominated by the Chancellor;

(iii) the Chairman of the Department concerned, if he is a Professor and if he is not a Professor, a Professor in the concerned department of any other university in the State, nominated by the Chancellor in consultation with the Government and where no such Professor is available in any university within the State, such Professor in the concerned department from a Central Institute within the State or from a University of any other State, nominated by the Chancellor;

(iv) one Professor from any other University in the State nominated by the Chancellor in consultation with the Government.

(3) The Registrar shall act as the Secretary of the Board of Appointment;

(4) Every post of Professor, Librarian, Reader or Lecturer to be filled by selection shall be duly and widely advertised together with the minimum and other qualification, if any, required, the emoluments and the number of the posts to be filled, and reasonable time shall be allowed within which the applicants may apply.

(5) The quorum for a meeting of the Board of Appointment shall be four of whom in the case of selections to the posts of Professor, Reader and Librarian at least two shall be the experts and in the case of selections to the other posts, at least one shall be the expert.

(6) The Board shall subject to the provisions of statutes made in this behalf interview, adjudge the merit of each candidate in

accordance with the qualifications advertised and prepare a list of persons selected, arranged in the order of merit. It shall forward the list to the Syndicate, which shall make appointments in accordance with the same. In the case of difference between the Board and the Syndicate, the matter shall be referred to the Chancellor whose decision shall be final.

Explanation - Nothing in this sub-section shall be construed as requiring the Syndicate to make appointments in accordance with the list where it is of the opinion that it does not satisfy the provisions of this Act or the Statutes relating to such appointments.

(7) In preparing the list under sub-section (6) the Board shall follow the orders issued by the Government from time to time in the matter of reservation of posts for the Scheduled Castes, the Scheduled Tribes and Other Backward Classes of citizens.

(8) Notwithstanding anything in the preceding sub-sections, appointments to the posts of Professors and Readers in undergraduate colleges maintained by the University shall be made by such authority as may be prescribed in the Statutes by promotions on the basis of seniority-cum-merit from Readers and Lecturers respectively:

Provided that whenever any new subject is introduced, appointment of Professors, Readers and Lecturers in such new subject shall be made in such manner as may be prescribed by Statutes.

(9) Notwithstanding anything contained in the preceding sub-section the Syndicate shall be competent to invite on the recommendation of the Vice Chancellor, a person of high academic distinction and professional attainments to accept the post of Visiting Professor in the University on such terms and conditions as may be mutually agreed upon:

Provided that there shall not be more than four such visiting Professors in a University at any given time.

## **65. Appointment In Accordance With Promotion Schemes :-**

Notwithstanding anything contained in section 64 but subject to the rules and orders issued by the Government from time to time for reservation of appointments and posts for the Scheduled Castes and the Scheduled Tribes, appointments to the posts of Readers and Professors in University Institutions and Departments may be made by the Syndicate in accordance with the promotion scheme, if any, prescribed by Statutes in this behalf, if the University

Institution or Department had Under-graduate and Post- Graduate Courses.

#### **66. Appointment To Part-Time Post :-**

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

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

Provided that for appointment to any post in the Law Colleges the two experts on the Board shall be the Advocate General in Karnataka and the Secretary to Government of Karnataka, Department of Parliamentary Affairs and Legislation or his nominee not below the rank of Joint Secretary.

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

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

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

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

#### **67. Temporary Appointment :-**

(1) Notwithstanding anything in sections 64, 65, 66 and 68, the Vice Chancellor may make temporary appointments of not more than one year duration to posts of Lectures and such non-teaching staff as may be specified in the Statutes where such posts are either temporary or appointments to such posts cannot be made in accordance with section 64, 65, 66 and 68 without delay.

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

**68. Appointment Of Other Non-Teaching And Ministerial Staff :-**

(1) There shall be constituted a Board of Appointment to select candidates for appointment to the non-teaching posts and Ministerial posts in the University.

(2) The Board shall consists of,-

(i) The Vice-Chancellor – Ex-Officio Chairman;

(ii) The Secretary to Government in charge of Law, Justice and Human Rights or his nominee not below the rank of Additional Secretary to Government, Department of Law, Justice and Human Rights;

(iii) One expert nominated by the Vice Chancellor;

(iv) The Registrar;

(v) The Director of Social Welfare or his nominee not below the rank of a Joint/Deputy Director;

(vi) The Director of Backward Classes and Minorities or his nominee not below the rank of a Joint/Deputy Director;

(vii) The Director of Women and Child Development or her nominee not below the rank of a Joint/Deputy Director

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

(4) Such of the posts, are to be filled by direct recruitment shall be filled according to the Statutes from among persons selected by the Board in the order in which their names are arranged in the list prepared by the Board. Appointment to posts by promotion, deputation or transfer or on contract as may be prescribed in the Statutes in respect of any category of posts shall be made after consulting the Board.

(5) While preparing the list of candidates selected for appointment to the direct recruitment vacancies, the Board shall comply with the orders issued by the Government from time to time for reservation of posts for the Scheduled Castes, the Scheduled Tribes and Other Backward Classes.

(6) All appointments shall be made by the Syndicate and in the case of difference between the Board and the Syndicate; the matter shall be referred to the Chancellor, whose decision shall be final:

Provided that appointments to post, the maximum of the scale of

pay of which does not exceed rupees two thousand and twenty four, shall be made by the Vice Chancellor.

(7) Notwithstanding anything contained in the preceding sub-sections appointments to posts in the University equivalent to Group C and D posts in the State Civil Services shall be made by the Vice-Chancellor in accordance with the Statutes to be framed for this purpose, and in accordance with the order issued by the State Government from time to time for reservation of posts for the Scheduled castes, the Scheduled Tribes and Other Backward Classes.

#### **69. Reservation Of Promotional Vacancies For Scheduled Castes, Etc :-**

Where appointment to any post in the University is made by promotion, the authority empowered to make such appointment shall comply with the orders issued by the Government from time to time for reservation of posts in promotional vacancies for persons belonging to the Scheduled Castes and the Scheduled Tribes.

#### **70. Method Of Recruitment And Conditions Of Service :-**

Subject to the provisions of this Act, the method of recruitment, appointment, procedure for selection, pay and allowances and other conditions of service of the employees of the University shall be such as may be prescribed by the Statutes.

#### **71. Pension, Gratuity, Etc :-**

(1) The University shall institute for the benefit of its employees such pension, gratuity, and provident fund schemes, as it may deem fit, in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where the University has instituted a provident fund under sub-section (1) the Government may declare the provisions of the Provident Funds Act 1925 (Central Act III of 1925) shall apply to such fund as if it were a Government Provident Fund.

(3) Persons in the Government service transferred to the University under the Ordinance shall be entitled to pension under the Karnataka Civil Services Rules or such other rules as were applicable to them before their transfer to the University.

(4) The University may, in consultation with the Finance Committee, invest the provident fund in such manner as it may

deem appropriate.

#### CHAPTER 9

#### INTER UNIVERSITY TRANSFER OF NON-TEACHING EMPLOYEES

### **72. Transfer Of Non-Teaching Employees :-**

(1) Notwithstanding anything contained in any contract, agreement or in any other law for the time being in force and the conditions of service applicable to the employees of the University, the Chancellor in consultation with the State Government may for administrative reasons transfer any non-teaching employee holding any post in the University to any other University established under the State Universities Act, 2000 (Karnataka Act 29 of 2001) or under any law made by the State Legislature for the time being in force from such other University to the University established under this Act and the non-teaching employee so transferred shall carry with him such conditions of service as may be specified in the order of transfer. Such non-teaching employee shall on transfer be deemed to have been appointed by the competent authority of the University to which he is transferred:

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

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

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

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

#### CHAPTER 10

#### ENROLMENT AND DEGREES

### **73. Eligibility For Admission Of Students :-**

No student shall be eligible for admission to a course of study, a degree or diploma unless he possesses such qualifications as may



be prescribed by statutes from time to time.

#### **74. Honorary Degrees :-**

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

(2) The Honorary Degree or distinction may be conferred only in exceptional cases. It shall not be conferred as a matter of course. Only such of the persons who have contributed substantially to the advancement of Legal Literature, Legal Philosophy, Legal Profession, Legal Knowledge, Administration of Justice, or any other subject assigned to the Faculty of Law or conspicuous service rendered by them to the cause of legal education shall be identified for the purpose of grant of such Honorary Degrees.

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

#### **75. Withdrawal Of Degree Or Diploma :-**

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

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

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

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

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

## CHAPTER 11

### UNIVERSITY REVIEW COMMISSION

#### **76. Appointment Of University Review Commission :-**

- (1) The Chancellor shall once in every five years constitute a Commission to review the working of the University and make recommendations.
- (2) The Commission shall consist of not less than three eminent educationists, one of whom shall be the Chairman, appointed by the Chancellor on the recommendation of the State Government.
- (3) The terms and conditions of appointment of the members shall be such as the Chancellor may, determine.
- (4) The commission shall, after holding such enquiry as it deems fit, make its recommendations to the Chancellor and to the State Government.
- (5) The Chancellor may, in consultation with the State Government, take such action on the recommendations as he deems fit.
- (6) The State Government shall lay a copy of the recommendations together with a memorandum indicating the action taken before both Houses of the State Legislature.

## CHAPTER 12

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

#### **77. Duties Of A Teacher :-**

- (1) Every teacher of the 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.

#### **78. 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 misbehaviour, 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).

### **79. Punishment For Abetment Of Offences :-**

Whoever instigates or abets the commission of offence punishable under section 78 shall, on conviction be punished with the same punishment provided for in that section.

### **80. 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 13** **GENERAL**

### **81. 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 the authority or body of the University after he ceases 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 bases, 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.

## **82. Filling Of Casual Vacancies :-**

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

Provided that pending the nomination of any person to fill any such vacancy in the manner aforesaid, the vacancy may be filled by the person or body that nominated him, 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.

## **83. Protection Of Action Taken In Good Faith :-**

No suit or other legal proceedings shall lie against any employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or Ordinances or Regulations made there under.

## **84. Proceedings Of The University Authorities Not Invalidated By Vacancies :-**

No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the election or appointment of a member of any authority or other body of the University or any defect or irregularity in such act or proceeding not affecting the merits of the case.

## **85. Disputes As To Constitution Of University Authorities And Bodies :-**

If any question arises whether any person has been duly elected or nominated as, or is entitled to be, a member of any authority of the University or other body of the University, the question shall be referred to the Chancellor whose decision thereon shall be final.

#### **86. Transitory Powers Of The First Vice Chancellor :-**

(1) Notwithstanding anything contained in this Act, the First Vice-Chancellor may with the previous approval of the Chancellor and subject to or otherwise 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 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.

(2) It shall be the duty of the first Vice Chancellor to make arrangements for constituting the Syndicate and other Authorities of the University within six months from the date of commencement of this Act or such longer period not exceeding one year as the Government may, by notification, direct.

(3) The first Vice Chancellor shall, in consultation with the Chancellor, make such Statutes as may be necessary for the functioning of the University.

(4) It shall be the duty of the first Vice Chancellor to draft such Statutes as may be immediately necessary and submit them to the Competent Authority for approval.

(5) Notwithstanding anything contained in this Act and until such time an authority is duly constituted under the Act, the first Vice Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and duties of such authority under this Act.

#### **87. Continuance Of Statutes, Ordinances, Etc :-**

Until Statutes, Ordinances and Regulations are made under appropriate provisions of this Act, the Statutes, Ordinances, Regulations and Rules which were made under 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 with the approval of the Chancellor obtained through the Government, in so far as they are not inconsistent with the provisions of this Act be deemed to be Statutes, Ordinances, Regulations and Rules

made under the appropriate provisions of this Act.

### **88. Saving As To Certain Examinations :-**

Notwithstanding anything contained in this Act, the Statutes, Ordinances or the Regulations,-

(a) any student who immediately prior to the commencement of this Act was studying for a degree in Law of the Bangalore University, the Tumkur University, the Karnataka University, the Mysore University, the Kuvempu University, the Gulbarga University, the Women University or the Mangalore University established or deemed to have been established by any State Law in accordance with the Regulations in force under those Acts, may until such examinations is provided by the University, be admitted to the examinations of the Universities of Bangalore, the Tumkur University, the Mysore University, the Kuvempu University, the Gulbarga University, the Women University, the Mangalore University and be conferred the degree in Law of the concerned Universities for which he qualifies on the result of such examination.

(b) If the Bangalore University, the Karnataka University, the Mysore University, the Tumkur University, the Gulbarga University, the Mangalore University, the Women University or the Kuvempu University established or deemed to have been established by any State Law has held any examination the result of which has been published but the degrees relating thereto have not been conferred or issued or the result of any such examination has not been published by the said University, then such examination shall be deemed to have been held by the Bangalore University, the Karnataka University, the Mysore University, the Tumkur University, the Kuvempu University, the Gulbarga University, the Women University or the Mangalore University.

### **89. Act To Prevail Over The Enactments :-**

(1) This Act and any Statutes or Rules or Ordinances made under this Act shall in respect of any college in the University Area have effect notwithstanding anything inconsistent therewith contained in any other enactment with respect to matters enumerated in List II of the Seventh Schedule to the Constitution of India.

(2) On and from the date of the commencement of this Act, no university other than the Karnataka State Law University and the National Law School of India University shall open and affiliate any

college providing courses of study in law either at the undergraduate level or post-graduate level or for issuing any other diploma or certificate in law.

## **90. Properties And Employees Of University Colleges :-**

( 1 ) The Government may, at any time after the date of commencement of this Act, transfer to the Karnataka State Law University any of their lands, for its use on such terms and conditions as they deem necessary.

(2) Notwithstanding any other law of the State in force on and from the date to be notified by the Government under sub-section (1), the Government may after consulting the Vice Chancellors of the Karnataka University, the Bangalore University, the Mysore University, the Tumkur University, the Mangalore University, the Kuvempu University, the Gulbarga University, the Women University and the Karnataka State Law University, direct by general or special order that,-

(a) such of the university colleges if any, or any department functioning in any such university offering courses of study in law at Post Graduate level,

( b ) such of the employees of the Departments of Karnataka University, the Bangalore University, the Mysore University, the Tumkur University, the Gulbarga University, the Mangalore University, the Kuvempu University, the Women University as are specified in such order and have given consent/option, shall stand allotted to serve in connection with the affairs of the Karnataka State Law University, with effect on and from such date as may be specified in such order.

(3) With effect on and from the date specified in the order under sub-section (2),-

(i) the persons specified in such order shall become employees of the Karnataka State Law University and shall cease to be employees of their respective Universities.

(ii) such properties of the university shall ceased to be the property of the university and shall vest in the university.

(iii) the university colleges so transferred ceased to be affiliated to the respective universities and stand affiliated to and admitted to the privileges of the University;

(iv) All Law College hostels within the University area which continue to be recognized by the said universities immediately before the date of commencement of this Act shall be deemed to

be hostels recognised by the Karnataka State Law University, under this Act and the provisions of this Act shall as far as may be apply accordingly.

(4) Every person referred to in sub-clause (3) shall hold office in the Karnataka State Law University by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension or gratuity, if any, and other matters as he would have held the same on the date notified by the Government under sub-section (3) of this section or the date specified in the order under sub-section (3), as the case may be, as if this Act had not been promulgated.

(5) The liability to pay pension and gratuity to the persons referred to in sub-section (3) shall be the liability of the Karnataka State Law University.

### **91. Transfer Of Accumulations In Provident Fund And Other Like Funds :-**

The sum at the credit of the provident fund accounts of the persons referred to in section 90 as on date specified in the order shall be paid to the Karnataka State Law University out of the accumulation in the superannuation fund and other like funds, if any, of the Karnataka University, the Bangalore University, the Tumkur University, the Mysore University, the Gulbarga University, the Mangalore University, the Women University, the Kuvempu University such amount as have been credited to the superannuation fund or other like funds, if any, on behalf of the persons referred to in section 90. The amount so paid shall form part of the superannuation fund or other like funds, if any, that may be established by the Karnataka State Law University for the benefit of its employees.

### **92. Removal Of Difficulty :-**

(1) 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.

(2) 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.

(3) Every order published under this section shall, as soon as may be after its publication, be laid before both houses of the State



legislature.

**93. Repeal And Savings :-**

(1) The Karnataka State Law University Ordinance, 2008 (Karnataka Ordinance 5 of 2008) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said ordinance shall be deemed to have been done or taken under this Act.