



The St. Joseph's University Act, 2021

Act 24 of 2021

Keywords:

National Accreditation Bodies, UGC, Higher Education, Outreach Activity

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KARNATAKA ACT NO. 24 OF 2021

ST. JOSEPH'S UNIVERSITY ACT, 2021

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STATEMENT OF OBJECTS AND REASONS

ACT 24 OF 2021.- The Bangalore Jesuit Educational Society (BJES), has come forward to establish a public private partnership University of unitary nature aided by State and Central Government in the State. The establishment of a public private partnership University by a well known organization will certainly help in spreading the quality education to the needy students. This also accelerates the enhancement of gross enrolment ratio in higher education sector.

It is considered necessary to provide for establishment of a public private partnership University of unitary nature in the name of The St. Joseph's University by the Bangalore Jesuit Educational Society (BJES).

This public private partnership University focuses on to promote and undertake the advancement of applied university in Arts, Humanities, Social Sciences, Science, Engineering, and Technology, Management, Education, Religious Studies, Philosophy, Languages and allied sectors and foster industry and market relevant studies, research and innovation as well as emerging areas and to avail better scope and opportunities to serve the society and the nation and for the matters connected therewith or incidental thereto.

Accordingly, it becomes imperative to enact a new legislation for the establishment and incorporation of a University of unitary nature in public private partnership University by the Bangalore Jesuit Educational Society (BJES),

Hence, the Bill.

[L.A. Bill No. 08 of 2021, File No. Samvyashae 03 Shasana 2021]

[Entry 25 of List III of the Seventh Schedule to the Constitution of India.]

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KARNATAKA ACT NO. 24 OF 2021

(First Published in the Karnataka Gazette Extra-ordinary on the Sixteenth day of April 2021)

ST. JOSEPH'S UNIVERSITY ACT, 2021

(Received the assent of the Governor on the Fifteenth day of April 2021)

An Act to establish the St. Joseph's University, a public private partnership University of unitary in nature aided by State and central Government in the State of Karnataka.

Whereas the Ministry of human Resource Development (MHRD), Government of India has approved the establishment of the said University by the Bangalore Jesuit Educational Society (BJES) in a accordance with the guidelines provided under Rashtriya Uchchar Shiksha Abhiyan (RUSA) 2.0 under component-1 upgradation of Autonomous College in to a University.

And whereas it is expedient to establish the said University of Unitary in nature to enable it to function more efficiently as a Centre of excellence for studies, research, skill development innovation through continuing Education and knowledge incubation from studies in undergraduate, leading up to post-graduate, Doctoral and postdoctoral studies in undergraduate, leading up to post-graduate, Doctoral and postdoctoral studies in the field of Arts, Humanities, Social Sciences, Science, Engineering and Technology, Management, Education, Religious Studies, Philosophy, Languages and allied sectors and foster industry and market relevant studies, research and innovation as well as emerging areas and to avail better scope and opportunities to serve the society and the nation for the purposes herein after appearing;

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

CHAPTER-I

PRELIMINARY

1. Short title, extent and commencement.— (1) This Act may be called the St. Joseph's University Act, 2021.

(2) It extends to the whole of the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification, in the official Gazette, appoint.

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

(1) "Academic Council" " Board of Governors," "Board of Management" and "Finance Committee" mean, respectively, the Academic Council, Board of Governors, Board of Management and Finance Committee of the University as specified in this Act;

(2) "Agenda Matters" means all the matters and business Specified in the Statutes, each of which can be either included in the Agenda or be taken up for discussion and decision at a meeting of the Board of Governors or the Board of Management or any Committees, as the case may be subject to the prior

written approval of the Chancellor, consenting to the passing of such matters and business at such a meeting;

- (3) "Board of Governors" means the Board of Governors of the University as specified under section 25 of the Act;
- (4) "Board of Management" means the Board of Management of the University as specified under section 26 of the Act;
- (5) "Campus" means a campus established, maintained by the University, situated within the State;
- (6) "Chancellor", "Pro-Chancellor", "Vice-Chancellor" "Pro vice Chancellor" and "Finance Officer," means respectively, the Chancellor, pro- Chancellor, and Vice-Chancellor, pro vice -Chancellor and Finance Officer of the University;
- (7) "Committees" means the committees formed under this Act or by the various functionaries of the University as the case may be, and includes the Search Committee, Nomination Committee, Finance Committee and such other committees;
- (8) "Constituent College" means a college or institution established and maintained by the University;
- (9) "Contract" Means an agreement entered in to in writing between the University through the Registrar and an individual organization through its authorized person;
- (10) "Convocation" means the Convocation of the University, where Degrees, Honorary Degrees, Diplomas, Academic Distinctions, Titles and Certificates, including titles of Honoris Causa are awarded as per the requirements of the University;
- (11) "Government" means the Government of Karnataka;
- (12) "Higher Education" means the study of curriculum or courses for the pursuit of Knowledge beyond 10+2 level;
- (13) "Karnataka State Higher Education Council (KSHEC)" means the Karnataka State Higher Education Council constituted under section 3 of the Karnataka Higher Education Council Act, 2010 (Karnataka Act 26 of 2010);
- (14) "Main Campus" means the main campus established and maintained by the University as its headquarters, wherein its major facilities, faculty, staff, students and academic departments are located;
- (15) "National Accreditation or Regulatory Bodies" means a body established by the Central Government for laying down norms and conditions for ensuring academic standards of higher education, in their designated areas of coverage, including University Grants Commission (UGC), All India Council of Technical Education (AICTE), Council for Scientific and Industrial Research (CSIR), Indian Council for Social Sciences Research, National Assessment and Accreditation Council (NAAC), National Board of Accreditation (NBA), National Council for Teacher Education (NCTE), Distance Education Council, Council of Architecture Rehabilitation Council of India and such other Statutory Bodies as may be established or incorporated by the Central Government for the purpose of regulating higher education and by the State Government;
- (16) "Off Campus Centre" means a Centre established and maintained by the University outside its main campus as an additional campus anywhere in the

- State as approved by the Government and UGC where in its complements facilities, faculty, Staff, students and its academic departments are located;
- (17) "Outreach Activity" means an extension activity in the services of the University at large and as specified by the statutes, the rules made by the Government and UGC;
- (18) "Prescribed" means prescribed by rules made by the Government under this Act;
- (19) "Principal in relation to a Constituent College" means the Head of the Constituent College and includes, where there is no Principal or in the absence of the Principal appointed, the Vice-Principal or any other person for the time being appointed to act as Principal of the Constituent College;
- (20) "Public-Private partnership University" means the University partially funded by the State and Central Government and administered by the Sponsoring Body;
- (21) "Registrar" means the Registrar of the University;
- (22) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordinating and supervising the work of Study Centres in any region and for performing such other functions as may be conferred on such centre by the Board of Management;
- (23) "Society" means the Bangalore Jesuit Education Society (BJES) registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960);
- (24) "Sponsoring Authority" or "Sponsoring Body" in relation to this Act means the Bangalore Jesuit Educational Society (BJES), registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960);
- (25) "State" means the State of Karnataka ;
- (26) "Statutes" or "Regulation" means respectively, the Statutes and Regulations of the University made under this Act;
- (27) "Student" means a student of the University and includes any person enrolled in the University for pursuing any course of study for a degree, Diploma or any other academic distinction duly instituted by the University, including a research degree;
- (28) "Study Center" means a center established and maintained by the University for the purpose of advising, counseling of for rendering any other assistance required by the Students in the context of education;
- (29) "Teacher" means and includes a professor, Associate professor, Assistant professor and such other person as may be appointed for imparting instruction of conducting or guiding research in the University of in a Constituent College and includes the Principal in conformity with the norms specified by the UGC;
- (30) "University" means St. Joseph`s University, established and incorporated under this Act by upgrading St, Joseph`s College (Autonomous), Bengaluru, under the provisions of RUSA 2.0 and as a public-private- partnership Unitary University;

- (31) "University Grants Commission" (UGC)" means the Commission established under section 4 of the University Grants Commission Act, 1956 (Central Act 3 of 1956); and
- (32) "Visitor" means the visitor of the University as specified in section 13 and the Pro-Visitor of the University as specified in section 14 of this Act.

CHAPTER-II

THE UNIVERSITY AND SPONSORING BODY

3. Proposal for the establishment of the University.- (1) The Sponsoring Body shall have the right to establish public-private partnership University, a non-affiliating Unitary University, in accordance with the provisions of this Act.

(2) The proposal to establish a University shall be made to the State Government by the Sponsoring Body.

(3) The proposal shall contain the following particulars, namely:-

- (i) the objects of the University along with the details of the Society;
- (ii) the extent and status of the University and the availability of land;
- (iii) the nature and type of programmes of study and research to be undertaken by the University during a period of five academic years immediately following the commencement date;
- (iv) the nature of faculties, courses of study and research proposed to be started;
- (v) the campus development such as buildings, equipment and structural amenities; :
- (vi) the phased outlays of capital expenditure for a period of five academic years immediately following the commencement date;
- (vii) the item-wise recurring expenditure, sources of finance and estimated expenditure for each student; .
- (viii) the scheme for mobilizing resources and the cost of capital thereto and the manner of repayments to each source;
- (ix) the scheme of generation of funds internally through the recovery of fee from students, revenues anticipated from consultancy and other activities relating to the objects of the University and other anticipated incomes;
- (x) the details of expenditure on unit cost, the extent of concessions or rebates in fee, freeship and scholarship for students belonging to economically weaker sections and the fee structure indicating varying rate of fee, if any, that would be levied on students who are either non resident Indians or persons of Indian origin or sponsored by non resident Indians or person of Indian origin and students of nationalities other than India.
- (xi) the years of experience and expertise in the concerned discipline at the command of the Society; as well as the financial resources;
- (xii) the system for selection of students to the courses of study at the University; and

(xiii) status of fulfillment of such other conditions as may be required by the State Government to be fulfilled before the establishment of the University.

4. Establishment of the University. (1) After the enactment, the Government, may direct the Sponsoring Body through an order in the form of a letter of Intent to establish a Permanent Statutory Endowment Fund as specified in the Act.

(2) After the establishment of the Permanent Statutory Endowment Fund, the Sponsoring Body shall convey its readiness to the Government for starting the activities of the University within a period of one year.

(3) Upon receiving the letter from the Sponsoring Body confirming its readiness under section 3 and sub-sections (1) and (2), the Government shall constitute a verification Committee consisting of the following members;

- (i) The Additional Chief Secretary of Higher Education as the Chairperson;
- (ii) Two ex-officio members representing the Government on the Karnataka State Higher Education Council of their nominees as members;
- (iii) Two senior academicians in the relevant discipline not below the rank of serving of former Vice-Chancellors as members; and
- (iv) Executive Director of the Karnataka State Higher Education Council as Member Secretary.

(4) the Committee shall verify the preparedness of the Sponsoring Body to Commence the academic programs or courses as per the norms and standards specified by UGC or Regulatory Authorities of relevant disciplines and after holding such inquiry as it may deem necessary, submit its Report. After considering the Report of the Verification Committee, the Government may, by notification, accord sanction for the establishment of public-private- partnership University of Unitary in nature in the State by the name of "St. Joseph`s University."

(5) The headquarters of the University shall be at its main campus at Bengaluru. The University may have its off-Campus, Centres or Institutions anywhere in the State after five years of establishment with the prior permission of the Government and UGC norms.

(6) The First Chancellor, the First Pro-Chancellor, the First Vice- Chancellor, the First Registrar, the First Controller of Examinations, the First Finance Officer, the members of the Board of Governors, First members of the Board of Governors, the members of the Board of Management and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, shall constitute a body corporate and can sue and be sued in the name of the University.

(7) On sanction for the establishment of the University under sub-section (4), the land and other movable and immovable properties acquired, created, arranged or built by the Sponsoring Body for the purpose of the University shall vest in or with the University.

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

(9) The land, building and other properties of the University shall not be used for any purpose other than incidental to the objects of the University.

5. Grants and Financial Assistance.- (1) The University may be financed by the State and Central Government.

(2) Subject to availability of funds on release of Government of India share of 60 percent such grant will be released and the State Government may contribute 40 percent of its share allotted for Component-1 of RUSA 2.0 to support existing teaching and non-teaching posts through salary grants in the aided courses in accordance with the requirements of RUSA Scheme of the Ministry of Human Resource Development. No State Government grant in aid shall be granted to any post of the University establishment.

(3) The University shall be entitled to receive grants under RUSA from Ministry of Human Resource Development and the State Government and from any other body or corporation owned or controlled by the State or Centre or from private organizations, companies, institutions, etc and through philanthropy of otherwise;

(4) The service conditions and salary, pension, gratuity and other grants received in respect of the aided staff, both teaching and non-teaching of St. Joseph's Collage (Autonomous), Bengaluru, and Constituent Colleges of the University may be protected and continued to be provided by the State Government as a Constituent College.

(5) The University may obtain or accept funds from funding agencies under various schemes of the Central Government and State Government or otherwise:-

(a) For Research and Development and other activities; or

(b) For any Specific research or programs receiving support from the Government:

Provided that, the University may receive financial support from any other legal source.

6. Power to establish constituent Colleges and off-campus Centres.- The University may have Constituent Colleges, Regional Centres, additional campuses, Study Centres and Off-campus Centres or Institutions at such places in the State as it deems fit after the completion of five years after its establishment with prior approval of the State Government and subject to norms of UGC and other National Accreditation or Regulatory bodies.

7. Objects of the University.- The objects of University shall be to create, organize, preserve and disseminate knowledge in one or more fields for advancement of the student community in particular and human kind in general and the University shall employ a broad range of strategies to achieve its vision including pursuing ethics and values with the following objectives,-

(i) to provide instruction, teaching, training, consultancy, research and development in relevant disciplines of higher education and make provision of research, innovation, advancement and dissemination of knowledge in these disciplines and such other objects as the sponsoring Body may deem fit with the prior approval of the Government ;

(ii) to design and deliver high quality training, capacity building and development system for teachers, professionals and administrators in education and other systems;

(iii) to develop resource centers and to contribute to high quality in education;

- (iv) to institute degrees, diplomas, certificates and other academic distinctions like award of credits on the basis of successful completion of academic work evaluated through modern methods of assessment;
- (v) to collaborate with any other universities, research institutions, non-profit organizations, industry associations, professional associations or other organizations, offer specific education and research programs, training programs and exchange programs for students, faculty members and others;
- (vi) to disseminate knowledge and develop a public debate on issues of higher education and allied development fields through seminars, conferences, executive education programs, community development programs, publications and training programs and events;
- (vii) to undertake programs for development and training of faculty and researchers of the University in partnership with any other institutions of quality;
- (viii) to undertake inter and inter-disciplinary collaborative research in cooperation with any other organization;
- (ix) to undertake necessary or expedient action to pursue and promote the objectives of the University; and
- (x) to undertake any objectives as may be recommended by the Government for the enhancement of higher education and other development sectors in India.

8. Powers and functions of the University.- The University shall have the following powers, and functions, namely:-

(1) to establish and maintain Campuses, Regional Centres and Study Centres in the State as may be determined by the University from time to time in the manner laid down by the Statutes with prior approval of the Government and the UGC as per UGC norms, standards and regulations;

(2) to carry out all such other activities as may be necessary or feasible in furtherance of the object of the University,

(3) to confer degrees or other academic distinctions in the manner and under conditions laid down in the Statutes;

(4) to institute and award fellowships, scholarships and prizes, medals etc., in accordance with the Statutes;

(5) to demand and receive such fees bills, invoices and legally permissible and collect charges as may be fixed by the Statutes or rules, as the case may be;

(6) to make provisions for co-curricular and extra-curricular activities for students and employees, as the case may be;

(7) to make appointments of Faculty, officers and employees of the University or a Constituent College, Campuses, Regional Centres, Study Centres and Off-Campus Centers;

(8) to receive voluntary donations and gifts of any kind not prohibited by any Law for the time being in force and to acquire, hold, manage, maintain and dispose of any movable or immovable property, including Trust and Endowment properties for the purpose of the University or a Constituent College or a Campus, Regional Centres and Study Centres;

(9) to institute and maintain hostels and to recognize places of residence for students of the University or a Constituent College or Off-Campus Centers;

(10) to supervise and control the residences and to regulate the discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including the Code of Conduct for students and employees;

(11) to create academic, administrative and support staff and other necessary posts;

(12) to co-operate and collaborate with other Universities in such a manner and for such purposes as the University may determine from time to time ;

(13) to organize and conduct refresher courses, orientation courses, workshops, seminars and other programs for teachers, evaluators and other academic staff;

(14) to determine standards of admission to the University or a Constituent College, with the approval of Academic Council and to make admission of students of Karnataka not less than the extent provided for in this Act;

(15) to do all such other acts or things whether incidental to the powers aforesaid or not, as may be necessary to further the objects of the University;

(16) to institute Degrees, Diplomas, Certificates and other academic distinctions on the basis of examination or any other method of evaluation approved by the Government;

(17) to provide for the preparation of instructional materials in electronic and print media;

(18) to raise, collect, subscribe and borrow money with the approval of the Board of Governors whether on the security of the property of the University, for the purposes of the University;

(19) to acquire and takeover and manage any other educational institutions with the prior approval of the Government:

(20) to acquire properties with the prior approval of the Sponsoring Body; and

(21) to undertake any other activities connected with or incidental to above objectives of the University.

9. University open to all classes, Castes, creed, gender or nation.- (1) The University shall be open to all persons of any gender and of whatever race, creed, caste, class or nation.

(2) The University admissions shall be made on the basis of merit in the qualifying examinations:

Provided that, sixty percent in all unaided courses or programs and 90 percent of admission in all aided courses and programs of the admissions in all courses or programs of the university shall be reserved for the students of Karnataka and admissions for professional courses shall be made through a Common Entrance Examination conducted by the State Government or its agency and seats shall be allotted as per the merit and reservation policy of the State Government from time to time:

Provided further that, where there are less than ten seats in any courses or programme like Post Graduate, they shall be reserved by clubbing such courses, programs together and where there are less than three seats in any course or programme, they shall be reserved by rotation.

Provided also that, if the University is recognized as a Minority Institution the admissions shall be made according to the law applicable to Minority Institutions.

10. National Accreditation.- The University shall seek accreditation from respective statutory national accreditation bodies after its establishment. Further all the courses or programs of study conducted shall fulfill all requirements as per the regulations of relevant National Accreditation or Regulatory Bodies.

11. Powers of the Sponsoring Body.- The Sponsoring Body shall have the following powers with reference to the University, each of which may be exercised by the Sponsoring Body as provided for in this Act, namely:-

- (i) to appoint or re-appoint or terminate the appointment of the Chancellor;
- (ii) to appoint or re-appoint or terminate the appointment of the Pro-Chancellor;
- (iii) to constitute the first Board of Governors;
- (iv) to nominate the first chairperson of the Board of Governors;
- (v) to nominate three persons of whom one shall be a woman and one shall be an external to the Body;
- (vi) to nominate two persons as members of the Board of Management;
- (vii) to determine the source of funds to be contributed to the University Endowment Fund;
- (viii) to determine the application and spending of moneys by the University; and
- (ix) to resolve any conflict at the meeting of the Board of Governors in the manner provided for in this Act.

CHAPTER - III OFFICERS OF THE UNIVERSITY

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

- (i) The Visitor;
- (ii) The Pro-visitor;
- (iii) The Chancellor;
- (iv) The Pro-Chancellor;
- (v) The Vice-Chancellor;
- (vi) The Pro Vice-Chancellor;
- (vii) The Dean/Director of School;
- (viii) The Registrar;
- (ix) Controller of Examinations;
- (x) The Finance Officer; and
- (xi) Such other officers as may be declared by the Statutes to be officers of the University.

13. The Visitor.- (1) His Excellency the Governor of Karnataka shall be the Visitor of the University and the Visitor may offer suggestions for the improvement of the functioning of the University.

(2) The Visitor shall preside over the convocation;

(3) The Visitor shall have the following powers, namely:-

- (i) to call for any paper or information relating to the affairs of the University;
- (ii) on the basis of the information received by the Visitor and being satisfied that any order, proceeding or decision taken by any Authority of the University is not in conformity with the Act, Regulations or Rules, the Visitor may issue such directions as deemed fit in the interest of the University, and
- (iii) the directions so issued shall be complied with by all concerned.

14. The Pro-Visitor.- (1) The Honourable Minister for Higher Education of the Government of Karnataka shall be the Pro-Visitor of the University.

(2) The Pro-Visitor shall, when the Visitor is absent, preside over the Convocation.

(3) The Pro-Visitor shall have the following powers, namely:

- (a) to call for any paper or information relating to the affairs of the University;
- (b) to call a meeting of the Authorities of the Sponsoring Body/University relating to the affairs of the University; and
- (c) on the basis of the information received by the Pro-Visitor, he may issue such directions as deemed fit in the interest of the University.

15. The Chancellor.- (1) The Chancellor shall be appointed by the Sponsoring Body.

(2) The current Chairperson of the Sponsoring Body shall be the first Chancellor of the University, whose term shall be as decided by the Sponsoring Body.

(3) The subsequent Chancellor shall be either a member of the Sponsoring Body or such other person of eminence or national figure in the field of Higher Education as may be decided by the Sponsoring Body.

(4) The subsequent Chancellor so appointed shall hold the office as determined by the Sponsoring Body.

(5) The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes made there under, which may include the following powers; namely:-

- (i) to function as the Head of the University;
- (ii) to preside over all the Convocations of the University in the absence of the Visitor and Pro-Visitor;
- (iii) to function as the Chairperson of the Board of Governors;
- (iv) to appoint or re-appoint or terminate the appointment of the Vice-Chancellor, in accordance with the provisions of this Act and the Statutes;

- (v) to nominate a person as a member of the Nomination Committee as per this Act;
- (vi) to appoint the Registrar and the Finance Officer;
- (vii) to nominate two academicians as members on the Board of Governors;
- (viii) to approve the appointment of Pro Vice-Chancellor(s);
- (ix) to constitute the first Board of Management, the Academic Council, the Finance Committee and other Committees;
- (x) to pre-approve the Agenda matters in the Board of Governors in the manner provided for in the Act; and
- (xi) to resolve a conflict (excluding conflicts at a meeting of the Board of Governors) and in the manner provided for in this Act;

(6) In the event of there being a conflict inter-se between the functionary or Body and any other functionary or Body of the University, then the issue shall be referred to the Chancellor and the decision of the Chancellor in respect of such issue shall be final and binding on the University.

16. The Pro-Chancellor.- (1) The Pro-Chancellor shall be appointed by the Sponsoring Body, on such terms and conditions as may be laid down in the statutes. The Pro-Chancellor shall assist the Chancellor in all such matters required by the Chancellor. The role and responsibilities of Pro-Chancellor shall be as laid down by Statutes.

(2) The Pro-Chancellor shall preside over the Convocation in the absence of the Visitor, Pro-Visitor and Chancellor.

(3) The Pro-Chancellor shall chair all the Committees, meetings and convocations in the absence of the Chancellor.

(4) The services of the Pro-Chancellor may be terminated by the Chancellor at any point of time as he deems fit.

17. The Vice-Chancellor.- (1) The Vice-Chancellor shall be appointed by the Chancellor for a term of four years subject to other terms and conditions as may be laid down by the Statutes from among three persons recommended by the Search Committee constituted in accordance with the provisions of this Act. After the term of four years, the incumbent Vice-Chancellor shall be eligible for another term of four years:

Provided that the Vice-chancellor shall continue to hold the office even after expiry of his term till the new Vice-chancellor joins. However, in any case this period shall not exceed one year.

(2) The Search Committee referred to in sub-section (1) shall consist of the following persons, namely:- Three nominees of the Board of Governors with one of them being the Government Nominee and the other two being senior or distinguished academicians, of whom one shall be a woman. Out of the three nominees of the Board of Governors, one shall be appointed as the Chairperson of the Committee by the Chancellor.

(3) The Search Committee shall, on the basis of merit, recommend three persons with the highest level of competence, integrity, morals, and institutional commitment besides being a distinguished academician with a minimum of ten years of experience as a Professor in a University system or ten years of experience in an equivalent position in reputed research or academic administrative organization.

(4) The Vice-Chancellor shall be the Principal Executive and Academic Officer 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:

Provided that, where any matter, other than the appointment of a teacher is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit with the prior written approval of the Chancellor.

(5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be laid down by the Statutes, Regulations or the Rules:

Provided that, where in the opinion of the Vice-chancellor, any decision of any authority of the university is outside the powers conferred by this Act or Statutes, Regulations or Rules made there under or is likely to be prejudicial to the interests of the university, he shall request the concerned authority to revise its decision within fifteen days from the date of its decision and in case the authority refuses to revise such decision wholly or partly or fails to take any decision within fifteen days, then such matter shall be referred to the Chancellor whose decision thereon shall be final.

(6) The services of the Vice-Chancellor can be terminated by the Chancellor with the approval of the Board of Governors after following the principles of natural justice and after providing an opportunity to the Vice-Chancellor to present his case including the termination on disciplinary grounds.

(7) The Vice-Chancellor shall preside over the Convocation in the absence of the Visitor, Pro-Visitor, Chancellor and Pro-Chancellor.

18. The Pro Vice-Chancellor.- The Vice- Chancellor shall appoint not exceeding three pro-vice Chancellors with the written approval of the Chancellor in such manner and the person shall exercise such powers and perform such duties as may be laid down by the Statutes.

19. The Dean or Director.- The Dean or Director shall be appointed by the Vice-Chancellor in such manner and they shall exercise such powers and perform such duties as may be laid down by the Statutes.

20. The Registrar.- (1) The Registrar shall be appointed by the Chancellor for a term of three years in such manner and on such terms and conditions as may be laid down by the Statutes.

(2) All contracts as defined in statutes shall be entered into, and signed by the Registrar on behalf of the University.

(3) The Registrar shall have the power to authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may conferred by the Statutes or may be required from time to time, by the Chancellor, the Pro-Chancellor or the Vice-Chancellor.

(4) The Registrar shall be responsible for the due custody of the records and the common seal of the University and shall be bound to place before the Chancellor, the Pro-Chancellor, the Vice-Chancellor or any other authority, all such information and documents as demanded.

21. Controller of Examinations.- (1) The Controller of Examinations shall be appointed by the Vice-Chancellor in such manner and on such terms and conditions as may be laid down by the Statutes.

(2) The Controller of Examinations shall be the principal Officer-in-charge of the conduct of the examinations of the University and declaration of results. He shall be a full-time salaried officer of the University and shall work directly under the Vice-Chancellor.

(3) The appointment of Controller of Examinations shall be for a term of three years, and he shall be eligible for reappointment for subsequent terms.

(4) The Controller of Examinations shall be responsible for making all arrangements necessary for holding examinations and declaration of results by formulating the Calendar of Examinations.

(5) The Controller of Examinations shall be responsible to take necessary steps to avoid malpractices in examination processes and take disciplinary action including legal proceedings in consultation with the Registrar and Vice-Chancellor, wherever needed.

(6) The Controller of Examinations shall be responsible to review from time to time, the results of University examinations and forward Reports thereon to the Academic Council.

(7) The Controller of Examinations shall exercise such other powers and perform such other duties as may be prescribed in the Statutes or assigned by the Vice-Chancellor from time to time.

22. The Finance Officer.- The Finance Officer shall be appointed by the Vice-Chancellor with the written approval of the Chancellor in such manner and he shall exercise such powers and perform such duties as may be specified by the Statutes.

23. Other Officers.- The manner of appointment, terms and conditions of service and powers and duties of the other officers of the University shall be such as may be specified by the Statutes.

CHAPTER – IV

AUTHORITIES OF THE UNIVERSITY

24. Authorities of the University.- The following shall be the authorities of the University, namely:-

- (i) The Board of Governors;
- (ii) The Board of Managements;
- (iii) The Academic Council;
- (iv) The Finance Committee;
- (v) The Research and Innovation Council;
- (vi) The Faculties / Schools, and
- (vii) Such other authorities as may be declared by the Statutes to be the Authorities of the University.

25. The Board of Governors and its powers.- (1) The Board of Governors shall consist of the following, namely:-

- (i) The Chancellor - Chairperson;
- (ii) The Pro-Chancellor - Member;
- (iii) The Vice-Chancellor - Member;

- (iv) The Principal Secretary to the Government in the Higher Education Department or his nominee not below the rank of a Deputy Secretary - Ex-officio Member;
- (v) The Principal Secretary to the Government in any other relevant Department or his nominee not below the rank of a Deputy Secretary - Member ;
- (vi) One expert from the field of management, finance or any other specialized area, including administration to be nominated by the Government - Member ;
- (vii) Three persons nominated by the Sponsoring Body of whom one shall be a woman and one shall be external to the Body - Members;
- (viii) Two academicians nominated by the Chancellor - Member;
- (ix) One Pro Vice-Chancellor to be nominated by the Chancellor on rotation, based on seniority for a two-year term, who shall be a non-voting member; and
- (x) One eminent academician as nominee of the UGC - Member.

(2) The Registrar shall be the Secretary of the Board of Governors with no voting powers.

(3) The tenure of office of the members of the Board of Governors, appointment of members, other than Government nominees, their renewal and removal, etc., shall be such as may be laid down by the Statutes.

(4) All meetings of the Board of Governors shall be chaired by the Chancellor and in his absence by the Pro-Chancellor or in the absence of either of them by any member of the Board as nominated by the Chancellor. If the Chancellor has not nominated any person to Chair such a meeting, members present in the meeting shall elect the Chairperson for that meeting only from among themselves by a simple majority.

(5) Quorum for all the meetings of the Board of Governors shall be five members attending and voting at such a meeting:

Provided that, the presence of either the Chancellor or one nominee of the Sponsoring Body and in the absence of the Chancellor or one nominee of Sponsoring Body, the Vice - Chancellor, shall always be necessary to form the quorum for any meeting of the Board of Governors.

(6) The Board of Governors shall be the Principal Governing Body of the University and shall have the following powers, namely:-

- (i) to appoint the Statutory Auditors of the University;
- (ii) to lay down academic / other policies to be pursued by the University;
- (iii) to review decisions of the other authorities of the University if they are not in conformity with the provisions of this Act, or the Statutes, or the Regulation or the Rules;
- (iv) to approve the Budget, Annual Accounts and Annual Report of the University;

- (v) to make new or additional Statutes or amend or repeal the earlier Statutes and Rules;
- (vi) to take decision about voluntary winding up of the University;
- (vii) to approve proposals for submission to the Government;
- (viii) to take such decisions and steps as are found desirable for effectively carrying out the objects of the University.

(7) The Board of Governor shall meet at least two times a year.

(8) The Board of Governors shall meet at such time and place as may be specified by the Statutes.

26. The Board of Management.-(1) The Board of Management shall consist of the following, namely:-

- (i) The Vice Chancellor as the chairperson, with the members being;
- (ii) The Pro-Vice Chancellor;
- (iii) The Registrar–Member–Secretary;
- (iv) Two nominees of the Sponsoring Body with at least one of them being eternal to the Body;
- (v) Two Deans or Directors as nominated by the Vice-Chancellor;
- (vi) One Principal of Constituent College to be nominated by the Vice-Chancellor by rotation based on seniority for a three-year term.

(2) The powers and functions of the Board of Management shall be such as may be prescribed by the Statutes.

(3) All meetings of the Board of Management shall be chaired by the Vice Chancellor and in the absence of the Vice Chancellor the meeting shall be chaired by the nominee of the Sponsoring Body. In case the Sponsoring Body has not nominated any person, then the meeting shall be chaired by the Pro-Vice-Chancellor. In the absence of any of these, the meeting shall be chaired by any other member as elected by the members present in the meeting;

(4) In the event of a conflict of opinion in arriving at a decision in the Board of Management, the issue shall be referred to the Chancellor and the decision of the Chancellor shall be final.

(5) The Board of Management shall meet at least four times in a year.

(6) The quorum for every meeting of the Board of Management shall be one third of the membership of the Board.

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

- (i) The Vice-Chancellor as the Chairperson;
- (ii) The Pro-Vice-Chancellor – Member;
- (iii) The Registrar – Member-Secretary;
- (iv) The Controller of Examinations – Member;
- (v) One Nominee of the Board of Governors – Member;
- (vi) One Nominee of the Board of Management – Member;
- (vii) The Dean or Director – Member; and

(viii) Such other members as may be specified by the Statutes.

(2) The Academic Council shall be the Principal Academic Body of the University and shall, subject to the provisions of this Act, the Statutes, Regulations and the Rules, co-ordinate and exercise general supervision over the academic policies of the University.

(3) The powers, duties and functions of the Academic Council shall be as prescribed by the Statutes.

(4) The Academic Council shall meet at least two times in a year.

(5) The quorum for every meeting of the Academic Council shall be one third of the membership of the Council.

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

(i) The Chancellor or his nominee - Chairperson

(ii) The Vice-Chancellor - Member

(iii) The Registrar - Member

(iv) The Finance Officer - Secretary

(v) One nominee of the Sponsoring Body - Member

(vi) One nominee of the Chancellor with expertise in Banking, Finance or Accountancy – Member, and

(vii) Such other members as may be specified by the Statutes.

(2) The Finance Committee shall be the Principal Financial Body of the University to take up financial matters and shall subject to the provisions of this Act, Statutes and Rules undertake coordination and exercise general supervision over the financial matters of the University.

(3) The Finance Committee shall meet at least four times in a year.

(4) The quorum for every meeting of the Finance Committee shall be one third of the membership of the Council.

29. The Research and Innovation Council.- (1) The Research and Innovation Council shall be the Principal Research Committee of the University and shall provide the larger holistic vision of the kind of research to be undertaken by the University, including prioritization of the research areas. The Research and Innovation Council shall, subject to the provisions of this Act, the Statutes, Regulations and the Rules, co-ordinate and exercise general, supervision over the Innovation and Research policies of the University.

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

(i) The Vice-Chancellor - Chairperson

(ii) The Pro Vice-Chancellor – Member

(iii) The Dean of Research – Secretary

(iv) Head of the Department of Innovation – Member

(v) Deans of all Faculties – Members and

(vi) Such other members as may be specified in the Statutes.

30. The Faculties of Schools.- The Faculties or Schools shall be based on the existing programs like Science, Arts and Commerce to begin with. However, the University shall be free to launch additional Faculties or Schools with the approval of the Board of Governors. The constitution, functions, duties and powers of the Faculties or Schools shall be as prescribed by the Statutes.

31. Other Authorities.- The constitution, powers and functions of the other Authorities of the University shall be such as may be prescribed by the Statutes.

32. Disqualification for membership of an Authority or Body.- A person shall be disqualified for being a member of any of the Authorities or Bodies of the University, if he,-

- (a) is of unsound mind and stands so declared by a competent court;
- (b) is an un-discharged insolvent;
- (c) has been convicted of any offence involving moral turpitude;
- (d) is conducting or engaging himself in private coaching classes; or
- (e) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere;
- (f) as and when the Sponsoring Body were to form and opinion in writing that a Member of any of the authorities or bodies is unfit to hold the post.

33. Proceedings not invalidated on account of vacancy.- No act or proceedings of any authority of the University shall be invalid merely by reason of the existence of any vacancy or defect in the constitution of the Authority.

34. Provisions pertaining to Agenda Matters.- (1) No Matter shall be either included in the Agenda for or taken up for discussion or decided in the meeting of the Board of Governors or the Board of Management or the Academic Council or any other Authority or any Committee without obtaining the prior approval of the Chairperson of the Board or Council or Authority or Committee, as the case may be.

(2) In the event of breach of any provisions of this Act, the Chancellor shall be entitled at all time to immediately take remedial action by reversing all decisions taken by any functionary or Body of the University and consequent upon the pursuit of such a remedial action all such actions taken by the functionary or Body of the University in breach of the provisions of the Act shall be deemed to be null and void, ab initio and consequently status quo ante shall prevail in respect of the matter or decision in breach.

CHAPTER-V

STATUTES AND REGULATIONS

35. Statutes.- Subject to the provisions of this Act, the Statutes may provide for all or any matter relating to the University and its staff as given below, namely:-

- (i) the procedure for transaction of business of the Authorities of the University and the constitution and the composition of Bodies not specified in this Act;
- (ii) the holding of Convocations to confer Degrees or Diplomas;
- (iii) the terms and conditions of appointment of the Vice-Chancellor, the Registrar and the Finance Officer and their powers and functions;

- (iv) the mode of recruitment and the terms and conditions of service of the other officers, Teachers and employees of the University subject to such rules as may be prescribed by the State Government;
- (v) the procedure for resolving disputes between the University and its officers, Faculty members, employees and students;
- (vi) creation, abolition or restructuring of departments and faculties;
- (vii) the manner of co-operation with other Universities or institutions of higher learning;
- (viii) the procedure for conferment of honorary degrees;
- (ix) provisions regarding grant of free ships and scholarships;
- (x) policies in respect of seats in different courses of studies and the procedure of admission of students to such courses;
- (xi) policy relating to the fee chargeable from students for various courses of studies;
- (xii) institution of fellowships, scholarships, studentships, free ships, medals and prizes; and
- (xiii) any other matters which may be decided by the Board of Governors or required to be provided by statutes under this Act.

36. Statutes how made.- (1) The first statutes framed by the Board of Management shall be submitted to the Board of Governors for its approval.

(2) The Board of Governors shall consider the First Statutes, submitted by the Board of Management and shall give its approval thereon with such modifications, if any, as it may deem necessary.

(3) The University shall publish the First Statutes, as approved by the Board of Governors in the University Notification and on its website, and thereafter, the statutes shall come into force from the date of its publication. A copy of the First Statutes shall be forwarded to the Karnataka State Higher Education Council and Government for information and record within four weeks of the University notification.

37. Power to amend the Statutes.- The Board of Governors may make new or additional Statutes or amend or repeal the Statutes.

38. Regulations.- Subject to the provisions of this Act, the regulations may provide for the following matters, namely:-

- (i) admission of students to the University and their enrolment and continuance as such;
- (ii) the courses of study to be laid down for all degrees and other academic distinctions of the University;
- (iii) the award of degrees and other academic distinctions;
- (iv) the conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (v) the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners invigilators, tabulators and moderators;

- (vi) the fee to be charged for admission to the examinations, degrees and other academic distinctions of the University;
- (vii) the conditions of residence of the students at the University or a Constituent College;
- (viii) maintenance of discipline among the students of the University or a Constituent College; and
- (ix) all other matters as may be provided in the Statutes under the Act.

39. Regulations how made.- The Regulations shall be made by the Academic Council and approved by Board of Management.

40. Power to amend Regulations.- The Academic Council may, with the approval of the Board of Management, make new or additional regulations or amend or repeal the Regulations with the approval of the Board of Management.

41. Fixation of fee.- (1) The fee in respect of ninety percent of the admissions in all aided courses of the university for which admissions are made through a Common Entrance Examination conducted by the State Government or its agency under the proviso to section 9 shall be the fees, as fixed by the State Government, for Government seats from time to time, in accordance with the consensual agreement entered into by the Government and the University in accordance with the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 (Karnataka Act 8 of 2006).

(2) In respect of other seats of the University, the fee shall be determined by the Fee Regulatory Committee constituted under the chairmanship of a retired Judge of the High Court in accordance with the provisions of section 6 of the Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006 (Karnataka Act 8 of 2006). For the purpose of this section, the University shall be deemed to be the Private Unaided Professional Educational Institution.

CHAPTER - VI MISCELLANEOUS

42. The method and recruitment Conditions of service of employees.- (1) Every employee shall be appointed by an order containing the terms and conditions that may be specified by Statutes and Regulations or prescribed by the State Government if any by rules which shall be kept in the University Office and a copy of which shall be furnished to the employee concerned subject to reservation policy of the State Government:

Provided that, in respect of aided courses teaching staff shall be appointed in accordance with the UGC guidelines and other State guidelines as followed in Government established Universities with prior approval of the State Government. Whereas in case of non-teaching staff, student ratio and staffing pattern prescribed by the Government shall be followed.

(2) Disciplinary action against the employees shall be governed by the procedure specified in the Statutes.

(3) Any dispute arising between the University and an employee shall be resolved in the manner provided for in the written contract and in accordance with the Statutes.

43. Right to appeal.- In case of disciplinary actions by the University against its employee or student, the aggrieved employee or students shall have a right to appeal to such Authority as prescribed by the statutes.

44. Provident or pension fund.- The University shall constitute for the benefit of its employees such provident or pension fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be specified by the statutes and the laws in force.

45. Disputes as to constitution of University authorities and bodies.- If any question arises as to whether any person has been duly appointed as or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

46. Constitution of Committees.- Any authority of the University mentioned in Section 24 of this Act, shall be empowered to constitute a committee of such Authority, consisting of such members and having powers as the Authority may deem fit.

47. Filling of casual vacancies.- Any casual vacancy among the members, other than ex-officio members of any Authority or Body of the University shall be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the vacancy shall be a member of such Authority or body for the residual term for which the person in whose place he would have been a member.

48. Protection of action taken in good faith.- No suit or other legal proceedings shall lie against any officer or other employee of the University for anything, which is done in good faith or intended to be done in pursuance of the provisions of this Act, the Statutes or the Regulations or the Rules.

49. Transitional provisions.- (1) Notwithstanding anything contained in this Act, the First Vice-Chancellor may, with the previous approval of the Chancellor, discharge any of the functions of the University for the purpose of carrying out the provisions of this Act, and for that purpose may exercise any powers or perform any duties which by this Act are to be exercised or performed by any Authority of the University until such Authority comes into existence as provided by this Act.

Further, such of the students who were admitted to the institution or an affiliated college shall continue to complete their course or programme in the college until they qualify to receive their Degree from the Parent University.

50. Permanent Statutory Endowment Fund.- (1) The University shall establish a Permanent Statutory Endowment Fund of at least rupees twenty five crores out of which at least fifteen crores shall be in cash and remaining in the form of Bank Guarantee which may be increased suoMoto but shall not be decreased.

(2) The University shall have power to invest the permanent Statutory Endowment Fund in such manner as may be prescribed by the rules.

(3) The University may transfer any amount from the General Fund or the Development Fund to the Permanent Statutory Endowment Fund except in the event of dissolution of the University, and in no other circumstances can any amount be transferred from permanent Statutory Endowment Fund for any other purposes.

(4) Seventy five percent of the incomes received from permanent Statutory Endowment Fund shall ordinarily be used for the purpose of development or general work of the University. The remaining twenty five percent shall be re-invested in the Permanent Statutory Endowment Fund.

51. University Endowment Fund.- (1) The University shall establish a Endowment Fund having such funds as may be determined by the Sponsoring Body which can include donations and other funds received from time to time.

(2) The University shall have the power to invest the University Endowment Fund in a manner as may be prescribed by the Statutes.

(3) The University Endowment Fund shall be a self-imposed fund that the University desires to maintain voluntarily and invest it responsibly to protect itself from financial challenges that may arise on account of pursuing social objectives and unforeseen circumstance.

(4) The University may transfer any amount from the General Fund or the development fund to the University Endowment Fund. Excepting in the case of dissolution of the University, in no other circumstances monies, can be transferred from the University Endowment Fund for other purposes.

(5) Up to eighty percent of the incomes received from the University Endowment Fund may be used for the purposes of development or general work of the University. The remaining income shall be reinvested into the University Endowment Fund.

52. General Fund.- (1) The University shall establish a General Fund to which the following amount shall be credited, namely:-

(i) all fees which may be collected by the University;

(ii) all sums received from any other source not prohibited by any law for the time being in force;

(iii) all contributions made to the University; and

(iv) all contributions or donations made in this behalf by any other person or body which are not prohibited by any law for the time being in force.

(2) The funds credited to the General Fund shall be applied to meet all the recurring expenditure of the University.

53. Development fund.-(1) The University shall also establish a Development Fund to which the following funds shall be credited, namely:

(i) development fees which may be charged to and collected from the students;

- (ii) all sums received from any other source for the purposes of the development of the University;
- (iii) all contributions made by the University;
- (iv) all contributions or donations made in this behalf by any other person or body; which are not prohibited by any law for. the time being in force; and
- (v) all incomes received from the Permanent Statutory Endowment Fund.

(2) The funds credited to the Development Fund from time to time shall be utilized for the development of the University.

(3) Under no circumstances the funds of the University shall be transferred to other educational institutions of the sponsoring Body.

54. Maintenance of funds.- The funds established under sections 50, 51, 52 and 53 above shall subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed by the State Government.

55. Annual Report.-(1) The Annual Report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Governors for its approval.

(2) The Board of Governors shall consider the Annual Report in its meeting and may approve the same with or without modification.

(3) A copy of the annual report duly approved by the Board of Governors shall be sent to the Visitor and the State Higher Education Council, the Government and the Visitor before the closure of each financial year and to be laid before each House of the State Legislature. The Annual Report may also be uploaded on the University website.

56. Account and Audit.- (1) The annual Accounts and Balance sheet of the University shall be prepared under the direction of the Finance Committee and all funds accruing to or received by the University from all source and all amounts disbursed or Paid shall be entered in the account maintained by the University.

(2) The annual accounts of the University shall be audited by an Auditor, who shall be a member of the Institute of Chartered Accountants of India.

(3) A copy of the Annual accounts and the Balance Sheet together with the Audit Report shall be submitted to the Board of Governors before closure of the financial year.

(4) The annual Accounts, the Balance Sheet and the Audit Report shall be considered by the Board of Governors at its meeting and the Board of Governors shall forward their copies to the Visitor and the Government and the Karnataka State Higher Education Council along with its observations.

(5) In the event of any objections and suggestions in the report of the Auditors, the State Government may issue directions to the University to rectify the mistakes and such directions shall be binding on the University.

57. Mode of proof of University record.- A copy of any receipt, application, notice, order, proceeding or resolution of any authority or committee of the University

or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein recorded where the original thereof would, if produced, have been admissible in evidence.

58. Power of Government to issue directions.- (1) The Government may give such directions to the University as in its opinion are necessary or expedient for carrying out the purposes of this Act or to give effect to any of the provisions contained therein or of any rules or orders made there under and the Board of Governor or the Board of management as the case may be, shall comply with every such direction.

(2) On identification of mismanagement, maladministration or indiscipline, if any, the Government shall issue directions to the management of the University to set right the administration. If the direction is not implemented by the Sponsoring Body or University within such time as prescribed, the right to appoint an Administrator or winding up of the University or taking any other course of action thereof shall vest with the Government.

59. Periodical Inspection by the Karnataka State Higher Education Council.- (1) The Karnataka State Higher Education Council shall formulate and prescribe the procedure and formats for submission of Annual Reports each year by the University.

(2) The Karnataka State Higher Education Council shall conduct periodical inspection at least once in five years, of the University including off-campus centre(s) regarding;

- (i) Standard of Instruction for grant of Degrees and diplomas;
- (ii) Quality of Education imparted by the University;
- (iii) Avoidance of commercialization of Higher Education;
- (iv) Contravention of the provisions of the Act if any; and submit a report to the Government.

(3) On identification of mismanagement, maladministration and indiscipline, the Government shall issue directions to the management of the University to set right the administration. If the direction is not followed within such time as may be prescribed, the right to take decision for winding up of the University or any course thereof shall vest with the Government.

(4) The manner of winding up of the University or any course thereof shall be such as may be prescribed by the Government in this behalf:

Provided that, no such action shall be initiated without affording a reasonable opportunity to show cause to the University.

(5) On receipt of the notice referred to in sub-section (1), the Government shall, in consultation with the relevant Regulatory Authority make such arrangements for the administration of the University for the rest of the period of from the proposed date

of dissolution of the University or winding up of the course and until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may prescribed.

60. Penalties.- (1) Whoever contravenes the provisions of this Act or the rules made there under or any examination matters or in matters relating to award of Degrees or in giving marks cards shall on conviction be punishable with fine of rupees fifty thousand which may extend to Rupees ten lakhs.

Provided that, where the University is also involved in the above contravention, the permission letter granted under this Act to commence the University may be withdrawn.

(2) A penalty under this section may be imposed without prejudice to the penalty specified in any other Act.

61. Power to enter and inspect.- Any officer not below the rank of Group 'A' officer authorized by the State Government in this behalf shall, subject to such conditions as may be specified therein under the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984 (Karnataka Act 37 of 1984) shall be deemed to be the Officer authorized to exercise the same powers and discharge the same functions as provided under section 9 of that Act for the purposes of this Act.

62. Power to give direction for dissolution of the University.- (1) If the University proposes its dissolution in accordance with the law governing its constitution or incorporation, it shall give at least one year prior notice in writing to the Government.

(2) The manner of winding up of the University, or of any course of action thereof shall be such as may be prescribed by the Government in this behalf:

Provided that no such action shall be initiated without affording a reasonable opportunity to show cause to the University.

(3) On receipt of the notice referred to in sub-section (1) the Government shall, in consultation with the relevant Regulatory Authority make such arrangements for administration of the University from the proposed date of dissolution of the University or winding up of the course or programme and until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed by the Statutes.

63. Expenditure of the University during dissolution.- (1) The expenditure of administration of the University during taking over period of its management under sub-section (3) of section 62 above shall be met out of the Permanent Statutory Endowment Fund, the General Fund or the Development Fund in such manner as may be prescribed.

(2) If the fund referred to in sections 50, 51, 52 and 53 are not sufficient to meet the expenditure of the University during the taking over period of its management, such expenditure may be met by the Government by disposing of the properties or assets of the University.

(3) Where the dissolution of the University is due to mismanagement or maladministration, the Government is at liberty to identify the persons responsible for such mismanagement or maladministration and to impose penalty as it deems fit.

64. Removal of difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by a notification or by order, make such provisions, which are not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that, no notification or order under this section shall be made after the expiry of a period of five years from the date of commencement of this Act.

(2) Every Order made under sub-section (1), shall, as soon as may be after it is made, be laid before the State Legislature.

65. Power to make rules by the State Government.- (1) The Government may make rules, by notification, to carry out the purposes of this Act.

(2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The above translation of ಸೃಂಟ ಜೋಸೆಫ್ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅಧಿನಿಯಮ, 2021 (2021ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 24) be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

VAJUBHAI VALA
GOVERNOR OF KARNATAKA

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

(K.DWARAKANATH BABU)
Secretary to Government
Department of Parliamentary Affairs
and Legislation