



**KARNATAKA LEGISLATIVE ASSEMBLY
FOURTEENTH LEGISLATIVE ASSEMBLY
SECOND SESSION**

**THE RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES (AMENDMENT)
BILL, 2013**

(L.A. Bill No. 15 of 2013)

A Bill further to amend the Rajiv Gandhi University of Health Sciences Act, 1994.

Whereas, it is expedient further to amend the Rajiv Gandhi University of Health Sciences Act, 1994 (Karnataka Act 44 of 1994) for the purposes hereinafter appearing;

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

1. Short title and commencement.- (1) This Act may be called the Rajiv Gandhi University of Health Sciences (Amendment) Act, 2013.

(2) It shall come into force at once.

2. Amendment of section 12.- In section 12 of the Rajiv Gandhi University of Health Sciences Act, 1994 (Karnataka Act 44 of 1994) (hereinafter referred to as the principal Act),-

(i) for sub-section (3), the following shall be substituted, namely:-

"(3) The Committee referred to in sub-section (2) shall be a Search Committee constituted by the State Government consisting of three persons of whom, one shall be nominated by the Chancellor, one by the State Government and one by the Syndicate. The State Government shall appoint one of the members as Chairman of the Committee. The Secretary to the Government incharge of Medical Education or his nominee not below the rank of Deputy Secretary to Government shall be the Convenor of the Search Committee.

(ii) in sub-section(4),-

(a) for the words "but he shall be eligible for re-appointment" the words "he shall not be eligible for re-appointment for a second term" shall be substituted.

- (b) the first proviso shall be omitted
- (c) in second proviso the word "further" shall be omitted

3. Amendment of section 15.- In section 15 of the principal Act, for sub-section (1), the following shall be substituted,, namely:-

"(1) The Registrar shall be a whole time Officer of the University. The State Government shall appoint an Officer belonging to the Indian Administrative Service in the Senior Scale or an Officer belonging to the Karnataka Administrative Services not below the rank of Supertime Scale to be the Registrar of the University."

4. Amendment of section 16.- In section 16 of the principal Act, for sub-section (1), the following shall be substituted, namely:-

"(1) The Registrar (Evaluation) shall be a whole time Officer of the University. The State Government shall either appoint an Officer belonging to the Karnataka Administrative Service, not below the rank of Group A Senior Scale to be the Registrar(Evaluation) of the University or a Professor of an Autonomous Government Medical Institute with experience of at least five continuous years in the post of Professor."

5. Amendment of section 17.- In section 17 of the principal Act, for sub-section (1), the following shall be substituted, namely:-

"(1) The Finance Officer shall be a whole time Officer of the University. The State Government shall appoint an Officer belonging to the cadre of Joint Controller in the State Accounts Department to be the Finance Officer of the University."

6. Substitution of section 18.- For section 18 of the principal Act, the following shall be substituted, namely:-

"18. Other Officers.- The manner of appointment and the conditions of service of Other Officers of the University referred to in clause(viii)of Section 9 shall be such as may be prescribed by statute or by deputation of officers of the State Government or officers of Government Autonomous Medical Institutes for a period not exceeding three years. Provided that no such officers for any administrative posts in the University shall be taken on deputation from any aided or unaided private colleges or educational institutions. The powers and duties and the conditions of service of such officers shall be such as may be prescribed by the Statutes."

7. Amendment of section 21.- In section 21 of the principal Act, in sub-section (1),

- (i) for clause (iii), the following shall be substituted, namely:-

"(iii) The Secretary to Government in charge of Medical Education, or his nominee not below the rank of Deputy Secretary to Government."

(ii) for clause (xiii), the following shall be substituted, namely:-

"(xiii) Six members each of whom elected to Medical Council of India, Dental Council of India, Pharmacy Council of India, Indian Nursing Council, Central Council of Indian Medicine and Central Council of Homeopathy from Karnataka Chapter;"

8. Amendment of section 24.- In section 24 of the principal Act, in sub-section (1),-

(a) after clause (i), the following shall be inserted, namely:-

"(i-a) The Secretary to Government, in charge of Health and Family Welfare or his nominee not below the rank of Deputy Secretary to Government.

(i-b) The Secretary to Government in charge of Medical Education, or his nominee not below the rank of Deputy Secretary to Government."

(b) for clause (x), the following shall be substituted, namely:-

"(x) One nominee from an autonomous Government Medical institute nominated by the Government by yearly rotation."

(c) after clause (xi), the following shall be inserted, namely:-

"(xii) Six persons nominated by the State Government from amongst eminent personalities in the field of Health Sciences of whom,-

(i) one shall be a person belonging to the Scheduled castes or the Scheduled Tribes;

(ii) one person belonging to the Other Backward Classes;

(iii) one Woman;

(iv) one person belonging to Linguistic Minorities; and

(v) two others.

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

9. Substitution of section 40.- For section 40 of the principal Act, the following shall be substituted, namely:-

"40. Management of Funds.- All the funds of the university shall be managed in such manner as may be prescribed by the statutes:

Provided that the State Government may also issue directions from time to time regarding the management and utilisation of funds. The directions of the State Government shall be final."

10. Substitution of section 43.- For section 43 of the principal Act, the following shall be substituted, namely:-

"43. Annual accounts and audit.- (1) The annual accounts of the University shall be prepared under the directions of the Syndicate.

(2) The annual accounts so prepared shall be considered by the Senate at its next earliest meeting. The Senate may pass a resolution with reference thereto and communicate the same to the Syndicate. The Syndicate shall consider the suggestions made by the Senate and take such action thereon as it thinks fit and shall inform the Senate at its next meeting the action taken by it or the reasons for not taking action.

(3)The accounts of the University shall be audited by the Controller Of State Accounts once a year, in the month of April.

(4)The accounts so audited shall be placed before the Syndicate and the Senate and thereafter transmitted to the State Government with comments along with the resolution of the Senate before 30th of September every year. The State Government shall place the same before both the houses of the State Legislature at their next earliest session."

11. Amendment of section 44.- In section 44 of the principal Act, for sub-section (2), the following shall be substituted, namely:-

"(2) Copies of the Annual Report along with the resolution of the Senate thereon shall be sent to the Government before 30th of September every year. The State Government shall place the same before both the houses of the State Legislature at their next earliest session."

STATEMENT OF OBJECTS AND REASONS

It is consider necessary to amend the Rajiv Gandhi University of Health Sciences Act, 1994 to provide for,-

- (i) inclusion of the Secretary to Government, in charge of Medical Education in the Senate of the University;
- (ii) inclusion of the Secretary to Government, in charge of Medical Education and the Secretary to Government in charge of Health and Family Welfare in the Syndicate of the University;
- (iii) nomination of six members of eminence in the field of Health Sciences by the Government to the Syndicate;
- (iv) giving directions by the State Government to the University regarding the Management of Funds;
- (v) specify the manner of preparation of the Annual Accounts and Audit and Annual report of the University;
- (vi) re-constitution of Search Committee for appointment of Vice-chancellor of the University;
- (vii) prescribing the term of office of the Vice-chancellor;
- (viii) prescribing the method of recruitment of Registrar, Registrar (Evaluation), Finance Officer and Other Officers of the University; and
- (ix) certain rational and consequential amendments on par with the State Universities Act, 2000 are proposed.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed Legislative measure.

Dr.Sharana Prakash R. Patil
State Minister for Medical
Education

P. OMPRAKASHA
Secretary
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES ACT, 1994 (KARNATAKA ACT 44 OF 1994)

XXX

XXX

XXX

12. The Vice-Chancellor .- XXX XXX XXX

(3) The committee referred to in sub-section (2) shall consist of a nominee of the Government who shall be the convener of the committee and two members nominated by the University Syndicate. No person shall be nominated as a member of the committee who is connected with the University or any college maintained or controlled by the University.

(4) The Vice-Chancellor shall, subject to the pleasure of the Chancellor and the provisions of sub-section (2) hold office for a period of three years, but he shall be eligible for re-appointment:

Provided that no person shall be appointed as Vice-Chancellor for more than two terms;

Provided further that no Vice-Chancellor shall be removed from the office except by an order passed on the ground of misbehaviour, mismanagement, incapability or otherwise after due enquiry by a serving or retired Judge of a Supreme Court or High Court appointed by the Chancellor.

XXX

XXX

XXX

15. The Registrar.- (1) The Registrar shall be a whole time officer of the University and shall be appointed by the Vice-Chancellor in consultation with the Syndicate.

XXX

XXX

XXX

16. The Registrar (Evaluation) .- (1) The Registrar (Evaluation) shall be a whole time officer appointed by the Vice-Chancellor in consultation with the Syndicate.

XXX

XXX

XXX

17. The Finance Officer .- (1) The Finance Officer shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor in consultation with the Syndicate.

XXX

XXX

XXX

18. Other officers .- The manner of appointment, the powers and duties and the conditions of service of other officers of the University referred to in clause (viii) of section 9 shall be such as may be prescribed by the Statutes,

XXX

XXX

XXX

21. The Senate .- (1) XXX

XXX

XXX

- (iii) The Secretary to Government incharge of Higher Education, or his nominee not below the rank of Deputy Secretary to Government;

XXX

XXX

XXX

- (xiii) Six members of whom two are elected to Medical Council of India and one each to Pharmacy Council of India, Indian Nursing Council, Dental Council of India from Karnataka Chapter.

XXX

XXX

XXX

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

XXX

XXX

XXX

43. Annual accounts and audit .- (1) The annual accounts of the University shall be prepared under the direction of the Vice-Chancellor and a copy shall be sent to the Government.

(2) The accounts of the University shall, once atleast in a year at intervals of not more than fifteen months be audited by the Controller of State Accounts. 24

(3) The audited accounts of the University together with the auditor's report shall be published by the Syndicate in the Official Gazette and copies thereof shall be placed before the Senate.

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

XXX

XXX

XXX

44. Annual report .- XXX

XXX

XXX

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

XXX

XXX

XXX