



## The University of Horticultural Sciences Act, 2009

Act 11 of 2010

### Keyword(s):

Academic Council, Affiliated College, Board of Studies, Campus, College, Chancellor, Comptroller, Dean, Dean-Student Welfare, Distance Education, Extension Education Council, Extension Education, Faculty, Horticultural Research Station, Hostel, Public Private Partnership, Research, Revolving Fund, Regulations, Research Council, Statutes, Student, Teacher, Transfer of Technology, Unit, Vignana Kendras

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**KARNATAKA ACT NO 11 OF 2010**

**THE UNIVERSITY OF HORTICULTURAL SCIENCES ACT, 2009**

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**STATEMENT OF OBJECTS AND REASONS**

It is considered necessary to establish a Horticultural University at Bagalkot. To give effect to this, provisions are made to provide for,-

- (i) the establishment of an University to impart for instructions, training and research in Horticulture and allied Sciences and to confer degrees, diplomas, certificates and other academic distinctions in Horticulture and allied Sciences;
- (ii) the transfer of certain colleges, research institutions, Krishi Vignan Kendras and other institutions presently under the jurisdiction of University of Agricultural Sciences specified in the Schedule and the employees thereof to the University;
- (iii) the appointment of Vice-chancellor and other officers of the University;
- (iv) the composition of the Board of management, Academic Council, Research Council, Finance Committee, Board of studies and other bodies of a University and their powers and functions;
- (v) the affiliation of colleges and recognition of institutions situated within the jurisdiction of the University;
- (vi) the appointment of University Review Commission;

Both the houses of Karnataka State Legislature were not in Session and the matter was urgent, the University of Horticultural Sciences Ordinance, 2008 (Karnataka Ordinance 2 of 2008) was promulgated on 22.11.2009.

The University of Horticultural Science Bill, 2009 (L.A. Bill No. 12 of 2009) was introduced in the Karnataka Legislative Assembly. The Bill could not be considered in the Legislature Session and the Ordinance has ceased to operate on 26.02.2009 i.e. at the expiration of six weeks from the reassembly of the Karnataka Legislature.

As the matter was urgent, and both the Houses of Karnataka State Legislature were not in Session, the University of Horticultural Sciences Ordinance, 2009 (Karnataka Ordinance 3 of 2009) was promulgated on 2.6.2009.

This Bill seeks to replace the said Ordinance.

Hence this Bill.

[L.A. Bill No. 12 of 2009, File No. DPAL 26 Shasana 2009]

[Entry 14 of List II and entry 25 of list III of the Seventh Schedule to the Constitution of India.]

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### **KARNATAKA ACT NO 11 OF 2010**

(First Published in the Karnataka Gazette Extra-ordinary on the third day of April, 2010)

#### **THE UNIVERSITY OF HORTICULTURAL SCIENCES ACT, 2009**

(Received the assent of the Governor on the first day of April, 2010)

An Act to provide for establishment of a University for Horticulture in the State of Karnataka and matters connected therewith;

Whereas it is expedient to provide for the establishment of a separate University for Horticulture in the State of Karnataka and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Karnataka State Legislature in the Fifty-ninth Year of the Republic of India as follows: -

#### **CHAPTER - I**

#### **PRELIMINARY**

**1. Short title and commencement** –(1) This Act may be called the University of Horticultural Sciences Act, 2009.

(2) It shall be deemed to have come into force with effect from 22<sup>nd</sup> day of November 2008.

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

(1) “Academic Council” means the Academic Council of the University;

(2) “Affiliated college” means a college or an Institution within the University jurisdiction and affiliated to the University in accordance with the statutes prescribed and providing courses of study for admission to the examination for Degrees, Diplomas or other academic distinctions of the University;

(3) "Authority" means any Authority of the University specified in section 11;

(4) "Board" means the Board of Management of the University;

(5) "Board of Studies" means academic affairs committee at faculty level;

(6) "Campus" means a premises which includes college, Hostels, staff residences, farm land and other assets associated with teaching, research and extension activity relating to horticulture;

(7) "College" means a constituent college of the University under its direct control and management whether located at the Headquarters, campus or elsewhere;

(8) "Chancellor" means the Chancellor of the University;

(9) "Comptroller" means the Comptroller of the University;

(10) "Dean" means Head of the Constituent College or Post Graduate Studies of the University;

(11) "Dean-Student Welfare" means Dean of student welfare, counseling and student placement;

(12) "Director" includes the Director of Education, Director of Research and Director of Extension;

(13) "Distance Education" means a field of education that aims to deliver education to students who are physically off site rather than attending courses in person, teachers and students may communicate at times of their own choosing by exchanging printed/electronic/other technology media;

(14) "Extension Education Council" means Extension Education Council of the University;

(15) "Extension Education" means the educational activities concerned with the training of farmers, home makers, entrepreneurs and other groups concerned with horticulture and allied sciences and various phases of scientific technology related to horticultural production and marketing and includes demonstration to carry forward the new technology and innovation to farms and farm homes through the departments of University, Vignan Kendras and its affiliated colleges;

(16) "Faculty" means Faculty in the University, as specified in the Act and the statutes;

(17) "Government" means the Government of Karnataka;

(18) "Head of the Department" means Head of a Department of the University and Constituent Colleges;

(19) "Horticulture" includes the basic and applied sciences of,-

(a) All aspects of Horticultural crops such as vegetables, fruits, flowers, spices, plantation crops, medicinal and aromatic crops etc.,

(b) Agricultural crops;

(c) Natural Resource Management;

(d) Soil and Water Management;

(e) Crop improvement including Production and protection;

(f) Irrigation and weed Management;

(g) Production of Seed and Plant Material;

(h) Land use planning and Management;

- (i) Land scaping;
- (j) Horti-silviculture, Farm-Forestry and Forest and Wild life Management;
- (k) Economics;
- (l) Marketing, Co-operation and Business Management;
- (m) Food Science and Technology;
- (n) Post harvest Management including processing;
- (o) Bio-Technology;
- (p) Mushroom Culture;
- (q) Engineering;
- (r) Veterinary and Animal Sciences including poultry;
- (s) Dairy Science and Technology;
- (t) Psiculture and Fisheries Management;
- (u) Rural Development;
- (v) Basic Sciences and Humanities;
- (w) Apiculture ;
- (x) Any other subject related to Horticulture as suggested by the Government/ICAR.

(20) "Horticultural Research Station" means Zonal Horticultural Research Station, Main Horticultural Research Station, Regional Horticultural Research Station, Horticultural Research Station or any other research station of the University;

(21) "Hostel" means a place of residence for students of the University maintained or recognized by the University either as a part of or separate from the University;

(22) "Officer" means officer of the University as specified in the Act or Statutes;

(23) "Public Private Partnership" means joint venture between university and public/private Organizations for the development and promotion of Horticulture;

(24) "Research" means the development of technologies;

(25) "Revolving Fund" means the budget allotted to the individuals/institutions for developing technologies, seed and planting material and to revolve the money for the further development;

(26) "Prescribed" means prescribed by the statutes of the University;

(27) "Registrar" means the Registrar of the University;

(28) "Regulations" means the regulations made under section 54;

(29) "Research Council" means Research Council of the University;

(30) "Schedule" means Schedule appended to this Act.

(31) "Statutes" means the Statutes of the University covering governing matters of policy, procedure etc made under this Act;

(32) "Student" means a person admitted and enrolled in a constituent college or an affiliated college of the University for pursuing a course of study for a degree, diploma or other academic distinction duly instituted;

(33) "Teacher" means a person not below the rank of an Assistant Professor appointed or recognized by the University for the purpose of imparting instructions or conducting and guiding research and/or extension education programmes, and may include any other person who may be declared by the Statutes to be a teacher;

(34) "Transfer of Technology (TOT) units" means Vigyan Kendra, Extension Education Units (EEUs), Staff Training Units (STU), Horticultural Technology Information Centre (HTIC), Bakery Training Unit (BTU), Post Harvest Technology Institute (PHTI) and such other centers established by the University;

(35) "Unit" means college /Research station/extension education units/ Thotagarike Vignana Kendras and other institutes concerned with Horticulture;

(36) "University" means University of Horticultural Sciences established under section 3;

(37) "University area" means the area under the jurisdiction of the University;

(38) "Vice-Chancellor" means the Vice-Chancellor of the University;

(39) "Vignana Kendras" means Thotagarike Vignana Kendra (TVK), Krishi Vignana Kendra (KVK).

## **CHAPTER - II**

### **THE UNIVERSITY**

**3. Establishment and incorporation of the University.-** (1) As soon as from the date of commencement of this Act there shall be an University established in the State by the name "University of Horticultural Sciences."

(2) The University shall be a corporate body having perpetual succession and a common seal and shall sue and be sued by its name.

(3) The University shall consist of a Chancellor, a Vice-Chancellor, Board of Management, Academic Council, Research Council, Extension Education Council and other authorities and officers and constituent bodies as set forth in this Act or as provided in the Statutes.

(4) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested or have been acquired by it for the purpose of the University with the prior approval of the State Government and to borrow money from the Central Government, State Government or any other approved sources and do all other things necessary for the purpose of this Act.

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

(6) The Headquarters of the University shall be at Bagalkot.

**4. Territorial jurisdiction and constituent bodies.-** (1) With respect to teaching at the University or college level, research and extension education programmes in the field of horticulture, defined in this Act, the territorial jurisdiction and responsibility of this University shall extend to the State of Karnataka.



(2) On and from the date of establishment of the University, no new college imparting education in Horticulture shall be established except as a constituent or affiliated college of the University.

(3) All Horticulture Colleges, Horticultural Research Stations, Thotagarike Vignan Kendras and other institutions coming under the jurisdiction and authority of the University shall come in as constituent units of the University under the full management and control of the University officers and authorities. No unit shall be recognized as an affiliated college unless otherwise recognized as affiliated college by the University.

(4) The University may assume responsibility for the establishment, development including research, extension and operations of its constituent bodies in the territorial jurisdiction and abroad as may be required

(5) University may have collaboration of academic programmes for research projects having multi disciplinary approach with other Universities or reputed Universities in India and abroad.

**5. Objectives of the University.-** The University shall be deemed to have been established and incorporated with the following objects, namely:-

(a) To make provision for imparting education towards development of quality human resource in different branches of study as stated under clause (19) of section 2;

(b) To further the advancement of learning including distance education and conducting of research, particularly in horticulture and other allied sciences;

(c) To undertake the extension education of such science and technologies, specially for the rural people of the State;

(d) To promote partnership and linkages with national and international educational, Industries, research institutes of Semi Government / Government / Private and others;

(e) Such other objects as the State Government may by notification in the official Gazette specify from time to time.

**6. Admission to the University:** (1) The University shall, subject to the provisions of this Act and the Statutes, be open to all persons:

Provided that nothing in this section shall require the University to admit to any course of study any person who does not meet the prescribed academic standards, for admission or to retain on the rolls of the University or persons whose academic records are below the minimum standard required for the award of a degree or whose personal conduct is prejudicial to the interest of the University or such as to be inimical to the purpose of the University or to the appropriate rights and privileges of other students and staff:

Provided further that nothing in this section shall be deemed to require the University to admit to any course of study a larger number of students than that can be accommodated in the available faculties of the University or of any particular college or Department as determined by the Academic Council.

(2) Subject to sub-section (1), the State Government may direct that the University shall reserve in colleges seats for women, the persons belonging to the Scheduled Castes and the Scheduled Tribes, agriculturists or the children of agriculturists and candidates from other states, foreign students who possess the minimum qualification prescribed in this behalf and who pass such practical tests in agriculture or horticulture as the Government may by order specify. Children and wards of freedom fighters, defence personnel and ex-serviceman and such socially and educationally backward classes of

citizens as may be declared by the Government in this behalf and where such direction has been given, the University shall make reservation accordingly.

**Explanation:** For the purpose of this sub-section, -

(i) 'Agriculturist' means a person who as owner holds land and whose main source of income is from personal cultivation of land and includes any person whose principal means of livelihood is from manual labour in agricultural lands; and

(ii) 'Freedom fighter' means a person of the category declared by the Government from time to time as such.

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

- (1) to provide for undergraduate and postgraduate instructions in horticulture and other allied branches of learning as the University may deem fit;
- (2) to provide for conducting of research in horticulture and allied branches of learning;
- (3) to provide for dissemination of the findings of research and technical information through extension education programme;
- (4) to institute course of study and hold examinations and confer degrees, diplomas and other academic distinctions on persons who have pursued a prescribed course of study or research or both in the University including part time courses and/or research carried out in any other University or recognized institutions for this purpose;
- (5) to confer honorary degrees and other distinctions as may be prescribed;
- (6) to provide training for farmers field workers, village leaders and other persons not enrolled as regular students of the University;
- (7) to collaborate with other universities and institutions in such manner and for such purposes as the university may determine, subject to the limitations set forth in section 4;
- (8) to establish and maintain colleges and other institutions relating to horticulture and allied Sciences;
- (9) to establish and maintain laboratories, libraries, research stations and institutions and museums for teaching, research and extension education;
- (10) to create teaching, research and extension education posts and to appoint persons to such posts;
- (11) to create administrative and other posts and to appoint persons to such posts;
- (12) to institute and award fellowships, scholarships, stipends and prizes in accordance with the Statutes;
- (13) to institute and maintain residential accommodations for students and staff of the University;
- (14) to fix, demand and receive such fees and other charges as may be prescribed;
- (15) to supervise and control the residence, conduct and discipline of the students of the University, and to make arrangements for promoting their health and welfare;
- (16) to accept donations from foreign countries and from within the country:-

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

- (17) to allow the university to admit to its privileges the institutions functioning outside India;
- (18) to grant affiliation to private horticultural institutions to conduct instruction in horticulture and allied sciences as decided under various statutes;
- (19) to do all such acts and things whether incidental to the powers aforesaid or not as may be required in furtherance of the objects of the university.

**8. Transfer of certain Colleges, Institutions and employees of the University.-** (1)

Notwithstanding anything contained in the Karnataka Universities of Agricultural Sciences Act, 1963 (Karnataka Act 22 of 1963), the colleges, research stations, All India Co-ordinated Research Projects on horticultural crops and other institutions and also the farms of State Departments of Horticulture and Agriculture specified in the schedule-I and the attached hostels and other buildings together with the articles of furniture, libraries, books, laboratory, stores, instruments, apparatus, appliances and equipments, revolving funds and all other property both movable and immovable owned and managed by the University of Agricultural Sciences, Dharwad and the University of Agricultural Sciences, Bangalore and the State Government prior to the specified date shall along with all the properties, assets, liabilities and obligations stand transferred to, and vest in, the University.

(2) Any student of a college or institution specified in sub-section (1), who was studying for any final examination of the University of Agricultural Sciences, Bangalore or the University of Agricultural Sciences, Dharwad, as the case may be, prior to the specified date, shall be permitted to complete his course, and the concerned University shall make arrangements for holding such students, examinations.

(3) If the University of Agricultural Sciences, Bangalore and University of Agricultural Sciences, Dharwad have prior to the specified date held any examination, the result of which has been declared and degree relating thereto has not been conferred or issued or the results of any such examination have not been declared though the course requirements are completed, then the University of Agricultural Sciences, Bangalore and the University of Agricultural Sciences, Dharwad as the case may be, declare the results and confer the degree.

(4) Every person employed by the University of Agricultural Sciences, Bangalore and the University of Agricultural Sciences, Dharwad, and serving in any of the colleges, research stations or institutions specified in sub-section (1) shall, as from the specified date, be transferred to the University on the same conditions of service as were applicable to him before such transfer and continue to be governed by the same conditions of service unless and until such conditions are altered by the University;

(5) Every person of Horticulture faculty employed by University of Agricultural Sciences, Bangalore or the University of Agricultural Sciences, Dharwad, and serving in any of the Colleges/ Research Stations / Institutions not specified in sub section (1) shall, as from the specified date be transferred on option to the Horticulture University based on the availability of post on the same conditions of service as were applicable to him before such transfer and continue to be governed by the same conditions of service unless and until such conditions are altered by the University;

(6) Every person other than teacher employed by the University of Agricultural Sciences, Bangalore and the University of Agricultural Sciences, Dharwad, serving in any of the Colleges, Research Stations / Institution not specified in sub section (1) shall be transferred on option to the Horticulture University based on the availability of posts on the same conditions of service as were

applicable to him before such transfer and continue to be governed by the same conditions of service unless and until such conditions are altered by the University;

(7) Any teacher of agriculture and allied sciences and every person other than teachers if he wants to remain in the parent Universities shall be transferred only after three years from the new University with the mutual consent of Vice-Chancellor of the Horticulture University and the parent Universities:

Provided that no such person who is deputed from the State Government to University of Agricultural Sciences, Bangalore and the University of Agricultural Sciences, Dharwad, shall be transferred to the University, without the prior approval of the State Government:

Provided further that no person employed by the State Government but working in Colleges, research stations or institutions mentioned in the Schedule shall be transferred to the University, unless the State Government takes a decision on the status of his employment, and till then he/she shall continue to be governed by the cadre and recruitment rules under which he was employed.

(8) The Post-Graduate Education in Horticulture will continue at GKVK Campus under the University of Agricultural Sciences, Bangalore till a notification is issued in this behalf by the State Government.

(9) The required faculty for the University out of the Horticulture Division from the University of Agricultural Sciences of GKVK Campus shall be determined by the State Government.

(10) The infra-structure of the Horticulture Division, consisting of 60 hectares of the GKVK campus shall be transferred to the Horticulture University by a notification to be issued in this behalf by the State Government.

**9. Inspection and control.**- (1) The Chancellor shall, if so requested by the Government or may, *suo moto* cause an inspection to be made by such person or persons as he may direct, of the University, its Buildings, Laboratories, Libraries, Museums, Hostels, Workshops and Equipment and any institution maintained, administered, recognized or approved by the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inspection or an inquiry to be made in like manner in respect of any matter connected with the University.

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

(3) Such person or persons shall submit a report of the inspection or inquiry to the Chancellor and shall forward a copy thereof to the Government.

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

(5) The State Government shall direct the Vice-Chancellor to initiate such action as has been directed by the Chancellor and the Government with respect to findings in the report of the enquiry and fix a time limit for such action.

(6) The Vice-Chancellor shall, within the time limit so fixed, report to the State Government the action, which has been taken or is proposed to be taken on the directions of the Government.

(7) The Government may, where action has not been taken by the University to its satisfaction within the time limit fixed and after considering any explanation furnished or representation made by

the University, issue such directions as the Government may think fit and the University shall comply with such directions.

(8) Notwithstanding anything contained in the preceding sub-sections, if at any time the Chancellor is of the opinion that the affairs of the University are not managed in furtherance of the objects of the University or in accordance with the provisions of this Act or the statutes or regulations or the special measures desirable to maintain the standards of teaching, examinations, research, or extension he may bring to the notice of the University, any matter in regard to which he desires an explanation and may call upon the University to offer such explanation within such time as may be specified by the Chancellor. If the University fails to offer any explanation within the time so specified or offers an explanation which, in the opinion of the Chancellor is unsatisfactory, the Chancellor may issue such instructions as appear to him to be necessary and desirable in the circumstances of the case and may exercise such powers as are necessary for giving effect to those instructions.

(9) The University shall furnish such information relating to the administration of the University as the Chancellor may require.

(10) The State Government may, by order published in the official Gazette, annul any order, notifications, resolution or any Proceedings of the University, which, in its opinion, is not in conformity with the provisions of this Act, or the statutes, regulations or ordinances or is otherwise inconsistent with the policy of the State Government:

Provided that before making any such order, the State Government shall call upon the University to show cause why such an order shall not be made and if any cause is shown within a reasonable time, shall consider the same.

**10. Power to issue directions.-** The Chancellor may either suo moto 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.

### **CHAPTER - III**

#### **AUTHORITIES OF THE UNIVERSITY**

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

- (1) Board of Management;
- (2) Academic Council;
- (3) Research Council;
- (4) Extension Education Council;
- (5) Faculties including post graduate studies and their Board of Studies;
- (6) Such other Bodies of University as may be declared by the Statutes to be authorities of the University.

**12. The Board of Management and its constitution.-** (1) The Chancellor shall, as soon as may constitute the Board of Management.

(2) The Board of Management shall consist of the following:-

- (i) The Vice-Chancellor who shall be the Chairperson;

- (ii) The Principal Secretary / Secretary to Government of Karnataka, Horticulture Department or his nominee not below the rank of Deputy Secretary;
- (iii) The Principal Secretary / Secretary to Government of Karnataka, Finance Department or his nominee not below the rank of Deputy Secretary;
- (iv) Two members of the Karnataka State Legislative Assembly to be nominated by the Speaker and one Member of the Karnataka Legislative Council to be nominated by the Chairman "
- (v) Director of Horticulture, Government of Karnataka, Bangalore;
- (vi) One eminent educationist (not below the rank of Professor) from the field of horticulture to be nominated by the Chancellor;
- (vii) Three progressive horticulture farmers from the jurisdiction of the University of which one person belonging to the Scheduled Caste or the Scheduled Tribes to be nominated by the Government;
- (viii) One agro-industrialist connected with processing of horticulture products to be nominated by the Chancellor;
- (ix) One outstanding woman social worker having background of rural advancement to be nominated by the Chancellor;
- (x) One representative from the Indian Council of Agriculture Research to be nominated by the Director General;
- (xi) Director of Education of the University;
- (xii) One Dean to be nominated by the Vice-Chancellor by rotation by term of two years;
- (xiii) Registrar who shall be the Member Secretary.

(3) The term of the office of the members of the Board other than Ex-officio members shall subject to the pleasure of the Government or the Chancellor as the case may be, for three years and they shall not be eligible for re-nomination to any of the authorities of the University in any category.

(4) When vacancy occurs in the office of any member by the reason of death, resignation, removal or any cause other than the expiry of term, the vacancy shall be filled in accordance with the provisions of this Act and the person who fills such vacancy, shall hold the said office for the remaining period for whose place he is nominated.

(5) One third of the members of the Board shall form a quorum at a meeting of the Board:

Provided that if a meeting of the Board is adjourned for want of quorum, no quorum shall be necessary for the adjourned meeting called for transaction of the same business.

(6) The members of the Board other than the officers of the University shall not be entitled to any remuneration for the performance of their functions under this Act except such daily and traveling allowances as may be prescribed.

(7) The Board may for the purpose of consultation invite any person having experience or special knowledge in any subject under consideration to attend its meeting. Such person may speak or otherwise take part in the proceedings of such meeting but shall not be entitled to vote. Any person so invited shall be entitled to such allowances for attending the meeting as may be prescribed.

(8) Ordinarily, the Board shall meet at least once in every three months on such dates as may be fixed by the Vice-Chancellor. However, the Vice-Chancellor may whenever he thinks fit or shall, upon the requisition in writing signed by not less than one half of the members of the Board, convene a special meeting of the Board.

**13. Powers and functions of the Board.-** (1) Subject to the provisions of this Act and the Statutes, the Board shall be the Chief Executive Body of the University and shall manage and supervise the properties and activities of the University and shall be responsible for the conduct of all administrative affairs of the University, not otherwise provided for in this Act.

(2) Without prejudice to the generality of the provisions of sub-section (1) the Board shall exercise and discharge the following powers and functions, namely:-

- (i) to consider and approve the financial estimates and the budget of the University;
- (ii) to hold and control the property and the funds of the University and issue any general directive on behalf of the University;
- (iii) with the prior approval of the Government, to accept or transfer any movable or immovable property on behalf of the University;
- (iv) to administer funds-placed at the disposal of the University for the purpose intended;
- (v) to arrange for the investment and withdrawal of the funds of the University;
- (vi) to borrow money for capital investments with prior approval of the Government and make suitable arrangements for its repayment;
- (vii) to accept on behalf of the University trust, bequests and donations;
- (viii) to consider and approve the recommendations of the Academic Council, Research Council and Extension Education Council where required;
- (ix) to direct the form and use of the common seal of the University;
- (x) to appoint such committees and bodies as it may deem necessary and set down the terms of reference thereof in accordance with the provisions of this Act and the Statutes;
- (xi) to consider and approve the establishment of a new Department, Centre, Research Station or sub-station or abolition of anyone thereof or reconstitution of Department, Research Station, sub-station or center on the recommendation of the Academic Council;
- (xii) to consider and approve establishment of a new college or faculty or amalgamation of two or more colleges or faculties into a single college or faculty or closing down of college or faculty or reconstitution of any of the existing faculties on the recommendation of the Academic Council;
- (xiii) to create teaching and non-teaching posts with approval of the State Government;
- (xiv) to approve the recommendations for appointment of officers, teachers and other employees of the University of the rank of Assistant Professor and above, in the prescribed manner;
- (xv) To consider and approve of any of the board item by circulation under emergency situation.

**14. Academic Council.-** (1) The Academic Council shall consist of the following members namely:-

- (i) The Vice-Chancellor - Chairperson;
- (ii) The Directors of Research and Extension Education;
- (iii) Deans of constituent colleges;
- (iv) Two University Heads of the Department nominated by the Vice-Chancellor on rotational basis;
- (v) One Teacher of professor rank to be nominated by the Vice-Chancellor on rotational basis;
- (vi) One eminent Horticultural Educationist from outside the University nominated by the Vice-Chancellor;
- (vii) Registrar;
- (viii) Director of Horticulture or his nominee not below the rank of Joint Director, Government of Karnataka, Bangalore;
- (ix) One representative of affiliated college not below the rank of Professor nominated by the Vice Chancellor;
- (x) The Director of Education - Member Secretary.

(2) The Academic Council shall co-opt, as members not more than two persons for such period and in such manner as may be prescribed so as to secure adequate representation of different sectors of Horticulture and allied fields.

(3) All Members of the Academic Council other than the ex-officio members shall hold office for a term of two years.

(4) One third of the members of the Academic Council shall form quorum at a meeting of the Academic Council:

Provided that if a meeting of the Academic Council is adjourned for want of quorum, no quorum shall be necessary at the next meeting for transaction of the same business.

(5) Any member nominated to the Academic Council shall be liable to be removed from such membership at any time by the Vice-Chancellor on the ground of misbehaviour, misconduct or otherwise after holding an enquiry.

(6) Ordinarily the Academic Council shall meet at least once in every three months on such date as may be fixed by the Vice-Chancellor. However, special meeting of the Academic Council may be called by the Vice-Chancellor.

**15. Powers and functions of the Academic Council.-** (1) The Academic Council shall subject to the provisions of this Act and the Statutes have power to make regulations for specifying all courses of Study and determining curricula, and shall have general control on teaching and other educational programmes within the University, and shall be responsible for the maintenance of standards thereof.

(2) The Academic Council shall have power to make regulations consistent with this Act and the Statutes relating to all academic matters subject to its control and to amend or repeal such regulations. Without prejudice to the generality of the provisions of sub-section (1), the Academic Council shall exercise the following powers and function namely:-



- (i) to advise the Board and Vice-Chancellor on all academic matters including the control and management of libraries;
- (ii) to make recommendations for the institution of Professorships, Associate Professorships, Assistant Professorships and other posts including posts in research and extension education and in regard to the duties thereof;
- (iii) to make recommendations for the establishment/ amalgamation/abolition of faculty, college, departments of teaching, research and extension education;
- (iv) to make regulation regarding admission of students to the university and determine the number of students to be admitted;
- (v) to make regulations relating to courses of study leading to degrees, diplomas and certificate courses;
- (vi) to make regulations relating to the conduct of examinations and to maintain and improve standard of education;
- (vii) to make recommendations to the Board regarding conferment of honorary degree;
- (viii) to make recommendations regarding the qualifications to be prescribed for teachers and service personnel in the University;
- (ix) to consider and approve Memorandum of Understanding and Memorandum of Agreement with educational, research, corporate and other institutions;
- (x) to exercise such other powers and perform such other functions as may be conferred or imposed on it under the provisions of this Act, by the Board or the Vice-Chancellor.

**16. Research Council.**- There shall be a Research Council consisting of the following members namely:-

- (i) The Vice-Chancellor-Chairperson;
- (ii) The Director of Horticulture,
- (iii) The Director of Agricultural Marketing, or his nominee not below the rank of Joint Director, Government of Karnataka;
- (iv) The Director of Agriculture, or his nominee not below the rank of Joint Director, Government of Karnataka;
- (v) The Director of Watershed Management, or his nominee not below the rank of Joint Director, Government of Karnataka;
- (vi) The Chief Conservator of Forest, Research & Training, Government of Karnataka;
- (vii) All the Directors of University;
- (viii) All Deans;
- (ix) All Associate Directors of Research and Associate Directors of Extension;
- (x) Two progressive farmers having specialization in horticulture nominated by the Vice-Chancellor to avail the benefit of their specialized knowledge and experience;

- (xi) One Horticulture Scientist of eminence from outside the State Horticultural Universities or from Indian Institute of Science or ICAR institutes nominated by the Vice-Chancellor in respect of any meeting for availing the benefit of their specialized knowledge;
- (xii) One Agro-Industrialist nominated by the Vice-Chancellor in respect of any meeting for availing the benefit of their specialized knowledge of subjects on the agenda of such meeting;
- (xiii) General Manager or Head, Safal Market Unit, Bangalore (Mother Dairy Food Process Ltd);
- (xiv) The Director, Indian Institute of Horticultural Research, Bangalore or his nominee;
- (xv) The Director, Central Food Technology Research Institute, Mysore or his nominee;
- (xvi) Managing Director, Karnataka State Agricultural Produce Processing and Export Corporation Limited (KAPPEC) or his nominee, Bangalore;
- (xvii) Managing Director, Horticulture Produce growers Co-operative Marketing Society;
- (xviii) Registrar;
- (xix) One Dean/Principal of affiliated college to be nominated by the Vice-Chancellor;
- (xx) Director of Research – Member Secretary

All Members of the Research Council other than the ex-officio members shall hold office for a term of two years and shall not be eligible for re-nomination to any of the authorities of the University.

**17. Functions of Research Council.-** The Research Council shall consider and make recommendations in respect of;-

- (i) Research programmes and projects undertaken or to be undertaken by the various University units in the field of Horticulture and other allied Sciences with a view to promote effective co-ordination;
- (ii) Physical, fiscal and administrative facilities required for implementing research projects;
- (iii) Orienting research to meet the needs of the farmers and other stakeholders;
- (iv) Integration of research, extension, teaching and participation of research workers in teaching and extension education programme;
- (v) Foster and Co-ordinate public – private partnership in research;
- (vi) any other matter pertaining to research programmes which may be referred to it by the Vice-Chancellor or the Board or any other authority of the University.

**18. Extension Education Council.-** (1) There shall be an Extension Education Council consisting of the following members namely:-

- (i) Vice-Chancellor – Chairperson;
- (ii) The Director of Horticulture, Government of Karnataka or his nominee not below the rank of Joint Director;
- (iii) The Director of Agriculture, Government of Karnataka or his nominee not below the rank of Joint Director;

- (iv) The Director of Agricultural Marketing, Government of Karnataka or his nominee not below the rank of Joint Director;
- (v) The Director of Women & Child Welfare, Government of Karnataka;
- (vi) The Chief Conservator of Forest, Social Forestry Government of Karnataka;
- (vii) The Director or his nominee, Indian Institute of Horticultural Research, Bangalore;
- (viii) The Director or his nominee, Central Food Technology Research Institute, Mysore or his nominee;
- (ix) Managing Director, Karnataka State Agricultural Produce Processing and Export Corporation Limited, Bangalore;
- (x) General Manager / Head, Safal Market Unit (Mother Dairy Food Process Ltd), Bangalore;
- (xi) The Director of Watershed, Government of Karnataka;
- (xii) All Directors and Deans of University;
- (xiii) The Registrar;
- (xiv) All Associate Directors of Research and Associate Directors of Extension;
- (xv) All University Heads of the Departments;
- (xvi) Two progressive farmers having specialization in Horticulture and allied branches nominated by the Vice-Chancellor to avail the benefit of their specialized knowledge and experience;
- (xvii) One extension educationist of eminence from outside the University nominated by the Vice-Chancellor in respect of any meeting for availing the benefit of their specialized knowledge of subjects on the agenda of such meeting;
- (xviii) One Agro-Industrialist nominated by the Vice-Chancellor in respect of any meeting for availing the benefit of their specialized knowledge of subjects on the agenda of such meeting;
- (xix) Managing Director, Horticulture Produce growers Co-operative Marketing Society;
- (xx) One representative from any one reputed NGO related to Horticulture to be nominated by the vice chancellor;
- (xxi) As per request of the Vice-chancellor not more than one representative of the following organizations, limited to five members in all,-
  - (a) The Rural Development and Panchayat Raj Department, Government of Karnataka.
  - (b) Co-operation Department, Government of Karnataka.
  - (c) Water Resources Department, Government of Karnataka.
  - (d) Fertilizer Corporation of India.
  - (e) National Seeds Corporation;
  - (f) Any other Agro-Industry or Agro-Service Organization/Seed companies.
  - (g) Karnataka State Seeds Corporation.

(h) Karnataka State Seed Certification Agency.

(xxii) Director of Extension – Member Secretary.

(2) All Members of the Extension Education Council other than the ex-officio members shall hold office for a term of two years and shall not be eligible for re-nomination to any of the authorities of the University.

**19. Functions of the Extension Council.-** The Extension Council shall consider and make recommendations in respect of,-

- (i) the Extension Education Programmes and Projects of the University;
- (ii) co-ordination of Extension Education activities for improvement of Horticulture and allied branches and for the development of rural Communities;
- (iii) development of farmers Education and Training and Advisory Services;
- (iv) identification and resolution of field problems and transmission of information;
- (v) methodology of Extension Education;
- (vi) evaluation of the Horticulture / Thotagarike Vignana Kendra / Extension education unit functions;
- (vii) Any other matter referred to it by the Vice-Chancellor or Board or any other authority of the University.

**20. Board of Studies, composition and functions.-** (1) There shall be a separate Board of Studies for Under Graduate and Post Graduate programs. The powers and functions of the Board of Studies shall be as prescribed by the Statutes.

(2) The composition of the Board of Studies for Under Graduate programs shall be as under:-

- (i) The Director of Education – Chairperson;
- (ii) Deans of all constituent colleges;
- (iii) One representative of affiliated college not below the rank of Professor nominated by the Vice Chancellor;
- (iv) Director of Research and Director of Extension;
- (v) The Registrar;
- (vi) The Dean of Student Welfare;
- (vii) All University Heads of the department;
- (viii) One Professor from each department of the University other than the head of the department nominated by the chairperson for a period of two years on rotational basis;
- (ix) Five teachers in the cadre of Associate Professor nominated by the chairperson for a period of two years on rotational basis;
- (x) Five teachers in the cadre of Assistant Professor nominated by the chairperson for a period of two years on rotational basis;

- (xi) Two professors of eminence from horticulture outside the University nominated by the Chairperson for a period of two years;
- (xii) A Dean of the college nominated by the Vice Chancellor of the University shall act as Member Secretary.

(3) The functions of Board of Studies for under graduates programs shall be as follows namely:-

- (i) To review under graduate teaching programme and suggest improvements thereof;
- (ii) To consider the recommendations of the committee of courses, curricula or similar body, as constituted by the Board of Studies and to place the same before the Academic Council for consideration and approval;
- (iii) To discharge such other functions as may be assigned to it by the Academic Council or Vice-Chancellor.

(4) The composition of the Board of Studies for Post Graduate programs shall be as under:-

- (i) Director of Education – Chairperson;
- (ii) Deans of constituent colleges;
- (iii) Director Research and Director of Extension;
- (iv) Registrar;
- (v) Dean of Student Welfare;
- (vi) All University Heads of Departments of the University;
- (vii) Ten post graduate teachers in the cadre of Professor nominated by the Chairperson for a period of two years in rotational basis;
- (viii) Ten Post-Graduate teachers in the cadre of Associate Professor nominated by the chairperson for a period of two years on rotational basis;
- (ix) Ten Post-Graduate teachers in the cadre of Assistant Professor nominated by the chairperson for a period of two years on rotational basis;
- (x) Two professors of eminence from outside the University nominated for a period of two years by the Chairperson;
- (xi) Dean Post Graduate Studies shall act as the Member Secretary.

(5) The Board of Studies for Post Graduate program shall perform the following functions:-

- (i) To review the post graduate and diploma teaching programmes and suggest improvements thereof;
- (ii) To consider the recommendations of the committee of courses, curricula or similar body, as constituted by the Board of Studies and to place the same before the Academic Council for consideration and approval;
- (iii) To discharge such other functions as may be assigned to it by the Academic Council or Vice-Chancellor.

**21. Constitution of Committees.-** Every Authority shall have the power to appoint committees which may unless otherwise provided in this Act or the Statutes consist of the members of the authority and such other persons as it may deem fit.

**22. Provision in relation to Vacancy in the Membership of Authorities.-** (1) Save as otherwise provided in this Act, if any members other than ex-officio member of any authority or body of the University is unable by reason of his death, resignation, removal or otherwise to complete his full term of office, the vacancy so caused shall as soon as convenient, be filled by the appointment, nomination or co-option, as the case may be and the person so appointed, nominated or co-opted shall fill such vacancy for the un-expired portion of the term for which the member in whose place such person is appointed, nominated or co-opted would otherwise have continued in office.

(2) The Board may remove any person from membership of any authority or body of the University on the ground that such person have been convicted of any offence involving moral turpitude or conduct not befitting the office held by the concerned member with the approval of the Chancellor, except that prior approval of the Chancellor shall not be necessary where such a person has been convicted by a competent Court of law:

Provided that no such order shall be made against any person without giving reasonable opportunity of being heard.

(3) A person who is a Member of any authority or body of the University as a representative of another body of the University or not shall cease to be a member of such authority or body if before the expiry of the term of his membership he ceases to be a member of that other body by which he was appointed or nominated.

(4) Whenever any person becomes a Member of any authority or body of the University by virtue of the office held by him, he shall forthwith cease to be a member of such authority or body if he/she ceases to hold such office before the expiry of the term of his membership:

Provided that he shall not be deemed to have ceased to hold his office merely by reason of his proceeding on leave for a period not exceeding four months.

(5) Any member, other than an ex-officio member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor and such resignation shall take effect from the date, on which the same is accepted.

**23. Validity and protection of acts.-** (1) No act or proceeding of any authority or body of the University shall be invalid by reason of the existence of any vacancy among its members or by reason of some person having taken part in the proceedings who is subsequently found to have been not entitled to do so.

(2) Save as otherwise provided in this Act, all the acts done or orders made in good faith by the University or any of its authorities shall be final and no suit shall be instituted against or damages claimed from the University or its authority for anything done or purported to have been done in pursuance of this Act or the Statutes or the Regulations.

(3) No suit or other legal proceeding shall lie against any officer or other employee of the University in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any Statutes made there under.

#### **CHAPTER - IV**

#### **OFFICERS OF THE UNIVERSITY**

**24. Officers of the University.-** The following shall be the officers of the University namely:

- (1) The Chancellor
- (2) Pro-Chancellor
- (3) The Vice-Chancellor
- (4) The Directors
- (5) The Deans
- (6) The Registrar
- (7) Dean of Student Welfare
- (8) The University Librarian
- (9) Such other persons in the service of the University as may be declared by the Statutes to be the Officers of the University
- (10) The Comptroller

**25. The Chancellor.-** (1) The Governor of the State 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 when present, preside at the convocation of the University.

(3) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor, with the approval of the Board of Management.

(4) The Chancellor may by an order in writing annul any order or proceeding of the officer or authority of the University which is not in conformity with this Act and Statutes:

Provided that before making any such order he shall call upon the officer or authority concerned to show cause why such an order should not be made and if any cause is shown within the time specified in this behalf, he shall consider the same.

(5) The Chancellor shall exercise such other powers and discharge such other duties as are conferred or imposed on him by this Act or the Statutes.

**26. The Pro-Chancellor.-** (1) The Minister for Horticulture for the State of Karnataka shall by virtue of his office be the Pro-Chancellor of the University.

(2) The Pro-Chancellor shall exercise such powers and discharge such 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 discharge such other functions 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 as may be specified in such order.

(3) He shall preside over the convocation in the absence of Chancellor.

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

(2) The State Government shall constitute a Search Committee consisting of the following persons, namely:-

- (i) Director General, ICAR

- (ii) Chairman, UGC or his nominee
- (iii) One nominee of the Chancellor
- (iv) One nominee of the State Government

The State Government shall appoint one of the members as the Chairman of the Committee. The Secretary to Government incharge of Horticulture Department or his nominee not below the rank of the Deputy Secretary to Government shall be the convener of the Search Committee.

(3) The Search committee shall submit to the State Government a panel of three persons who are eminent academicians in Horticultural Sciences 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-sections (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 65 years, whichever is earlier. He shall not be eligible for reappointment.

(6) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the Chancellor and shall not be varied to his disadvantage after his appointment as Vice-Chancellor.

(7) 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 60 days prior to the date on which the Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier.

(8) In the event of a temporary vacancy of the post of Vice-Chancellor or in his absence on leave or for any other reason, Director of Education and in the absence of Director of Education, Registrar or senior most Director of the University, at the Head Quarters with the approval of the Chancellor, may perform the duties of the Vice-Chancellor for a period not exceeding six months.

(9) The Vice-Chancellor shall not be removed from his office except by order of the Chancellor passed on the ground of misbehaviour or incapacity or if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interests of the University, after due inquiry by such person who is or has been a Judge of High Court to be nominated by the Chancellor in which the Vice-Chancellor, shall have an opportunity of making his representation.

**28. The Special Officer.-** (1) The Government shall appoint an officer to be called as Special Officer.

(2) The Special Officer appointed under sub-section (1), shall take necessary steps to establish the University and shall exercise such of the powers and perform such of the functions of the University as Vice-Chancellor, as may be specified by the State Government.

(3) The Special Officer shall hold office till the first Vice-Chancellor is appointed.

**29. Powers and Duties of the Vice-Chancellor.-** (1) The Vice-Chancellor shall be the principal executive academic officer of the University and ex-officio Chairperson of the Board, Academic Council



and other authorities and shall in the absence of the Chancellor and Pro-Chancellor preside at the Convocation of the University and confer degrees on persons entitled to receive them.

(2) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the maintenance of discipline in the University.

(3) The Vice-Chancellor shall convene meetings of the Board, Academic Council, Research Council and Extension Education Council.

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

(5) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and the annual accounts to the Board.

(6) The Vice-Chancellor may take any action in any emergency, which in his opinion calls for immediate action. He shall in such case, and as soon as may be thereafter report his action to the authority or body, which will ordinarily have dealt with the matter. If the authority or body disagrees with the action of the Vice-Chancellor the matter shall be referred to the Chancellor whose decision thereon shall be final.

(7) Where any action taken by the Vice-Chancellor affects any person in the service of the University, such person may prefer an appeal to the Board within thirty days from the date on which such person has been served with a notice of the action taken.

(8) Any person aggrieved by the appellate order of the Board may within thirty days from the date of receipt of such order, make a second appeal to the Chancellor and the decision of the Chancellor on such appeal shall be final.

(9) If the Vice-Chancellor is satisfied that a decision of the Board other than decision under sub-section (8), is not in accordance with provisions of Acts and Statutes, Government regulations and not in the best interest of the University, then he shall refer it to the Chancellor within fifteen days for his decision. The decision of the Chancellor thereon shall be final. Till the disposal of the reference made by the Chancellor the decision of the Board shall not be implemented.

(10) Subject to the provisions of the preceding sub-section the Vice-Chancellor shall give effect to the decisions of the Board regarding the appointments, promotions and dismissal of officers, teachers and other employees of the University.

(11) The Vice-Chancellor shall be responsible for the proper administration of the affairs of the University and for a close co-ordination and integration of teaching, research and extension education.

(12) The Vice-Chancellor shall exercise such other powers and perform such other duties as are conferred or imposed upon him under the provisions of this Act and Statutes.

**30. General terms and Conditions of Other officers of the University.-** (1) The officers of the University referred to in clause (4) to (9) of section 24 shall be appointed by the Vice-Chancellor with the approval of the concerned authority of the University on such terms and conditions as may be prescribed:

Provided that the Vice-Chancellor may make appointments of such officers as a temporary measure under intimation to the concerned authority of the University.

(2) The officers of the University referred to in clauses (4) to (10) of section 24 shall not be offered nor shall they accept any remuneration for any work in the University save as such as may be provided for by the Statutes or other orders regulating their salaries, allowances and other conditions of service.

### **31. Directors, Deans, Registrar, Comptroller etc.,-**

#### **(1) Director of Education,-**

(a) He shall be responsible for coordinating teaching, research and extension programmes of the University. He will be concerned with the policy matters and system regarding resident instruction in the University and development of educational technology and teachers training programme. He shall also oversee examinations.

(b) He shall be responsible for maintaining permanent records of the Academic Council, Board of studies, Under Graduate and Post Graduate Studies and maintaining students' discipline.

(c) He shall function as Member Secretary of the Academic Council and Chairman of Board of Studies for under graduate and post graduate programs.

(d) He shall coordinate and review all research and extension programs in the University.

(e) He shall oversee the activities of communication centre and University Publications.

**(2) Director of Research:** He shall be responsible for the direction and co-ordination of research programmes in the University as laid down in section 51 and efficient working of research stations.

**(3) Director of Extension:** He shall be responsible for the Horticulture Extension Education programmes as laid down in Section 52.

**(4) Dean:** He shall be Head of the College and be responsible for administering and implementation of teaching, research and extension activities in the College.

**(5) Dean of Post Graduate studies:** He shall be responsible for administering and implementation of post graduate studies and other educational programmes including diplomas.

#### **(6) Dean of Students Welfare:**

(a) He shall plan and direct the programme of students' advisement and counseling and to enlist the co-operation of prospective employers and employment agencies to assist in the placement of graduates of the University and to promote discipline amongst the students of the University.

(b) He shall plan and organize students' extra-curricular activities such as sports, cultural and other recreational activities, National Cadet Corps, NSS and communication skill improvement and other allied activities at University level.

(c) He shall assist the Deans in supervision and management of students' hostel, cafeteria and conduct of sports and cultural events.

(d) He shall supervise medical and health services and other welfare measures of students in the University.

#### **(7) Registrar:**

(a) He shall be an academician in the field of Horticultural Sciences not below the rank of a Professor of the University; or an officer of the State Government not below the rank of the Deputy Secretary to Government;

(b) He shall be Ex-officio member secretary of the Board of Management, Academic Council and shall be permanent invitee of all councils;

(c) He shall be responsible for the due custody of records and common seal of the University;

(d) He shall be responsible for human resource development and general administration in the

University as prescribed.

**(8) University Librarian:**

He shall be responsible for the maintenance and management of the University Library Information System and to guide and co-ordinate library activities of all the constituent units of the University.

Subject to the provisions of this Act the Officers of the University referred to in clauses (4) to (9) of section 24 shall perform such other duties as may be prescribed or as may be assigned to them from time to time, by the Vice-Chancellor.

**(9) Comptroller**

(a) The Comptroller shall be a whole time officer of the University appointed by the Vice-Chancellor with the approval of the Board of Management 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 of Audit and Accounts Department, having experience in audit, accounting and financial administration, recommended by the Vice-Chancellor to the Board of Management. If none in the panel is approved by the Board of Management within days, the Chancellor may in consultation with the Vice-Chancellor, appoint such other person as he deems fit to be the Comptroller.

(b) The tenure of appointment of the Comptroller shall be four years.

(c) The Comptroller shall, subject to the control of the Finance Committee, exercise such powers and perform such functions as may be prescribed by the Statutes 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.

**CHAPTER V**

**EDUCATION, RESEARCH AND EXTENSION**

**32. Education.-** (1) Subject to provisions of this Act, Education in the University shall include Bachelor's, Master's and Doctoral degree programmes and short-term diploma /certificate courses in the disciplines of Horticulture and allied sciences as prescribed.

(2) The Educational programmes would maintain congruence with the State and National policies.

(3) The University shall put in place initiatives for e-learning, distributed/distance education, Information and Communication Technology – enabled knowledge sharing etc.

(4) Programmes of Horticultural education should aim at producing competent and skilled graduates and post-graduates.

**33. Research.-** (1) Subject to the provisions of this Act and the Statutes in the University shall carry on strategic, basic and applied research in Horticulture and allied subjects.

(2) The University through its research organization shall be the principal agency of control over research activities in Horticulture and other allied branches in its jurisdiction.

(3) The University with the concurrence of Government may establish Regional Zonal Research Stations and Sub-Stations in different agro-climatic zones in its territorial jurisdiction for the conduct of research including operational research.

**34. Extension education.-** (1) Extension education programmes shall be established in the University and shall subject to the provisions of this Act and the Statutes, ensure technology

assessment and refinement and facilitate adoption of technology based on research findings to farmers and others for accelerated Horticultural growth. It shall conduct demonstrations and training programmes for the benefit of various stakeholders. Extension shall be co-ordinated with various units of the University and other appropriate agencies of the Centre and the State.

(2) The University shall be responsible for developing models of Horticultural Extension in the State.

**35. Integration of teaching, research and extension.**- (1) In consultation with the appropriate officers of the University, the Vice-Chancellor shall be responsible for taking such steps as may be necessary for the full integration of teaching, research and extension activities of the University.

(2) Every faculty member borne on teaching cadre shall devote 30% of the time in an academic year for undertaking research and or extension apart from teaching. Likewise a faculty member borne on research or extension shall spend 30% of time in teaching or extension or research as the case may be.

(3) All teaching, research and extension staff located in the college shall be under the administrative control of Dean of the College and technical control of Director (Research) and Director (Extension) as the case may be.

(4) The University shall develop its programme of research and extension keeping in view the regional needs of the State and provide the appropriate technological backstopping, to the Government and other stakeholders.

## **CHAPTER - VI**

### **FUNDS AND ACCOUNTS**

**36. The University Funds.**- (1) The University shall have a general fund to which shall be credited,-

(a) Its income from fees, endowments and grants if any, and income from properties of the University including hostel, experimental stations and farms;

(b) Contribution or grants made by the Government on such conditions as are consistent with the provisions of this Act;

(c) Other contributions, grants, donations benefictions, loans and other receipts.

(2) The University shall have a fund called Foundation Fund to which shall be credited contributions and grants made by the Central Government or the State Government or any approved agency and such other sums as may be specified by the Board. The Board may as and when necessary retransfer such amount as may be specified, from the Foundation Fund to the General Fund, in the manner prescribed.

(3) The University shall furnish statement of accounts, reports and other particulars to the Government relating to any grant made by the Government and shall take such action and furnish such statements, accounts, reports and other particulars relating to the utilization of any grant within such time and manner as the Government may direct.

(4) It shall be competent for the University in furtherance of its objects to accept the grants from the Government or any other State Government or the Central Government or Statutory Bodies or endowments or donations under such conditions as my be agreed upon between the Universities and the grant or donor.

**37. Management of Funds.**- The General Fund, Foundation Fund and other funds of the

University shall be managed according to the provisions laid down by the Statutes.

**38. Power of Government to order Auditing.-** The Government shall have the power at any time to order an audit of the accounts of the University by such auditors as it may direct.

**39. Financial Estimates.-** (1) The Vice-Chancellor shall cause to be prepared the financial estimates of the University for the ensuing year and submit the same to the board for its approval.

(2) The Board may approve the financial estimates subject to such modification as it deems fit, and no expenditure shall be incurred except in accordance with the financial estimates as approved by the Board.

**40. Accounts and Audit.-** (1) The annual statement of accounts of the University based on double entry system of accounting shall be prepared by the Comptroller under the direction of the Vice-Chancellor and all moneys accruing to or received by the University from whatever source and all amounts disbursed or paid by the University shall be entered in the accounts.

(2) The annual accounts and the balance sheet shall be submitted by the Vice-Chancellor to the Government, which shall cause an audit to be carried out by such persons as it may appoint in this behalf. The accounts when audited shall be printed and copies thereof, together with the audit report, shall be presented by the Vice-Chancellor to the Board and the Chancellor.

(3) The Board shall submit a copy of the accounts and the report to the Government along with a Statement of the action taken by the University on the audit report, and the Government shall cause the same to be laid before both Houses of the State Legislature.

(4) The University shall cause to issue an audit utilization certificate in respect of Schemes and KVKs/TVKs sponsored by ICAR, GOI and other projects \ institutions certified by a Chartered Accountant.

**41. Provident Fund, Pension and Insurance.-** (1) With the prior approval of the Government, the University shall constitute for the benefit of its officers, teachers, ministerial staff and other employees, in such manner and subject to such conditions as may be prescribed, such pension, gratuity, insurance or provident fund, contributory pension fund and any other such funds as it may deem fit.

(2) The Government may declare the provisions of the Provident Funds Act 1925 (Central Act 19 of 1925) shall apply to the provident fund or pension fund so constituted by the University as if they were Government provident funds.

Provided that the University shall have power in consultation with Finance Committee and the Board to invest provident fund amount in such manner as it may determine.

**42. Government Grants.-** (1) The State Government shall, every year, make non-lapsable lump sum grants to the University namely:-

- (i) A grant not less than the estimated expenditure of pay and allowances of the staff contingencies, supplies and services of the University for proper functioning of University;
- (ii) A grant to meet such additional items of expenditure recurring and non-recurring as the State Government may deem necessary for the proper functioning of the University.

(2) The State Government shall also make a non-lapsable lump sum grant to the University in respect of schemes included in the Five year Plans and transferred for implementation by the

University, of an amount equal to the net outlay as shown in the annual plan after deducting the anticipated assistance from the Central Government and other agencies sponsoring such schemes.

(3) The University shall furnish statements, accounts, reports and other particulars as the State Government may require before any grant is made by the Government, and shall take such action and furnish such statements, accounts, reports and other particulars relating to the utilization of any grant, within such time and in such manner as the State Government may direct.

(4) It shall be competent for the University in furtherance of its objects to accept grants from the Government of Karnataka or any other State Government or the Central Government or statutory bodies and endowments or donations under such conditions as may be agreed upon between the University and the grantor or donor.

**43. Finance Committee.-** (1) The Board shall constitute a Finance Committee consisting of the following members, namely:-

- (i) The Vice-Chancellor - Chairperson;
- (ii) The Principal Secretary to Government, Finance Department or his nominee not below the rank of a Deputy Secretary;
- (iii) The Principal Secretary or Secretary to Government, Horticulture Department his nominee not below the rank of a Deputy Secretary;
- (iv) One member of the Board of Management nominated by Vice-Chancellor;
- (v) Registrar;
- (vi) The Comptroller – Member Secretary.

(2) Finance Committee shall have the following functions, namely:-

- (i) To examine the annual accounts and budget estimates of the University and to advise the Board thereon;
- (ii) To review the financial position of the University from time to time;
- (iii) To make recommendations to the Board on all matters relating to the finances of the University;
- (iv) To make recommendation to the Board on observing utmost economy, bringing out austerity measures and suggesting curbs on wasteful expenditure;
- (v) To make suitable recommendations to the Board for cost recovery mechanism for both research and teaching to further improve the financial strength of the University.

## **CHAPTER - VII**

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

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

(2) The Registrar shall notify atleast in two leading newspapers, one in English and one in Kannada, inviting applications for affiliation of new colleges, new courses in the existing affiliated colleges, new subjects in the affiliated colleges and also variation in the sanctioned intake fixing the last date for receipt of applications. The advertisement shall also contain such other particulars as may

be required by the University and also specify the amount of fee for affiliation with a specific indication where the college requires to obtain the approval or recognition of the ICAR / or such other authorities to that effect.

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

- (i) that it will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood and the suitability of the locality where the college is to be established;
- (ii) that it is to be under the management of a regularly constituted governing body;
- (iii) 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;
- (iv) that the infra-structures including the buildings in which the college is to be located are suitable and that provision shall be made in conformity with the statutes and regulations for the residence in the college or in lodgings approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students;
- (v) that due provision has been made for a library and other service centers;
- (vi) that where affiliation is sought in any branch of experimental science, that arrangements have been or will be made, within a stipulated time, in conformity with the Statutes, and Regulations for imparting instruction in the branch of science in a properly equipped laboratory or museum, experimental fields;
- (vii) that as far as circumstances may permit, due provision shall be made for the residence of the principal and members of the teaching staff in or near the college or the place provided for the residence of students;
- (viii) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and
- (ix) that rules fixing the fees if any to be paid by the students have been framed.

(4) Applications for affiliation of new colleges shall not be entertained from individuals, but only from the Registered Society or Registered Public Trust, financially viable to run the Colleges without the aid of the State Government.

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

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

(7) The local inquiry committee shall within thirty days from the date of constitution thereof submit a report to the Academic Council.

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

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

(10) The Registrar shall submit the application and its enclosures, annexures, the report of the local inquiry committee, and the proceedings of the Academic Council and Board to the State Government for taking a decision thereon before thirty first March of the ensuing year.

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

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

(13) Sanction of affiliation however, be subject to obtaining the prior approval of the ICAR or such other authorities or bodies concerned and the intake determined shall not exceed the intake if any specified by such authorities or bodies.

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

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

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

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

(18) The intake in respect of each of the courses of study shall be determined on an yearly basis by the State Government.

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

(2) If any Institution which contravenes the provisions of sub-section (1) shall be liable for action under the Karnataka Prohibition of Admissions of Students to Un-recognized and Un-affiliated Educational Institutions Act, 1992 (Karnataka Act 7 of 1993).

**46. Restriction for appearance in the examinations.-** A Student whose admission has become invalid or whose admission has not been approved by the University or who has been admitted



to a college or course of study in excess of the prescribed intake shall not be eligible to appear for the examination conducted by either the College or the University.

**47. Permanent Affiliation.-** (1) A College which was affiliated continuously for a period of not less than five years and fulfilled all the conditions of affiliation and attained the academic excellence and the administrative standards on an average stipulated by the University from time to time shall be eligible for grant of permanent affiliation.

(2) The provisions of section 44 shall mutatis mutandis apply for sanction of permanent affiliation.

(3) A College permanently affiliated to the University shall be subject to review of its functioning both administratively and academically from time to time by the University and the State Government, at least once in a period of five years.

(4) Notwithstanding anything contained in the preceding sub-sections, if a permanently affiliated college fails to fulfill any of the conditions specified in sub-section (1), the permanent affiliation shall be revoked:

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

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

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

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

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

(4) The Period so specified in sub-section (3) may if so expedient be extended by the Board up to a reasonable time.

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

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

(7) The Board 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 Board unless it has obtained the support of two third of the members present at a meeting.

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

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

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

(11) The students of a college, the affiliation of which has been withdrawn in whole or in part shall be accommodated in the nearby colleges by the University by increasing the intake in respect of a particular course of study to the extent of such students to be accommodated. All the documents in respect of such students shall be transferred from the college in respect of which the affiliation has been withdrawn to the college to which they are transferred by the University.

**49. 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 Board and they shall pass appropriate resolutions thereon.

(3) The Registrar shall transmit the application and the resolutions of the Academic Council and the Board to the State Government which shall on consideration of the same issue directions to the University either to permit the closure or to reject the closure 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, issued by the University to do so.

(5) The students of such college which has been permitted to close the college or a course 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.

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

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

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

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

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

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

## **CHAPTER - VIII**

### **STATUTES AND REGULATIONS**

**52. Statutes.-** Subject to the provisions of this Act, the Statutes of the University may provide for any matter connected with the affairs of the University and shall, in particular, provide for the following, namely:-

- (1) Constitution, powers and duties of the Authorities;
- (2) Creation, composition and functions of other bodies or committees, necessary or desirable for improving the academic life of the University;
- (3) Designations, powers, functions, duties, manner of appointment and selections and terms and conditions of service of the Officers of the University other than the Vice-Chancellor;
- (4) Classification, qualification and manner of appointment terms and conditions of service and powers and duties of teachers and other employees of the University;
- (5) Establishment, amalgamation, sub-division or abolition of faculties, Departments, Research Stations, Centres or other units of the Universities;
- (6) Establishment of pension and insurance schemes for the benefit of officers, teachers and other employees of the University and the rules, terms and conditions of such schemes;
- (7) Holding of convocations to confer degree and diplomas;
- (8) Conferment and withdrawal of honorary degrees and academic distinctions;
- (9) Conditions of service, remunerations and allowances including traveling and daily allowances to be paid to officers, teachers and other persons employed under the University;
- (10) Conditions and mode of appointment and the duties of examining bodies and examiners;
- (11) Management of colleges, Centres, Divisions, Departments, Zonal and Regional Stations, Thotagarike Vignana Kendras or other Institutions founded or maintained by the University;

(12) Constitution of Selection Committees for appointment of officers, teachers and other employees of the University;

(13) All other matters, which by this Act are to be provided by the Statutes.

**53. Statutes How Made.-** (1) Any statute may be made, amended or repealed by the Board in the manner herein after provided.

(2) Statutes under this Act shall be proposed by the Board and submitted to the Chancellor through the Government for his assent and shall be given effect to only after the assent published in the Official Gazette.

(3) All the Statutes made under this Act shall be published in the Official Gazette.

**54. Regulations.-** (1) The Authorities of the University may make regulations consistent with this Act and the Statutes for;-

- (a) Laying down the procedure for their meetings and the number of members required to form the quorum;
- (b) Providing for matters which by this Act or the Statutes are to be regulated by Regulations;
- (c) Providing for any other matters solely concerning the authority and not provided for by this Act and Statutes.

(2) The regulations made by any authority of the University shall be subject to such direction as the Board may from time to time give in this behalf.

(3) The Academic Council may, subject to the provisions of this Act and the Statutes, make regulations providing for courses of studies, system of examination, academic calendar, award of degrees and diplomas of the University and other matters related to Director of Education.

(4) Without prejudice to the generality of the provisions of the preceding sub-sections, Academic Council may make regulations for;-

- (a) holding of convocations to confer degrees and diplomas;
- (b) conferment of honorary degrees, academic distinctions and withdrawal of degrees;
- (c) establishment and abolition of hostels maintained by the University;
- (d) Institution of fellowships, scholarships, stipend, bursaries, medals and prizes and the conditions of award thereof;
- (e) Entrance or admission of the students of the University and their enrollment and continuance as such and the conditions and procedures for dropping students from enrollment;
- (f) Fees which may be charged by the University;
- (g) Courses of study to be laid down for all degrees, diplomas and certificates of the University;
- (h) Conditions under which students shall be admitted to the degrees, diplomas or other courses and examinations of the University and eligibility for the award of degrees and diplomas;

- (i) Conditions for conferment of degrees and other academic distinctions;
- (j) Maintenance of discipline among the students of the University;
- (k) Special arrangements, if any, which may be made for residence, discipline and teaching of women students and the provision of special courses of study for women;
- (l) Conditions of residence of students of the University and levy of fees for residence in hostels;
- (m) Recognition and management of hostels maintained by the University.

## **CHAPTER - IX**

### **MISCELLANEOUS**

**55. Savings of Validity of acts and proceedings.-** No act done or proceedings taken under this Act shall be questioned merely on the ground,-

(i) of any vacancy or defect in the constitution of any Authority;

or

(ii) of any defect or irregularity in such act or proceeding not affecting the merits of the case.

**56. Residence of Students.-** The students shall reside in the accommodation maintained by the University or approved by the Vice-Chancellor subject to such conditions as may be prescribed. However, the Vice-Chancellor or an authorized officer of the University may permit the students to reside with their parents or in private accommodations when no such accommodation is available with the University.

**57. Annual Report:** The annual report of the University shall be prepared by the Registrar or any other officer under the directions of the Vice-Chancellor ordinarily within six months from the close of the Financial year and circulated to the members of the Board one month before the meeting at which it is to be considered. The Board shall after consideration of the annual report forward a copy thereof to the Government, which shall be laid before both Houses of the Legislature.

**58. Delegation of Powers:** The Vice-Chancellor may, by Order, delegate the powers exercisable by him under this Act or the Statutes made there under, to any authority, officer, heads of colleges, departments, institutions or units or office subject to such conditions and restrictions as the Vice-Chancellor may deem proper.

**59. Constitution of *ad-hoc* committees.-** Notwithstanding anything in this Act, and until such time as the authorities or bodies of the Universities are duly constituted in accordance with the provisions of this Act or Statutes or regulations, the Vice-Chancellor may, subject to the prior approval of the Chancellor, appoint committees temporarily to exercise, perform, and discharge any of the powers, functions and duties of such authorities or bodies under this Act or statutes or regulations.

**60. Disputes as to constitutions of Authorities or Bodies.-** If any question arises as to whether any person has been duly appointed or is entitled to be member of any authority or other body of University, the matter shall be referred to the Chancellor whose decision thereon shall be final:

Provided that before taking any such decision, the Chancellor shall give the person affected thereby reasonable opportunity of being heard.

**61. 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 to make recommendations.

(2) The Commission shall consist of not less than three eminent educationists in the field of Horticulture Sciences, 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.

**62. Appointment to posts in connection with the affairs of the University.-** (1) Subject to the provisions of this Act and the Statutes appointment to posts and services in connection with the affairs of the University may be made by the Vice-Chancellor with the approval of such authority as may be prescribed:

Provided that such approval of the Board shall not be necessary in respect of appointment of posts carrying scales of pay lower than the pay scale of an Assistant Professor under teaching and 'A' group of employees under non teaching staff.

(2) Notwithstanding anything contained in this Act and until such time as the Statutes are made or the authorities of the University are constituted, appointments to posts and services in connection with the affairs of the University may be made by the Vice-Chancellor on such terms and conditions as may be approved by the Chancellor.

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

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

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

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

(2) Every notification issued under sub-section (1) and every order issued under sub section (9) of section 8 shall be laid as soon as may be after it is issued, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions, and if before the expiry of the said period, either House of the State Legislature makes any modification in any notification or directs that any notification shall not have effect, and if the modification or direction is agreed to by the other House such notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

**66. Legal proceeding.-** All suits and other legal proceedings by or against the University shall be instituted, prosecuted or defended on behalf of the University by the Registrar or any other officer empowered in this behalf by the Vice-Chancellor.

**67. Repeal and savings.-** (1) The University of Horticultural Sciences Ordinance, 2009 (Karnataka Ordinance 3 of 2009 ) 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.

## **SCHEDULE**

[see section 2(30) ]

### **I. University of Agricultural Sciences, Bangalore**

1. College of Horticulture, Mudigere
2. Zonal Agricultural Research Station, Mudigere except areas of Rice Research and KVK.

3. Coconut Research Station, Arsikere,
4. Zonal Agricultural Research Station, Hiriyr except area of KVK
5. Cashew Research Station, Ullal
6. Areca Research Station, Sibinere, Horticulture Farm Thirthahalli.

## **II. University of Agricultural Sciences, Dharwad**

1. Kittur Rani Channamma College of Horticulture, Arabhavi
2. Horticulture Research Station, Kanabargi
3. Horticulture Research Station, Kumbapur
4. Horticulture Research Station, Tidagundi
5. Pepper Research Station, Sirsi
6. Chilli Research Station, Devihosur except area of maize
7. Bidar Horticulture College would function at Janawada Research Center till new area is acquired and infrastructure is established.
8. Bagalkot Horticulture College.

The above translation of the ತೋಟಗಾರಿಕೆ ವಿಜ್ಞಾನಗಳ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳ ಅಧಿನಿಯಮ, 2009 (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 11) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

**H.R.BHARDWAJ**  
**GOVERNOR OF KARNATAKA**

By Order and in the name of the Governor of Karnataka

**G.K. BOREGOWDA**  
Secretary to Government  
Department of Parliamentary Affairs & Legislation



**KARNATAKA ACT NO. 10 OF 2021**  
**THE UNIVERSITY OF HORTICULTURAL SCIENCES (AMENDMENT)**  
**ACT, 2020**

**Sections:**

1. [Short title and commencement.](#)
2. [Amendment of section 12.](#)

**STATEMENT OF OBJECTS AND REASONS**

**ACT 10 OF 2021.-** It is considered necessary to amend the University of Horticulture Sciences Act, 2009 (Karnataka Act 11 of 2010) to reduce the number of members of the Board of management of the University of Horticulture Sciences, Bagalakote as under directions of the Indian Council of Agriculture Research.

Hence, the Bill.

[L.A. Bill No. 05 of 2021, File No. Samvyashae 25 Shasana 2017]

[Entry 14 of List II and entry 25 of List III of the Seventh Schedule to the Constitution of India.]

[Published in Karnataka Gazette Extra-ordinary No. 230 in part-IVA dated: 08.03.2021]

# **KARNATAKA ACT NO 10 OF 2021**

(First published in the Karnataka Gazette Extra-ordinary on the 8<sup>th</sup> day of March, 2021)

## **THE UNIVERSITY OF HORTICULTURAL SCIENCES (AMENDMENT) ACT, 2020**

(Received the assent of the Governor on the 5<sup>th</sup> day of March, 2021)

An Act further to amend the University of Horticultural Sciences Act, 2009.

Whereas it is expedient further to amend the University of Horticultural Sciences Act, 2009 (Karnataka Act 11 of 2010) for the purposes hereinafter appearing;

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

**1. Short title and commencement.-** (1) This Act may be called the University of Horticultural Sciences (Amendment) Act, 2020.

(2) It shall come into force at once.

**2. Amendment of section 12.-** In the University of Horticultural Sciences Act, 2009 (Karnataka Act 11 of 2010), in section 12, for sub-section (2), the following shall be substituted, namely:-

"(2) The Board of Management shall consist of the following, namely:-

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|-------|--|---------------|
| (i)   | The Vice-Chancellor of the University.   | - Chairperson |
| (ii)  | The Additional Chief Secretary or Principal Secretary or Secretary to Government, Department of Horticulture or his nominee not below the rank of Joint Secretary. | - Member      |
| (iii) | The Additional Chief Secretary or Principal Secretary or Secretary to Government, Finance Department or his nominee not below the rank of Joint Secretary.         | - Member      |
| (iv)  | The Additional Chief Secretary or Principal Secretary or Secretary to Government incharge of the   | - Member      |

Department of Agriculture or his nominee not below the rank of Joint Secretary, as may be nominated by the Government keeping in view the teaching and research programme at the University.

- (v) One eminent educationist and academician of not less than rank of professor with a minimum ten years experience in State Agricultural Universities or Indian Council of Agricultural Research with minimum of three years experience of having served in the Board of Management of any educational institution or as a member of Research or Advisory or Steering or Expert Committees or Councils of a university nominated by the chancellor. - Member
- (vi) One representative of the State Legislative Assembly and one representative of the State Legislative Council to be nominated by the Government. - Member
- (vii) One outstanding women social worker nominated by the Chancellor, who has worked on issues of rural development or Gender related issues for a minimum period five years and must have been awarded State or National or international level award in the areas of agriculture and allied sectors or Rural development, women empowerment, social causes such as gainful employment, rural health, Education, sanitation. - Member
- (viii) One progressive Farmer owning agricultural land in Karnataka and who has been conferred with a reputed State or Central or International level award for excellence in the areas of Agriculture and allied sectors nominated by the state Government. - Member
- (ix) One distinguished Agriculture entrepreneur owning Agro-Industry with an experience of ten years in the managerial cadre of any agro- processing industry or value addition in Agricultural and related products having a minimum annual turnover of five crores. And an awardee for excellence in Agro-processing or value addition by Karnataka Government or Central Government organization to be nominated by the state Government. - Member

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|--------|--|-----------------------|
| (x)    | One representative from the Indian Council of Agricultural Research (ICAR) to be nominated by the Director General, Indian Council of Agricultural Research. | - Member              |
| (xi)   | One Director to be nominated by the Vice-Chancellor.   | - Member              |
| (xii)  | One Dean to be nominated by the Vice-Chancellor.   | - Member              |
| (xiii) | Registrar of the University.   | - Member<br>Secretary |

The above translation of ತೋಟಗಾರಿಕೆ ವಿಜ್ಞಾನಗಳ ವಿಶ್ವವಿದ್ಯಾಲಯ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 (- « - - , ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:10) shall be the authoritative text in the English language under by 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